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Assessing the Fit Between U. S. Sponsored Training and the Needs of Ukrainian Police Agencies

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Assessing the Fit Between U. S. Sponsored Training and the Needs of Ukrainian Police Agencies:

Section 1

Background and Overview of the U.S. State Department Law Enforcement and Criminal Justice Programs in Ukraine

In 1992, Congress enacted the Freedom Support Act (FSA) to assist the Newly Independent States (NIS) of the former Soviet Union to make the transition from communism to a free market democracy. Although predominantly a way to fund stabilization of nuclear, biological, and chemical weapons in these nations, the FSA also funded programs that support market principles and the rule of law. Included are joint research efforts between the NIS, U.S. researchers, and Graduate Fellowship programs that support NIS citizens obtaining Master's Degrees in the U.S.

This was not, however, to be the sole role for the FSA. In the years after the breakup of the Soviet Union, the NIS countries have experienced increased crime problems - mostly due to more highly skilled criminals and the loss of centralized controls. Because these trends may impede transition to a democratic way of life and impact international crime, they too became the focus of FSA-funded programs. As a way to address these particular concerns, the Department of State's Office of International Criminal Justice (ICJ) developed the Anti-Crime Training and Technical Assistance (ACTTA) Program in 1997.

The ACTTA program brings U.S. federal law enforcement agencies together to provide training and technical assistance in Russia, the NIS, and Central Europe. The funding for the Eastern European countries is supplied by the Support for East European Democracy (SEED) Act of 1989, while the FSA provides funds for the NIS. Training and technical assistance efforts were directed primarily at law enforcement, because of its pivotal role in curbing increased crime (see Foglesong and Solomon, 2001 for crime trends in post-Soviet Ukraine).

In Ukraine (and throughout the region), the specific goal of the ACTTA program is to help law enforcement officials develop new techniques and systems to cope with crime, while also strengthening the rule of law and respect for individual rights. The major objectives of the ACTTA program are to:

1. Develop partnerships between U.S. and NIS law enforcement agencies to enable them to combat organized crime in the NIS;
2. Help prevent NIS organized crime from spreading to the U.S.; and,
3. Focus U. S. government (USG) assistance in areas of mutual concern to U.S. and NIS governments.

The ACTTA program is an interagency effort administered by the Department of State's International Narcotics and Law Enforcement Affairs Bureau (INL). Congress allocates the FSA money through the Department of State's Office of the Special Advisor to the Secretary of State on the Newly Independent States (S/NIS). S/NIS receives the funds, transfers them to INL and is responsible for monitoring program implementation.

INL originated in 1978 to coordinate the international efforts to reduce narcotics trafficking and crime. When the organized crime threat in Europe increased in 1995, the international law enforcement training coordination was assigned to INL as well. Because of the different needs of each country, INL is an essential intermediary to the working relationship between foreign law enforcement agencies and the U.S. agencies who participate in the programs.

The ACTTA Program and Ukraine

The ACTTA program consists of several individual training and technical assistance projects addressing two main areas: law enforcement/criminal justice and the rule of law (a brief overview of the individual projects in each area is contained in Appendices B and C). The earliest of these bi-lateral anti-crime projects began in Ukraine in 1995. The early projects included U.S. provision of courses in Ukraine on the investigations of

financial crimes, drug trafficking, international organized crime (e.g., auto theft, practical case initiative, investigative techniques) and democratic and community policing initiatives. Currently, project objectives reach beyond those areas to include anti-corruption, counter-narcotics, law enforcement and police science, rule-of-law assistance, domestic violence and trafficking against women.

This report is concerned only with those individual programs that involve law enforcement, including those that involve investigators within the Ukrainian procuracy. Therefore, of those programs listed in appendices A and B, this report study considered:

1. Office of Overseas Prosecutorial Development, Assistance and Training Program (OPDAT/DOJ),
2. Law Enforcement Training Program (LETP),
3. Law Enforcement Exchange Program (LEEP), and
4. International Criminal Investigative Training Assistance Program (ICITAP).

Each of these is described briefly below.

Office of Overseas Prosecutorial Development, Assistance and Training program, U.S. Department of Justice (DOJ/OPDAT). **This DOJ program provides training seminars and conferences for the procuracy, judiciary, and law enforcement agencies combating corruption, organized crime and financial crimes.**

U.S. Attorneys conduct the training. Under this program, assistance is also provided to the NIS Ministries of Justice on drafting criminal laws, including modern money laundering statutes. Because DOJ/OPDAT also conducts regional training at the International Law Enforcement Academy (ILEA) in Budapest, Hungary, as well as other developmental programs in Ukraine, the law enforcement training reviewed here is included under the law enforcement training programs (LETP) below.

Law Enforcement Training Programs. Funding provides training courses for Ukrainian law enforcement agencies; the courses are conducted by U.S. federal agencies (including DEA, FLETC, ATF, EPA and the FBI) on counter-narcotics, police science matters, financial crimes, international banking and money laundering, and organized crime.

Law Enforcement Exchange Programs. In addition to training, the State Department has funded a pair of Non-Governmental Organizations (NGO) to coordinate programs of exchange between law enforcement officials from Ukrainian and their U.S. counterparts.

First, is an effort coordinated by Project Harmony, a Vermont-based nonprofit, that includes four types of informational exchanges: between individual police officers from each country, between students from academic institutions in both countries, in-country seminars on specially identified training topics, and month-long fellowships for law enforcement officials.

The International Association of Chiefs of Police (IACP) coordinates the second program of exchange between officers of the Kiev and Philadelphia, Pennsylvania police departments.

Law Enforcement Police Science Administration. FY99 funding provides technical assistance for the National Academy of the Ministry of the Interior located in Kiev. A team from INL and the International Criminal Investigative Training Assistance Program (ICITAP) traveled to Kiev in July 1999 to work with the National Academy on this project. Since then, Ukrainian staff has visited the Federal Law Enforcement Training Center (FLETC) and the training facilities at Eastern Kentucky University to discuss current methods of police training. More recently, arrangements have been considered to establish collaborations between the Ukraine National Police Academy, the National Law Academy of Ukraine, FLETC, and the John Jay College of Criminal Justice (New York City). In addition, INL has contracted with DOJ/ICITAP to provide assistance to the Ukrainian Border Guard Academy on curriculum and instruction development.

Funding Cycles and Participants

The funding period for the ACTTA training and exchange programs is two years, thus many of the programs from one fiscal year continue into the next and in some cases overlap with new funding. (There have been delays in obligating funds under these programs - during some fiscal years several agencies report not having received funds for as much as seven to eight months into the year. 1) Still, for FY99 INL programs and activities in Ukraine were funded for a total of \$3,839,381 - significantly more than their FY98 (\$1,257,896) and FY97 (approximately 1.75 million) allocations. These funds were used to support at least 17 different U.S.

federal law enforcement agencies, in addition to the NGOs Project Harmony and the International Association of Chiefs of Police (IACP), to provide the variety of law enforcement information exchange efforts addressed in this report. Among the federal agencies funded over the course of the program are the:

Bureau of Alcohol, Tobacco and Firearms (ATF).

Department of Justice (DOJ).

Diplomatic Security Service (DS).

Drug Enforcement Agency (DEA).

Environmental Protection Agency (EPA).

Federal Bureau of Investigation (FBI).

Federal Law Enforcement Training Center (FLETC).

Financial Intelligence Center (FINCEN).

Government Office of Ethics (USaGE).

Immigration and Naturalization Service (INS).

Internal Revenue Service (IRS).

International Criminal Investigative Training Assistance Program (ICITAP).

Office of Overseas Prosecutorial Development, Assistance and Training (OPDAT).

United States Coast Guard (USCG).

United States Customs Service (USCS).

United States Secret Service (USSS).

The Goal of the Report

In April 1999, the Police Executive Research Forum (PERF) was funded by the National Institute of Justice (NIJ) to document and assess the law enforcement training programs described above 2 (see Appendix E for a U.S. Embassy description of other U.S. sponsored criminal justice activities in Ukraine) and develop a general model to guide future decisions about the training to be provided to Ukraine and elsewhere in subsequent fiscal years. As such, the goals of this project are to *describe* the law enforcement programs that have been conducted, *evaluate the process* by which the law enforcement training and information exchange programs are conducted, and *attempt to assess the impact or effect* of these training/exchange programs. To do so, our methods were varied. First, we conducted an extensive review of available documents. This review included published materials on international police training, aid to Ukraine and other Eastern European countries, U.S. Government documents (as available) on relevant training programs, and materials provided by both service providers and participant agencies in Ukraine. Next, we conducted a series of interviews with government officials and service providers. In all, we discussed the U.S. efforts in Ukraine with at least 27 persons representing 10 U.S. organizations. 3

With the accumulated information, project staff from the U.S. and Ukraine collaborated on the development and administration of a survey of previous training and experience exchange participants; three surveys for Ukrainian police, prosecutors, and judicial officials at both national and local levels; and one survey of U.S. police officials. The goal of this series of surveys was to determine respondents' views on past U.S. sponsored programs as well as topics appropriate for and interest in future efforts. Finally, U.S. project staff completed six on-site visits where in-depth interviews and focus group discussions were held with officials, practitioners, and training experts from the Procuracy, Interior Ministry, Kiev police, Kharkiv police, and the Academy of Law Sciences.

The result of these efforts is a series of recommendations that we believe will support and strengthen U.S. sponsored efforts to train and support Ukrainian law enforcement. In addition, the process by which we arrived at these recommendations should serve as model for developing similar U.S. programs that effectively support law enforcement in other countries.

In subsequent sections of this report, we use the data gathered to describe:

The approach developed by INL to administer law enforcement training and exchange programs to date (sections 2 and 3),

The perceptions and impressions of the Ukrainian participants of the programs that resulted (section 4),

The general structure and operations of Ukrainian law enforcement and police agencies (Appendix A), and

A summary of the opinions of U.S. and Ukrainian police officials on subjects of interest and methods of exchange that may be appropriate (section 5).

We will conclude in section six with a series of recommendations to guide this and future efforts at international collaboration to train police and exchange law enforcement experiences.

Timeline

Break up of Former Soviet Union

Freedom Support Act

No change

ACTTA program developed

Anti-crime training is added to the ACTTA mission, expanding the program from counter narcotics. The coordination of the international law enforcement-training program is assigned to INL.

Formalized law enforcement training programs begin in Ukraine.

In FY 1997, Ukraine is funded approximately 1.75 million. Seventeen (17) courses are approved for Ukraine .

In FY 1998, Ukraine is funded for a total of \$1,257,896. Forty-one (41) courses are approved for Ukraine .

In FY 1999, Ukraine is funded for a total of \$3,839,381. Twenty-five (25) courses are approved for Ukraine.

September 2001

Section 2:

The Law Enforcement Training Program

The Law Enforcement Training Program (LETP) administered by INL funds training courses for law enforcement agencies in 81 countries around the world. For the most part, these courses are taught by federal law enforcement agency personnel who either travel abroad to deliver training in the host country or host foreign nationals in courses held in the United States.

Countries that receive U.S. funded training are assigned to regional program officers at INL in the A ENT@ section. 1 This section includes program officers responsible for Western Europe (AE@ for Europe) and the Newly Independent States (AN@ for NIS), and those responsible for the logistics of coordinating and scheduling training and contract negotiation (AT@ for training). These officers are not operational since they have no involvement with active cases, have no intelligence functions and do not perform the actual instruction. Instead, their role is to manage and coordinate the training courses and advisory programs for the countries in their sphere of influence through Memorandums of Understanding (MOUs) to appropriate federal agencies.

INL acts as the central point of coordination for all of the program-s training efforts. The advantage of this arrangement is that INL maintains awareness and control over the nature and type of information that is exchanged. From an efficiency perspective, there is value in the State Department-s coordination as well, since many of the courses available have content overlap and many recipient countries might be confused about the courses most suitable to their own needs. Indeed, the State Department acts somewhat as an Ahonest broker,@ in that they have fewer biases regarding agency selection to provide the training requested.

The process by which these courses are *selected* by foreign countries, *approved* by the United States and *coordinated* is described below - first in general terms, followed by greater specificity as to how the process was applied to Ukraine during FY99, the year most current to this project report.

Course Selection Process

Once funding is provided to INL (often as many as nine months after the start of the fiscal year) the LETP's program's director begins the process of identifying the training courses to be offered in each country. At the time of this study, this process involved the input of the State Department (in setting regional priorities that serve as guidelines as to which courses can be chosen by a country), the U.S. Embassy in each eligible country (with instructions to work with its country's leaders to select courses), and the federal agencies responsible for the training (who make recommendations on suggested courses).

In FY99, the State Department began the training course selection process by cabling each embassy with a list of available courses and a request for guidance on the courses most needed. The embassy was to reply by specified dates with priorities. The steps in this process are described below.

The State Department Cable. For each eligible country, the State Department training cable is sent to each country's U.S. embassy to explain the steps for staff to follow in selecting law enforcement courses for the following year. Prior to sending the cable in FY99, however, the State Department first developed 12 global anti-crime and counter narcotics objectives. These objectives were based on a summary of Mission Program Plans that had been requested earlier from each embassy worldwide. These plans were themselves gathered to establish the specific training objectives that would form the basis of the U. S. government's measurement of training program success. State Department staff then matched the objectives with catalogued federal agency courses and requested embassy personnel to work with decision-makers from their respective countries to select appropriate courses based on their needs.

The State Department's 12 general objectives and specific related courses for FY99 2 were as follows:

Alien Smuggling. To assist governmental efforts through training, coordination of enforcement activities, and the enactment of Anti-smuggling legislation. Thirteen (13) courses are offered by USCG, INS and DS *Border Control.* To improve capabilities at combating illegal immigration and the smuggling of contraband through training and assistance and the establishment of cooperative networks among law enforcement agencies worldwide. Twenty-three (23) courses offered are by USCS, DS, INS, and USCG.

Corruption. Strengthen the political will and ability of host nations and government institutions to counteract all types of corruption. Eleven (11) courses offered by OPDAT, FBI, USaGE and ICITAP.

Counter-narcotics. Strengthen the ability of law enforcement authorities to disrupt and dismantle major narcotics trafficking organizations along all points of the production, transportation and distribution chain. Thirty-three (33) courses offered by DEA, USCS, and USCG.

Illicit Firearms. Provide training to reduce and control the illicit trafficking in firearms, ammunition and explosives. Six (6) courses offered by ATF, FBI and ICITAP.

Intellectual Property Rights. Protect Americans and American firms doing business in foreign countries from monetary losses resulting from theft of intellectual property. Three (3) courses are offered by FBI, USCS and OPDAT.

Law Enforcement/Police Science. Develop the capabilities of law enforcement agencies to combat criminal activity, both internal and transnational, through targeted training and assistance programs that include an emphasis on the rule of law and respect for individual rights, and with the establishment of contacts with U.S. law enforcement agencies. Seventy-eight courses (78); 22 basic, 46 intermediate and 10 advanced are offered by the FBI, FLETC, ICITAP, ATF, DS, and OPDAT.

Money Laundering/Financial Crimes. Improve the capabilities of national law enforcement and legal authorities to fight financial crimes and disrupt infiltration and corruption of financial institutions by criminal enterprises. Twenty-six (26) courses offered by FBI, IRS, USSS, OPDAT, FINCEN, USCS and FLETC.

Organized Crime. Improve the capabilities of national law enforcement and legal authorities to investigate and prosecute transnational organized criminal enterprises and resulting corruption. Fourteen (14) courses offered by FBI and OPDAT.

Rule of Law/Judicial Reform. Assist governmental efforts to counter criminal activities with the creation of strong independent judicial systems and criminal law legislation (new or amended), including a code for criminal law as well as efforts to promote the passage of such laws. Assistance may include all aspects of legal application from collection of evidence to prosecution. Forty-five (45) courses offered by OPDAT and USCG.

Stolen Cars. Improve the capabilities of law enforcement agencies to investigate illicit vehicle trafficking through training and technical assistance targeting the identification of stolen vehicles, recognition of fraudulent documents, and related techniques. Two (2) courses offered by FBI and ICITAP.

Trafficking/Violence Against Women and Children. Improve the capabilities of law enforcement and legal authorities to fight trafficking and domestic abuse (violence) at all levels. Assistance may include the establishment and enforcement of laws, investigation and prosecution of offenders, development of preventive measures and provision of protection, and assistance measures for victims. Eight (8) courses offered by FBI, ICITAP, INS and OPDAT.

A brief, one-paragraph description of each available course was provided to each embassy to assist them in matching the 12 objectives to each country's individual Mission Program Plan and selecting appropriate courses from within those objectives. To allow flexibility in those countries where priorities had changed since the development of the Mission Program Plan, up to 20 percent of the total courses selected could be grouped as miscellaneous and fall outside of the established priorities.

The Embassy Selection. After receiving the telegram request, appropriate embassy personnel contact the host government's law enforcement representatives from the judicial branch, prosecutors, and the police to discuss the available courses in general terms. Together, they identify and prioritize courses of interest. From the U.S. side, participating embassy personnel may include the Narcotics Affairs Officer, Regional Security Officer (generally State Department employees), or the Resident Legal Advisor (who can be State Department or Department of Justice staff).

In Ukraine, the Embassy staff person in charge of the training selection is the Resident Legal Advisor (RLA), a State Department officer in place since 1998. 3 When the

Table 1.1
Ukrainian Embassy Course Request for Fiscal Year 1999

Rank	Objective	Agency	Course
Crime Forces	1	Organized Crime	OPDAT Overview of Prosecuting Organized Crime
	2	Organized Crime	OPDAT Developing Anti-Crime Task/Strike Forces
	3	Money Laundering Financial Crimes	OPDAT Combating Economic Crime Advanced Money Laundering and Asset Forfeiture
	4	Corruption	OPDAT Investigating and Prosecuting Public Corruption
	5	Law Enforcement Police Science	FBI Practical Case Training
	6	Counternarcotics	DEA Drug Enforcement School, Advanced Regional
	7	Counternarcotics	DEA Airport Operations
	8	Counternarcotics	DEA Executive Observation Program

9	Law Enforcement Police Science	FBI	Bank/Armored Car Robberies
10	Counternarcotics	DEA	Judicial Seminars
11	Organized Crime	OPDAT	Investigating and Prosecuting
Transnational		Crime	
12	Money Laundering Financial Crimes	OPDAT	Transnational Money Laundering Investigations and Prosecutions
13	Money Laundering	FLETC	International Banking and Money Laundering Training Program
14	Intellectual Property Rights	OPDAT	Intellectual Property Crimes

RLA received the State Department law enforcement training telegram, it is reported that he discussed the telegram with the embassy's law enforcement working group - including representatives from the Treasury Department and the Federal Bureau of Investigation (FBI). The RLA then selected the courses that he felt (based on his experience in Ukraine and with Ukrainian law enforcement) were most needed at the time. Above, table 1.1 displays the objectives and courses requested in order of priority.

Course Approval Process

After receiving each Embassy's training course requests, the State Department's INL staff considered two additional prioritization rankings in determining which training courses were to be approved for each country.

In addition to the Embassy's request, the INL desk officer for that country factored in his or her own prioritization of needs. To derive this second rank ordering, the INL training office staff contacted the federal agencies providing the training courses to determine their availability and ability to do what is requested. The costs of the courses requested in light of the budget available for each country was then factored in as well. Finally, the INL desk officer evaluated the appropriateness of each requested course from his or her own knowledge of the host country's needs and situation.

A third ranking was provided by the federal training agencies, each of whom rank ordered their own courses according to the regions (NIS, Eastern Europe, etc) where each was requested. This gave the agencies themselves input as to which courses were taught and where. Each participating agency was asked to consider course appropriateness based on their knowledge of the requesting region's needs, the number and types of courses they

Table 1.2
Courses Approved for Ukraine, Fiscal Year 1999

Rank	Objective	Agency	Course	Status
1	Organized Crime	OPDAT	Overview of Prosecuting Organized	Approved
2	Organized Crime	OPDAT	Developing Anti-Crime Task/Strike	Approved

Money	3	Money Laundering Financial Crimes	OPDAT	Combating Economic Crime/Advanced Laundering and Asset Forfeiture	
		Approved			
	4	Corruption	OPDAT	Investigating and Prosecuting Public Corruption	
		Approved			
	5	Law Enforcement Police Science	FBI	Practical Case Training	Approved
	6	Counternarcotics	DEA	Drug Enforcement School, Advanced Regional	
		Approved			
	7	Counternarcotics	DEA	Airport Operations	Approved
	8	Counternarcotics	DEA	Executive Observation Program	Approved
	9	Law Enforcement Police Science	FBI	Bank/Armored Car Robberies	Not Approved
	10	Counternarcotics	DEA	Judicial Seminars	Not Approved
Transnational Crime	11	Organized Crime	OPDAT	Investigating and Prosecuting	
		Approved			
	12	Money Laundering Financial Crimes	OPDAT	Transnational Money Laundering Investigations and Prosecutions	
		Approved			
	13	Money Laundering	FLETC	International Banking and Money Laundering Training Program	
		Approved			
Approved	14	Intellectual Property Rights	OPDAT	Intellectual Property Crimes	Not
	NR	Law Enforcement Police Science	ATF	Regulatory Enforcement Field Operations Training	
		Approved			
	NR	Law Enforcement Police Science	EPA	International Environmental Crimes	Approved
	NR	Law Enforcement Police Science	FBI	Homicide Investigation	Approved
	NR	Law Enforcement Police Science	FBI	Task Force Management	Approved
	NR	Law Enforcement	FBI	National Crime Information Center	

	Approved		
	Police Science		Pilot Project
NR	Law Enforcement Police Science	FBI	Law Enforcement Executive Development Seminar
	Approved		
NR	Law Enforcement Police Science	FBI	International Money Laundering Approved
NR	Law Enforcement Police Science	FBI	Advanced Organized Crime Seminar Approved
NR	Law Enforcement Police Science	FBI	Organized Crime Conference in the Approved United States

were able to provide, and their own needs for in-country collaborations. In several cases, the participating federal agencies added courses to what had been requested. Once all three rankings were complete, State Department personnel weighed their respective merits and derived the final, consensus recommendation.

Table 1.2 presents the consensus recommendation for U.S. sponsored law enforcement training for Ukraine in FY99. Included are both the requested courses (Table 1.1) and those that were not requested but added as the process progressed. We were advised by State Department staff we interviewed that in many cases the added course became available because Ukraine's importance to the U.S. had led to increased funding in support of the training effort through the Freedom Support Act. With those added funds, courses recommended by the training agencies were added to the list. However, several State Department staff members added that the additional course inclusions appeared to be driven more by Congressional support for funding the participating agencies' (i.e., FBI) training programs than by the needs of Ukrainian law enforcement.

Course Coordination Process

Once notified of the list of approved courses for each country, each federal agency was responsible for coordinating and scheduling its own training courses through the host country's embassy. In Ukraine this meant that most training agencies worked with the RLA in conjunction with their nearest attaché or liaison. The FBI, however, were somewhat distinct since an FBI agent is posted to the embassy in Ukraine and could handle most coordination requirements. In other cases, the RLA advised that he would assist training agencies by selecting appropriate dates and locations for courses and developing a participant list of attendees - usually with guidance from the requesting agency involved.

While the FBI has a coordinating agent in place, the Secret Service and the Drug Enforcement Agency (DEA) generally preferred to send an advance team to help with course coordination. In such cases, one or more agents traveled to the training site to arrange logistics and develop the participant lists. At times, the agent would meet with local police or other law enforcement officials to determine training topics and course focus. Other agencies, however, preferred to rely on their trainers' ability to conduct on-site needs assessments on the first day of training. The trainers then modified and customized their material to match the issues raised by course attendees.

After the courses have been conducted, the federal agencies were required to provide INL with an After Action Report (AAR) that included an overview of the course content, a list of participants, and a summary of a self-conducted post-training evaluation. These are discussed in more detail in sections that follow.

Revisions for Fiscal Year 2000

In FY 2000 INL made several changes to the process by which courses were selected. First, they limited to

15 the number of courses that could be chosen in Ukraine, each within the same 12 regional objectives. The United States law enforcement agencies were also given permission to work directly with the embassy to adjust their chosen course list.

Once the listing was received by the United States, the ranking system was adjusted to give all participants an equal say in course selection. To do this, each course was given a weight that was based on an average of individual rankings from high-level policy personnel in the Departments of Justice, State and Treasury. Personnel from each agency ranked each course from A1 to A5, where A5 indicated the course was of the most importance for that country. The three ratings were then averaged. For example, if Ukraine selected a counternarcotics course, the Department of State might rate this a A1, Treasury might rate it a A5, and Justice a A1. The average weight for that course would be a 2.33 ($7/3=2.33$), which would then be used in the ranking process. While the goal of these revisions was to simplify the course selection process, its actual effect is not known. It is unlikely, however, that these revisions would address the weaknesses found and issues raised in this report.

Section 3:

The Law Enforcement Exchange Programs

The programs discussed in the previous section are considered a standard training in that the courses are standardized, or off-the-shelf, and are taught by their U.S. government federal agency sponsors in a variety of circumstances, both here and abroad. This section, meanwhile, discusses the additional information exchange, or advisory, programs offered in Ukraine. These programs are more recent in design and are intended to be more content-specific for the Ukrainian participants.

As noted, two organizations received funds from INL in FY98 and FY99 to conduct these law enforcement exchange programs in Ukraine. The first and largest program was developed and is run by Project Harmony, a Vermont-based NGO that has worked in Russia and the former Soviet republics since 1985. In each case, the Project Harmony goal is to build relationships between law enforcement practitioners and engage them more fully in the international community. More specifically, the Project Harmony Law Enforcement Exchange Program (LEEP) is designed to support grass-roots community policing efforts both in the United States and the Newly Independent States (NIS) by establishing linkages between state municipal police forces and police training academies in the United States, Russia and Ukraine. Project Harmony staff began these exchange programs between Ukrainian and U.S. law enforcement in 1995 and have continued them with FY98 funding.

The second organization funded to conduct law enforcement exchange programs with Ukraine is the International Association of Chiefs of Police (IACP). The IACP is the largest non-profit membership organization of police executives in the U.S. and has historically viewed its mission as fostering police cooperation and the exchange of information and experience among police administrators throughout the world. To that end, this group's International Law Enforcement Exchange Program received funding in October 1997 to provide professional exchange opportunities for 294 officers in 42 different police departments in the U.S., Central America and the Caribbean, Ukraine, Russia and the Newly Independent States.

Below, each of these programs is reviewed more fully.

Project Harmony's Law Enforcement Exchange (LEEP) in Ukraine

Beginning in 1995, Project Harmony received funding from the US Department of State, Bureau Of International Narcotics and Law Enforcement to continue and expand its existing law enforcement exchange efforts into at least three Ukrainian cities - Odessa, Lviv, and Uzhgorod. In all three cities, Project Harmony has sought to establish long-term exchanges focused on members of the oblast Department of Internal Affairs, city Department of Internal Affairs, Department of Tax Administration, and the Institutes of Internal Affairs.

Program Philosophy and Description

Project Harmony reported to our staff that their primary goal is to establish and maintain integrated and long-term commitments to each program site. Each commitment involves work with city and oblast police departments and cadets-in-training with hands-on training, discussion, observation and exchange of training methods, including the use of the Internet and new computer technologies. Project Harmony's goal is to strengthen institutional and professional relationships, and produce sustainable partnerships between American and Ukrainian criminal justice training institutes and police departments.

To fulfill their vision, the Project Harmony law enforcement training programs are managed in four program modules. These modules are geared toward influencing different elements of the law enforcement system through distinct, but interrelated, approaches. For example, individual modules may not directly involve the same participants, but will build upon participants' knowledge to identify others for subsequent activities. In addition, each module is based on a core philosophy of building capability with grass-roots interventions. When complete, all participants are asked to prepare written evaluations of their experiences, including their ratings (excellent to poor) of program logistics coordination, program content, and cultural exposure.

Beyond its grass-roots focus, each of the Project Harmony programs stress hands-on/internship-based training with like professionals from the U.S. law enforcement community. Whether reaching out to senior police officials (through the professional exchange program) or rank and file police (through the criminal justice exchange), each of the Project Harmony programs includes a focus on historical, political, religious and economic understanding of both the U.S. and Ukrainian cultures. In addition, because Project Harmony prefers to work in regions that traditionally receive fewer resources and offer greater access to key individuals and agencies, all of this NGO's programs in Ukraine are conducted in locations outside the capital city, Kiev. They do, however, typically prefer working in law enforcement communities where there is a federal police academy (Institute of Internal Affairs).

The four Project Harmony program modules include the following:

Module A: International Law Enforcement Exchange Program. This module focuses on two-way, community-based exchanges between U.S. and Ukraine delegations of police officers, prosecutors, correctional officers and criminal justice officials from many aspects of the law enforcement system. The exchange visits include informal training sessions and exposure to local, state and federal policing activities.

An additional feature of the exchanges is an intense cultural immersion into the social, political and economic structure of the country visited. For example, all delegates stay with host families in the visiting country and the itinerary includes many stops of historical significance. Project Harmony staff explained that they believe that until officers experience the living conditions of their counterparts, they cannot fully realize the difficulties of their jobs. As such, the U.S. participants they attempt to recruit must be interested in learning about Ukrainian law enforcement, have demonstrated excellent service, and be at least capable trainers. Their interest in the program is then further demonstrated by the willingness to pay their own expenses for the exchange. While in Ukraine, the local Department of Internal Affairs, Institute of Internal Affairs, and Department of Tax Inspection are responsible for hosting the delegation and providing a professional program. Ukrainian exchange participants, meanwhile, are placed in a local police agency that has volunteered itself as a host.

Module B - Criminal Justice/Institute of Internal Affairs Partnership. This module involves two-way exchanges between institutions, such as Michigan State University and the Lviv Institute of Internal Affairs, that provide police training and education. In the first part of these exchange programs, 10 to 15 Ukrainian cadets, along with two Ukrainian faculty members, attend courses at the U.S. criminal justice program for two to four weeks. A similar sized U.S. delegation then travels to the Ukrainian institute for course work there. For its participants, Project Harmony recruits criminal justice students from the U.S. who are interested in learning about Ukrainian criminal justice. The Ukrainian participants, meanwhile, are selected by the Institute of Internal Affairs according to their academic and practical performance. Participants in these exchanges are also supported by home stays in the country visited. Curricula have been developed on theoretical and practical application of concepts in such topics as U.S. Constitutional, Criminal, and Civil Law; Foundations of American Justice; and comparisons between US and Ukrainian legal and law enforcement systems.

Module C - Professional Development Workshop Program. During exchanges for the two previous modules, Project Harmony staff has identified specific training needs of the local Department of Internal Affairs and Institute of Internal Affairs. In response, Professional Development Workshops have been organized to provide hands-on training. The training is provided by experienced teams (2-3 people) of U.S. practitioners who travel to Ukraine to present programs of up to two weeks duration. Several subject areas

have been addressed in these programs, including techniques of criminal investigation, computer crime-detection and prevention, domestic violence, narcotics investigation and undercover work, juvenile crime and punishment and the U.S.-based DARE program. Project Harmony typically solicits its trainers from the U.S. delegation of police who have traveled on the Professional Exchange Program as well as established trainers in appropriate fields.

Module D - Fellowship/intern Program. Ukrainian participants in this module travel to the U.S. for one- to two-month long internships with state and municipal police departments across the U.S. During their stays, participants are enrolled in specialized training courses and seminars with U.S. police officers and attend presentations to community groups and lectures/workshops at schools of criminal justice and other local police departments. Project Harmony selects Internship/Fellowship Participants through an application and interview procedure that includes both written and oral interviews for candidates recommended by their supervisors.

Results of the Exchange

In addition to a better mutual understanding of the different cultures, Project Harmony staff report that their three-city effort has resulted in several measurable results. Among them are:

The Criminal Justice University Partnership Program has generated a new textbook for cadets at the Lviv Institute of Internal Affairs. The textbook was a project of a Lviv faculty member who developed a language resource for cadets on terminology used in the American criminal justice system.

The Professional Development Workshop module has resulted in a better use of K-9 units in the Odessa Department of Internal Affairs, including standards for dog training and handling.

In Lviv, American trainers have developed the field techniques of police investigators in crime scene analysis. A professional development workshop that included the Deputy Minister of the Ministry of Internal Affairs resulted in a commitment to update police training curriculum for all cadets in Ukraine, including the professional standards and new ethical standards of conduct.

IACP's International Law Enforcement Exchange Program

In 1997 the IACP also received INL funding to establish its International Law Enforcement Exchange Program. The Ukrainian component of the program included two exchanges between law enforcement personnel - first, between the Chiefs of the Kiev City Police Department and the Philadelphia Police Department's Eastern Division and later, between six police trainers each from the Kiev and Philadelphia police departments.

Program Philosophy

Police exchanges with U.S. police departments are designed to give law enforcement officers in the participating countries a better understanding of current U.S. police practices while assisting them in building the rule of law infrastructures needed to support their new governments. As such, the programs' general goals and objectives in each of the participating countries are to:

Combat the growing threat to national security posed by international organized crime;

Help emerging democracies strengthen their national judicial and law enforcement institutions;

Provide training and technical assistance to criminal justice personnel in the areas of community policing, internal controls, crime scene investigations, operations, management and forensics; and

Strengthen the justice personnel's understanding of the meaning of the rule of law in a democracy.

To reach these goals, police agencies from U.S. cities are paired with their international counterparts so that information sharing and mentorship can occur. Kiev, Ukraine and Philadelphia, Pennsylvania were selected to participate.

The initial exchanges were conducted between the chiefs of police for each locality. Among the ideas to be shared were each agency's staffing requirements, the specific training goals established by each, and methods each had employed to meet those training needs. The chief exchange was followed by an exchange of training personnel from each country to gather information on actual training content and develop relationships intended

to foster future interactions. In all, five specific exchange events took place; each of which is described more fully below.

1. An initial visit by the Chief of the Kiev City Police Department to the Philadelphia Police Department. This four-day visit was used to develop the agreement for the format and content of the remaining exchanges between the two departments. The chiefs also met to determine the areas of training to be provided to the Kiev police training personnel in their next visit and to exchange information about the Philadelphia department's facilities. During his visit to the U.S., the Chief of Kiev City Police also attended presentations on a range of topics including police administration, firearms and the department's firearms unit, and research and planning. In addition, while in the U.S. he met with members of other components of the Philadelphia criminal justice system such as the District Attorney and several judges.

2. A visit by six Kiev police training personnel to the Philadelphia Police Department. This two-week long visit included training sessions on organized crime, drug interdiction, community policing-theory and practice, economic and white-collar crime, and crime scene investigation and forensics - all training topics selected during the initial chiefs' meeting. The full schedule of training courses was augmented by demonstrations (such as the firearms unit and crime lab capabilities), facilities tours (the New Jersey State Police Headquarters, local prison facilities and the police academy) and ride-alongs with on-duty Philadelphia officers.

3. A visit by the Chief of the Philadelphia Police Department's Eastern Division to Kiev, Ukraine. During this three-day visit to Kiev, the chief from Philadelphia Police Department became familiar with the services of both the Kiev City Police Department and the Ukrainian National Training Academy of Interior Forces. In doing so, he solidified direct ties between the leadership of the Kiev and Philadelphia police departments. As his counterpart had in the U.S., the Philadelphia chief discussed the goals and objectives of a group visit planned for six of his own officers to Kiev and the possibility of the agencies providing each other technical and professional assistance in the future. Tours of the National Academy of the Interior and the Traffic Police Center and attendance at a demonstration of the quick-response *Berkut* unit were also arranged.

4. A follow-up visit by six Philadelphia Police Department training personnel to Ukraine. This two-week long visit featured presentations by officers from each department. The Philadelphia officers discussed topics such as money laundering, financial crimes, U.S. juvenile crime legislation, and methods of internal affairs. Kiev officers, in turn, made presentations on organized crime, the *Berkut* quick response unit, and traffic enforcement. This visit also included tours of Kiev Police Department facilities (i.e., the communications and dispatch center, the canine unit, the juvenile detention facility, and several district police stations), question and answer discussion sessions and a two-day visit to the National Academy of Interior Affairs.

5. A final evaluation trip by the IACP coordinator to Ukraine. The activities for the evaluation were conducted during the last week of the visit made by the Philadelphia police officers to Kiev. The program coordinator interviewed the participants in several forums, both together and individually. The coordinator also collected written evaluations from each participant.

Participant Selection Process

In selecting exchange participants, IACP's project coordinators gave the chiefs of both police agencies general parameters to follow. They requested that selected participants have a rank no higher than colonel and have some mid-level management experience. In Philadelphia interested officers were requested to volunteer for participation and approximately 40 officers did so. From this pool of candidates, participants representing a variety of departmental units were chosen.

Results of the Exchange

Based on their exposure to the bicycle patrol used in the Philadelphia Police Department, the Kiev City Police Department is reported to have recently established a bike patrol as part of their capital city patrol division.

Each day, three pairs of officers patrol on bicycle routes that include the recreational areas of Kiev (i.e., the Water Park). These patrols work in cooperation with the foot patrols.

Section 4:

Evaluation of Training and Exchange Program Success

The overall goal of the ACTTA program is to help law enforcement officials develop new techniques and systems to cope with crime, all while strengthening the rule of law and respect for individual rights. Within that guiding framework, specific ACTTA program objectives in Eastern Europe focus on the development of partnerships between U.S. and NIS law enforcement agencies to assist in:

Combating organized crime in the NIS

Helping prevent NIS organized crime from spreading to the U.S. and;

Focusing U.S. government assistance in areas of mutual concern to U.S. and NIS governments.

While what constitutes Areas of mutual concern[®] was not clearly defined or specified, our conversations with INL staff, U.S. Embassy personnel, and Ukrainian law enforcement officials suggest that strengthening Ukraine's domestic law enforcement apparatus and respect for the rule of law became the accepted approach to operationalizing this ambiguous objective.

To evaluate how successful the overall program has been in achieving its stated goals, our staff consulted three sources of data.

First, we conducted a variety of interviews and group discussions with those involved in each stage of the program's components - selection and approval of courses; coordination, administration, and delivery of training and exchange activities; and selection of program participants.

Next, we reviewed all available after-action reports and course evaluations.

Finally, we surveyed all Ukrainian participants who could be identified by U.S. State Department staff and located by their Ukrainian counterparts.

With the data available, we assessed the administration of programs (selection, approval, and coordination) as well as the quality or usefulness of the material presented. Similarly, where possible, we examined the training - usually short-term and off-the-shelf - and the exchanges separately. In each case, however, the overall goals and specific objectives were maintained as the comparison standard. What follows is our assessment and observations.

The Administration of Training

As noted, the course selection process for FY99 began with U.S. Embassy personnel recommending courses based on the 12 global objectives previously identified as priorities for Ukraine. State Department staff subsequently came to conclude that the course selection process could be improved by substituting *regional* priorities as the overall guiding framework. Specific country needs could then be evaluated relative to this larger picture. As such, for FY2000, the state department set a series of regional priorities deemed to affect certain areas of the world, and embassy staff were instructed to set their training priorities accordingly.

While the system of ranking - with input from the Embassy, the INL program officer and the federal agencies - is intended to clearly quantify the process by which courses are selected for delivery in each country into almost a mathematical equation, our interviews suggest that in reality the process is more opaque. For example, several state department employees expressed concern that the process had, in fact, been corrupted by the participating federal agencies who would bypass the established mechanism for providing their input with congressional appeals to garner larger portions of the training funds. In the end, our sources suggested that course appropriateness is only one of many factors that determine course selection.

For their part, the agency trainers we interviewed expressed a desire to have even more input in the course selection process. Through their work in the recipient countries, they noted, they have a good idea of the topics that would be helpful and would meet important local needs. As it is, they added, the process appears very uninformed. While they would be pleased to work directly with the Embassies in selecting courses, most often, they complained, they are not informed when the course selection process begins.

Interestingly, we were surprised to find that no serious effort appears to have made to gain input either from Ukrainian police and law enforcement officials or from outside sources knowledgeable of U.S. police training capabilities. This could be, as some in the State Department noted, because the true goal of the

program has become the development of intelligence contacts abroad rather than the provision of effective training. We have no way of assessing such claims. What is probably true, however, is that a goal of effective training and experience exchange is not supported by the current approach of 30 to 40 course offerings by a dozen or so U.S. agencies.

In general, we agree with the State Department staff we interviewed that the training program appears to be disjointed, without sequence or design, and without articulated goals. In addition, we have doubts about the depth of information that can be delivered through such short exposure to selected topics, especially when U.S. agencies send trainers with little or no experience or knowledge of Ukraine and its needs. Indeed, according to staff we interviewed, trainers have been criticized by in-country staff for their lack of sophistication and sensitivity to the issues in Ukraine. During our focus groups with Ukrainian police we heard similar complaints with one group describing a demonstration on police crime scene technology that concluded with the message that it's a shame you'll never be able to afford the equipment being shown. Beyond such obvious concerns, however, it should be clear that, given the significant differences in the police practices and criminal justice systems of the U.S. and Ukraine, the use of trainers without adequate background preparation greatly lessens the likelihood that the materials presented will be relevant or adequately communicated.

The delivery process of training is important as well. On numerous occasions our project staff heard complaints from U.S. participants about the difficulties in scheduling activities in Ukraine. What surprised us was that the problems did not appear to originate from Ukrainian officials who were reported to be eager to work with their U.S. counterparts and were happy to host visits and provide staff to participate. Instead, the complaints centered around a lack of support and organization from the U.S. Embassy in Ukraine. Requests for country clearance, for example, were often so slow to arrive that either trainers were no longer available or travel arrangements were no longer possible. And, even if scheduled, trainers complained that classes or training events might be cancelled with little notice and no explanation. As a result, trainers who had been scheduled were left stranded having taken vacation time from their U.S. jobs only to learn that their assignment had been cancelled. This, in turn, imposed added cost to the training agency and greatly reduced the willingness of the most sought-after trainers to be available for future efforts. Indeed, here too we experienced the frustrations being described. For example, Embassy personnel canceled two of our six visits to Ukraine on short notice as a result of unstated concerns. In each instance, planning costs were squandered, airline penalties were required, and consultant and staff schedules in both the U.S. and Ukraine were seriously disrupted. While each visit was eventually rescheduled, the difficulties imposed on the project were considerable. Clearly, an effective training program that requires planning, preparation, and enthusiastic participation from both sides cannot be held hostage to such cavalier conditions.

Evaluating Course Content

While the agencies delivering training are expected to collect course evaluations from attendees and summarize them in After Action reports (AAR), State Department staff apparently do not systematically review or assess these evaluations. In fact, we could find no consistent submission practices among the training agencies and no funds available to monitor compliance. As a result, of the 30 courses taught during FY98 and FY99, only 18 AARs were submitted to INL by the end of 2000.

Despite the limited use of AARs, State Department employees we interviewed did express concerns that the differences between the U.S. and Ukrainian criminal justice systems had caused difficulties in course content. For example, in courses on money laundering taught by the Internal Revenue Service (IRS), materials begin with the premise that criminals use banks as part of their laundering schemes. In Ukraine, however, banks are not commonly used, calling much of the information offered into question. Other examples involving investigative procedures and police/community involvement were offered as well. While recognizing these concerns, the agencies we interviewed nonetheless noted that their involvement in the courses offered provide them with opportunities to establish working contacts in the recipient countries. As such, they believe that the training effort is valuable in its ability to support their investigations abroad.

What the Participants Report

Given the lack of meaningful standards for post training evaluation, it should not be surprising that each delivery agency has chosen to rely on its own evaluation format. Generally, this means that in the AARs available, participants were asked to rate the specific course content, the usefulness of the training support aids,

the skill and knowledge of the instructor, and the value of the material covered. These evaluations are then provided to INL, which appears to review them only informally. Unfortunately, with the exception of a recent broad overview by the GAO (2001), no effort to measure outcomes (short or long-term) has been attempted.

Of the 18 AARs that were available to our project staff (see Appendix D for summaries), the Ukrainian participants did report that the courses they attended were interesting and informative. In fact, average ratings of closed-ended questions addressing the quality of the course material and instruction were almost always above 4.0 (on a scale where 5 equals excellent). The highest marks are usually given for the course instructors with whom the participants stated they enjoyed meeting and exchanging information.

Open-ended responses to the AAR questions also suggest that the participants were generally pleased with their training experience. In fact, responses frequently suggested that the course content was the most beneficial aspect of the experience. Participants reported that topics were important and that the knowledge they gained was applicable to their current work. They added that the practical exercises that were often included reinforced the theoretical knowledge they learned. Additionally, many participant comments reflected satisfaction with the course instructors, who they deemed to be skilled and professional. Interestingly, the participants seemed to agree with the training agencies in noting that those classes with active interaction and exchange of experiences, ideas, and trends were most valuable since they opened new lines of communication with their U.S. counterparts.

Finally, while satisfied with their experiences to date, the Ukrainian participants did offer numerous suggestions for improvement of course content, length, frequency, and delivery methods. For example, those who attended requested that training focus on more advanced curricula and topics, offer more case studies for illustration, and include more practical exercises that relate to Ukraine and Ukrainian problems. Longer and more frequent seminars were also desired. In offering materials, participants stressed the importance of additional preparation - both for themselves and the instructors - and the use of better and more varied training methods, including videos, visual aids and handouts.

In sum, there were many positive assessments made by participants- for those courses where AARs had been submitted. They also support the need to establish the kinds of professional contacts our own training agencies have emphasized. Although the attendees do not confirm State Department staff concerns about trainers- capabilities, the concerns about course relevance and instructor preparation are clearly still relevant. This range of views can be found in the follow-up surveys we conducted with training participants as well.

Surveying the Participants

During the summer of 2000, our project staff, working with our Ukrainian research partners, administered a brief survey (see Appendix E) to the Ukrainian participants of U.S. sponsored training programs offered during 1998 and 1999. Although a far more difficult process than we anticipated, the results of the effort offer added light on the quality and scope of the training offered.

Perhaps the greatest problem in the survey process occurred during the development of a suitable sampling frame. Despite promises that a complete roster of attendees could be made available, our requests to U.S. Embassy personnel for assistance went unanswered. As a result, our project staff worked with INL staff in an effort to recreate a suitable sample for follow-up surveys. In all, INL was able to provide information from AARs on only 179 participants to 17 events. Of those events, ten were excluded because they either occurred outside of Ukraine (in Rome, Budapest, and Glynco, Georgia, U.S.A.) or were exchange or fellowship programs. The sample was further reduced after a review by our Ukrainian partners discovered that several participants listed were not Ukrainian, but had traveled from the Republic of Georgia to attend U.S. sponsored events. In addition, for several participants no last name was provided while the agency of employment was unavailable for still others. Once this review was completed, only 82 participants from four agencies remained, a sample much smaller than we anticipated.

Table 4.1

Courses Taken By Agency

Course	Tax	Lviv	SOI	Total
	Police	Police	Inter*	

Contraband	4	-	-	4	8
Controlling Borders	3	-	-	1	4
Corruption	4	1	-	5	10
Drug Trafficking	1	2	2	7	12
Illicit Firearms	1	-	-	3	4
Intellectual Property Right	1	-	2	3	6
Police Science	1	5	9	4	19
Money Laundering	13	2	1	10	26
Organized Crime	-	2	1	11	14
Rule of Law/Legal Reform	-	2	1	2	5
Auto Theft	1	-	-	2	3
Violence Against Women	-	-	1	4	5
Tax Crimes	1	-	-	-	1
Blackmarkets	1	-	-	-	1
Total	31	14	17	56	118

* Main Administration of Search and Operational Investigation unit.

By the end of the summer the survey was distributed to the remaining participants through their agency heads.

A letter from the Vice Rector, Academy of Law Sciences (Dr. V. V. Stashis) was included to both the respondents and their directors to explain the purpose of the survey and request their participation. Within days, we were advised that eight of those surveyed were on leave and unavailable while 12 were no longer employed by the agencies listed. The remaining 62 participants responded.

Interestingly, our initial finding was that nearly 52% of the respondents had participated in more than one event.

In fact, almost 20% (N=12) reported involvement in three or more events while one respondent from the tax police reported participation in at least seven sponsored programs. In all, the 62 participants reported 118 individual training enrollments. Table 4.1 summarizes the course taken.

In general, the participants evaluated their training experiences positively. For example, when asked to indicate the extent they felt that the courses they had taken were relevant to their job duties, the participants surveyed gave their courses an overall score of nearly 8.5 on a scale where 1 indicated little agreement and 10 equaled most agreement. Better yet, no participant rated course relevance below a score of 6. Similarly, the participants agreed that the material was of high quality (8.6), was new to them (8.3), and was presented by knowledgeable instructors (8.7). In all, they agreed that the training experience itself was valuable (8.4).

While these summary totals are certainly positive and correspond well with the after action evaluations, we found some evidence that other factors - such as the uniqueness of the training experience and a general tendency towards politeness that we

Table 4.2

Use of Training Materials (in percent)

Rarely/ Have You Used Information Provided?	Never	Sometimes	Often
Organized Crime (n=14)	21%	50%	29%
Drug Trafficking (n=12)	17	42	42
Money Laundering/Fin. Crimes (n=23)	9	70	22
Controlling Contraband (n=8)	12	62	25

Corruption (n=10)	---	70	30
Law Enforcement/Police Science (n=18)	10	53	37
All Other Courses (n=23)	22	48	30
Overall	16	58	26

Not Very/ Was Information Helpful in Your Job?	or at All	Somewhat	Very	
Organized Crime		21%	64%	14%
Drug Trafficking		17	58	25
Money Laundering/Financial Crimes		9	56	35
Controlling Contraband	12	50	38	
Corruption		---	70	30
Law Enforcement/Police Science	21	47	32	
All Other Courses		22	52	26
Overall	18	55	27	

observed among the Ukrainians we interviewed - may have held some influence on participants' views. For example, as noted in table 4.2, although most participants rated the courses they experienced highly, 16% (n=10) nonetheless noted that they rarely or never used the information presented. Another 58% (n=36) reported using the materials only sometimes. Similarly, 72% (n=45) added that the information provided was only somewhat or not very helpful in their daily jobs. Interestingly, participants who identified themselves as members of the tax police were most likely to report the training materials as being very helpful (n=8 or 57%) while those in the Ministry of Interior least often used the information from their courses (n=7 or 23% rarely or never) and most often declared it to be not very helpful (n=9 or 30%). Even so, all of the participants surveyed reported that they would participate in another training effort on another topic and would recommend that their colleagues do so as well.

We then reexamined the questions of course relevance, quality, newness of material and presentation individually for types of courses - those more crime specific and those more general to police practice and operations. First, however, we grouped participants' scaled answers into categories of AHigh@ (scores of 9 or 10), AMedium@ (scores of 7 or 8) and ALow@ (scores of 6 or below).

As tables 4.3 and 4.4 show, the participants' ratings for individual courses suggest far more variability may exist than when examined in the aggregate. For example, while participants rated the more crime specific courses (those focusing on investigative methods for organized crime, narcotics trafficking, and money laundering) as most relevant to their

Table 4.3

Grouped Course Ratings (in percent)

Low Medium High

Organized Crime (n=14)				
Relevance	---	29%	71%	
Quality of Materials	7	21	71	
Newness of Materials	---	54	46	
Trainer Knowledge	---	29	71	
Drug Trafficking (n=12)				
Relevance	---	33	67	
Quality of Materials	---	42	58	
Newness of Materials	8	33	58	
Trainer Knowledge	---	50	50	
Money Laundering/Financial Crimes (n=23)				
Relevance	---	39	61	
Quality of Materials	---	30	70	
Newness of Materials	17	35	48	
Trainer Knowledge	4	13	83	
Controlling Contraband (n=8)				
Relevance	12	38	50	
Quality of Materials	12	12	75	
Newness of Materials	25	12	63	
Trainer Knowledge	12	25	62	
Corruption (n=10)				
Relevance	10	50	40	
Quality of Materials	10	20	70	
Newness of Materials	10	20	70	
Trainer Knowledge	---	22	78	
Law Enforcement/Police Science (n=18)				
Relevance	6	67	28	
Quality of Materials	---	37	63	
Newness of Materials	21	26	53	
Trainer Knowledge	---	50	50	
All Other Courses (n=23)				
Relevance	9	35	56	
Quality of Materials	4	30	65	
Newness of Materials	17	35	48	
Trainer Knowledge	4	39	56	
Value of Experience:				
Drug Trafficking		---	67	33
Controlling Contraband	12	50	38	
Corruption	---	60	40	
All Other Courses	4	48	48	
Law Enforcemt/Pol Science	10	47	42	
Money Launder/Fin Crimes	---	48	52	
Organized Crime		---	43	57

job duties, they were somewhat less impressed with the newness of the materials presented (organized crime and money laundering) and trainers=knowledge (drug trafficking). Conversely, while the training on issues of corruption and the more general materials on police science and organizational and managerial issues had less relevance, the ratings of the instructors and information they offered either increased generally (corruption) or in a subset of those who participated (police science). Indeed, the most significant improvements in the ratings for the police science courses can be found among the police generalists from the city of Lviv.

While initially unexpected, these responses were explained during our interviews with various police officials. The participants, they noted, were drawn primarily from operational units. As such, they should be expected to have great interest in the methods U.S. police officials employ in addressing the practical problems both countries confront. During their participation, however, many came to realize that the American techniques and methods were either already known to them or had limited applicability in the Ukrainian system. Still, the experience itself is valuable since it serves to confirm the

Table 4.4

**Participant Course Ratings
(in percent)**

	Low	Medium	High
Relevance to Job Duties			
Tax Police (n=14)	7%	36%	57%
Lviv (n=5)	---	50	50
Interior Ministry - SOI (n=13)	15	62	23
Interior Ministry (n=30)	3	40	57
Quality of Materials			
Tax Police	7	7	86
Lviv	---	---	100
Interior Ministry - SOI	---	46	54
Interior Ministry	---	7	43
			50
Newness of Materials			
Tax Police	36	29	36
Lviv	20	---	80
Interior Ministry - SOI	23	54	23
Interior Ministry	---	---	41
			59
Trainer Knowledge			
Tax Police	---	15	85
Lviv	---	20	80
Interior Ministry - SOI	8	46	46
Interior Ministry	---	3	40
			57
Value of Experience			
Tax Police	---	29	71
Lviv	---	40	60
Interior Ministry - SOI	8	39	54
Interior Ministry	---	7	63
			30

professional connections that may later become valuable. Not surprisingly, then, when asked about the value of the overall experience, the participants gave the most consistently high ratings to the more crime specific programs where the U.S. has arguably the most experience among policing professionals.

The Administration and Evaluation of Law Enforcement Exchange Programs

As noted earlier, in addition to the more traditional training sessions provided by U.S. agencies, additional experience exchange programs are hosted by Project Harmony, a Vermont-based NGO, and the International Association of Chiefs of Police (IACP), a non-profit membership organization of police executives in the U.S.

While little information was provided about the IACP effort, State Department personnel advised that Project Harmony is a pioneer in regional exchanges in Ukraine. In that capacity, they reported, the Project Harmony programs may be especially valuable since they work well with Ukrainian police regionally and are able to build on those relationships to work towards the development of a real capacity for community policing.

While we have little in the way of formal evaluation, our staff did meet with representatives of both programs. During those interviews, we noted what we felt were poorly focused program goals that rely almost exclusively on cultural exchanges between U.S. and Ukrainian officials. In addition, the process of participant selection in both countries appeared to be ad hoc while the program outlines and activities we saw were only weakly focused on law enforcement methods and issues. In the IACP's case, the State Department's role and oversight appears to be especially unstructured and is characterized by poor communication.¹ Consequently, they have little control over or involvement with the specifics of the IACP program. As such, questions about the validity of the program's goals and objectives - as well as how well they are met by program

activities - could not be answered. We did note, however, that the community policing trainers supplied by the IACP program have only local expertise and little effort has been made to adapt the materials presented to the Ukrainian situation or needs.

Finally, in neither program were we able to locate formal curricula for officer exchanges or subject matter materials provided. This, of course, means that oversight on the content of the experiences exchanged and evaluation of their impact is not possible. Without this information, State Department staff did express concerns about the quality and consistency of the information being transferred.

Conclusion

While these data helped us to understand participants' views at previous trainings, we were also interested in an assessment of the issues and problems that those in Ukrainian law enforcement felt their U.S. counterparts might be helpful in addressing. As a result, in the next section we describe a series of surveys conducted with officials from the Ministry of the Interior, Procuracy, Tax Police, Security Services, and the Judiciary. Their views of appropriate topics for training and exchange are then compared with the efforts of the current program.

Section 5:

The Participants' Recommendations for the Future

From the preceding, it appears safe to say that the Ukrainian participants to U.S. sponsored training and exchange programs found them to be interesting experiences that allowed them to establish important professional contacts among their U.S. counterparts. While they reported that the training was informative and the instructors generally knowledgeable about their subjects, the participants nonetheless noted that much of what they experienced had little application to their own unique settings. Indeed, it appears that little effort was made either to establish the subjects where law enforcement assistance might be helpful to Ukraine or to adapt existing programs to the Ukrainian setting. As a result, the information provided was, for the most part, only somewhat helpful in the participants' daily jobs. Still, since support for the programs was widespread, we decided to survey Ukrainian law enforcement officials to determine the directions they thought future exchange and training efforts should take and the subjects on which they should focus.

Initially, the survey process was to be a single effort to reach representative police officials from Interior Ministry agencies at the Oblast level. Under the Ukrainian system, policing (as understood in the U.S.) is centrally organized at the national level under the Ministry's jurisdiction. Beyond this overarching

control, each of the country's 25 geographical regions (Oblasts) maintains its own, largely independent police force. In many oblasts, smaller, more localized agencies exist at the district level as well. At both the oblast and the district level, agencies are responsible for the full range of police services including traffic control, guard or security services, juvenile offenses, and the investigation of all but organized crimes. Given their centralized control, however, in cases where crimes are especially serious or are multi-regional in nature, responsibility for investigation is often transferred from local agencies to those at the oblast level. Finally, Kiev and Sevastopol, two of the country's major cities, are unique in that they operate as oblast equivalents (see Appendix A for more on Ukrainian law enforcement and training).

Given their centralized structure, and the absence of a tradition of independent police research, our original intention was to limit our inquiry to the directors of these 27 regional agencies. We reasoned that as agency heads dispersed throughout the country, these officials were in the best position to understand the full range of operational police needs within their own unique setting. As such, their individual perspectives could collectively summarize the broad needs of law enforcement nationally.

Survey #1: System Administration Responses

Our initial effort to capture these officials' views began with a single questionnaire developed by the U.S. research staff in collaboration with the Vice Rector of the National Law Academy of Ukraine. The draft instrument was then sent for review, revision, and administration by the Kiev project staff. Unfortunately, while the instrument remained largely intact, our agreement on administration appears not to have survived our efforts at translation. As a result, what began as an effort to survey oblast level police chiefs instead became a general survey of six criminal justice groups at the national level. As such, 20 surveys each were sent to the Procuracy; Interior Ministry (police); Tax Administration; Security Services; and Judiciary, both local judges and appellate courts, with a request that a knowledgeable (purposive) sample of officials from each group respond. Of those, 97 (81%) responded within one week. Because of the high response, a second wave was not undertaken. The actual response distribution is summarized below:

**Table 5.1
Respondents to Survey #1**

Agency	Surveys	Responses	Response Rate
Ministry of Interior	20	22	110%
Procuracy	20	18	90%
Judiciary	40	27	68%
Tax Police	20	11	55%
Security Services	20	19	95%

Overall, when asked to list three organizational and administrative problems they felt would be appropriate for information exchange with U.S. practitioners (see table 5.2), the respondents focused overwhelmingly on structural, decision-making and goal setting issues. Much like their U.S. counterparts, the Ukrainian law enforcement officials we met explained this interest by noting the difficult decisions they face in deciding how best to provide the wide-ranging, and increasingly complex, services they are called upon to deliver. Interestingly, during one follow-up discussion with Kiev police, project staff (Kenney and Oettmeier) were surprised to find that the agency already had in place many structural elements concerning the assignment of officer (and unit) responsibility currently being debated by U.S. police leaders. In addition to these broad conceptual issues, interagency collaborations (and, to a lesser extent, international collaborations) as well as issues of employee (and agency) supervision, evaluation, and control were also frequently, though considerably less often, named. Similarly, general personnel issues, including recruitment, selection, employee incentives, and rights and protections were of considerable interest. Corruption, information management, training, and investigations issues were also mentioned as issues of interest as were a variety of more general criminal justice issues such as the confiscation of suspects' property and the use of diversion and other sentencing alternatives.

Table 5.2
Organizational and Administrative Problems for Training or Exchange

<u>Mentioned Issue</u>	First	Second	Third	Total
Structure, Goals, & Decision-Making	23	17	10	50
Collaborations	13	9	2	24
Supervision, Evaluation & Control	12	7	5	24
General Personnel Issues	11	8	4	23
Corruption	6	2	1	9
Information Management & Analysis	5	2	1	8
Other Criminal Justice Issues	5	7	5	17
Issues in Investigations	2	7	1	10
Training	1	5	2	8
Community Contacts (includes Media)	--	1	1	2

Beyond these summary totals, when the respondents' interests are examined individually by agency, considerable differences were found to exist (see table 5.3). For example, while the overall interest in organizational issues was high, such issues had the least appeal to public prosecutors where the organizational structure is generally flat with clearly defined roles and responsibilities. Conversely, respondents from the Procuracy, judiciary, and tax police showed far more interest than their police and security counterparts in information concerning sentencing and disposition alternatives (noted as "Other Criminal Justice Issues" in the table). The security services and police (Interior), meanwhile, expressed the greatest interest in issues of supervision and performance

Table 5.3
Organizational and Administrative Problems Named by Agency
(in percent)

Issue	<u>Respondents= Agency</u>						
	Interior	Procuracy	Judiciary	Tax	Security		
Structure, Goals, Decision-Making		33%	14%	34%	30%	25%	
Collaborations		13	14	4	15	25	
Supervision, Evaluation, Control		17	23	8	5	15	
General Personnel Issues			6	9	25	15	8
Corruption		---	4	2	10	12	
Information Management/Analysis			2	9	---	5	10
Other Criminal Justice Issues		4	18	17	15	---	
Issues in Investigations		13	---	2	5	5	
Training			6	9	6	---	---
Community Contacts		5	---	---	---	---	

N* = 46 22 47 20 40

* N = the total of all problems named by agency respondents.

evaluation while information concerning corruption and the U.S. responses to corruption were of interest primarily to the tax police and security services.

Not only did their interests differ, the preferred methods of exchanging information with U.S. experts varied according to the respondents' agency affiliations as well. Clearly, as table 5.4 shows, the first option for the largest group of respondents to learn from their U.S. colleagues is to host and participate in

exchanges at the practitioner level. Interestingly, while this approach was of particular interest to the respondents from the judicial ranks, it was seen as a far less valuable method for the Interior Ministry police and the tax police. Instead, the respondents representing the police preferred initially to participate in training seminars - especially more in-depth ones - with the receipt of printed materials and exchanges to follow. The tax police, meanwhile, were primarily interested in exchanging literature and visits.

Table 5.4
Preferred Methods of Exchange of Organizational Information
(in Percent)

Issue	(N =)	<u>Seminars</u>		<u>Exchange</u>	
		One-Day	One-Week	Lit.	Visits
Inter.Min.(police)	(31)	16%	39%	26%	19%
Procuracy	(17)	12	24	18	47
Judiciary	(31)	10	19	10	61
Tax Police	(16)	6	19	38	38
Security Services	(24)	8	24	24	44
TOTAL = (119)		11%	26%	21%	42%

In addition to organizational issues, the respondents were asked to describe the operational issues that might be appropriate for a U.S./Ukrainian exchange. Interestingly, while the suggestions for training and exchange programs were many, several of the suggested topics were not those we anticipated. For example, where we expected requests for information on trafficking, corruption, and specific crimes and their investigations (including identity theft, extortion, and issues of intellectual property rights), the desire for an exchange on the more fundamental questions of the roles of the police, prosecutors, and judges was something of a surprise. Other systems issues and processes such as the protection of witnesses, the management of informants, and suspect interrogations were

Table 5.5
Operational Problems for Training or Exchange

Issue	First	<u>Mentioned</u>			Total
		Second	Third		
Roles of CJ System Participants		21	6	4	31
Case Dispositions		11	8	4	23
Economic Crimes		6	9	3	18
Witness Protection		7	6	1	14
Police/Community Issues		3	5	3	11
Combating Organized Crime		8	3	-	11
Investigatory Processes		5	2	3	10
Corruption		5	1	2	8
Crime Scene Management		3	5	-	8
Information Management & Anal.		3	4	-	7
Trafficking(drugs,guns,contraband)	4			-	2
Crime Specific Investigations		2	1	2	5

also considered to be important. In fact, as table 5.5 shows, the topics on which much of the previous U.S. sponsored training has focused (corruption, trafficking, and other specific crimes) were of considerably less interest to many respondents than the more fundamental issues that impact the ability of a criminal justice

system to function smoothly.

Because of the likelihood that the interests identified were the result of the overrepresentation of judges in the survey (or even the training previously received), an agency specific analysis is needed as well. And, indeed, clear differences were found. For

Table 5.6
Operational Problems Named by Agency
(in Percent)

Issue	<u>Respondents= Agency</u>						
	Interior	Procuracy	Judiciary	Tax	Security		
Roles of CJ System Participants	18%		38%	28%	-	13%	
Case Dispositions		-		12	34	43	8
Economic Crimes		14		17	3	21	10
Witness Protection	2		4	28	21	-	
Police/Community Issues		18		-	-	-	8
Combating Organized Crime	14		4	-	-	10	
Investigatory Processes	9		12	-	7	5	
Corruption	4		4	-	-	13	
Crime Scene Management		4		4	3	7	8
Info Management/Analysis	4		-	3	-	10	
Trafficking	-		4	-	-	13	
Crime Specific Investigations	11		-	-	-	-	
N* =	44		24	32	14	38	

* N = the total of all problems named by agency respondents.

example, it appears from table 5.6 that the range of interests among those in the judiciary and the tax police are generally more narrow since 85 percent of the tax police and 90 percent of the judges who identified problems focused on but three major concerns. Two thirds of the prosecutors surveyed did likewise. Responses from the Interior police and Security services, however, were far more widely spread among a variety of topics and concerns. Undoubtedly, this greater diversity of interest is a reflection of the differing services and challenges these agencies confront.

Beyond simply listing issues of interest, respondents were also asked to rate their interest in potential topics that law academy officials had suggested for future training programs. Using a scale from A1@ (least interested) to A10@ (most interested), each respondent was asked to rate both general, as well as agency-specific, topics. In all, 93 of the 97 survey respondents participated in the exercise.

Table 5.7
Interest Rankings of Suggested Topics for Future Training
Mean Ratings by Respondent Agency Type

Topics	Police	Proc.	Judiciary	Tax	Secur.	ALL
<i>General Law Enforcement</i>						
Forms of U.S. Cooperation	6.3	7.0	7.1	9.3	7.0	7.1
U.S. Legal Assistance	7.5	8.6	7.5	9.0	7.4	7.8
Witness Protection	8.6	6.9	9.7	7.3	7.9	8.3
Human Rights Laws	6.1	7.8	8.0	6.3	5.4	6.8
Violence vs. Women	7.1	6.7	7.6	5.2	3.2	6.2
Crime Analysis	9.0	7.7	6.7	7.1	7.6	7.6

Special Populations	7.7	5.9	7.6	5.7	3.0	6.2
Crime Prevention	9.0	9.0	8.7	8.4	8.7	8.8

As table 5.7 reveals, among the general topics, respondents from all of the agencies rated witness protection programs and crime prevention methods in the U.S. to be among the most important. Beyond this consensus, however, considerable variation in respondents' interests was found. Tax police, for example, rated information about the forms of cooperation and legal assistance from the U.S. as the most important topics for exchange. Prosecutors, too, were interested in accessing U.S. legal assistance, although they - along with the police respondents from both the Ministry of Interior and Security Services - were even more interested in crime prevention methods. Judges, meanwhile, focused primarily on learning more about witness protections.

When asked about their specific operational areas, respondents offered even stronger support for U.S./Ukraine experience exchange. Tax police, for example, expressed near unanimous interest in U.S. approaches to money laundering, asset forfeiture, and the methods of detection and investigation of tax related crimes in the U.S. They were slightly less interested in the structure and operation of the U.S. tax administration. Respondents from the judiciary, meanwhile, wanted information on the U.S. plea bargaining and criminal sentencing processes. Intellectual property rights, civil proceedings, and the use of jury trials were each rated somewhat lower. For prosecutors, oversight during pretrial investigations rated highest, while structural issues of the U.S. prosecutorial process rated only slightly less important. Finally, while the security services respondents expressed the greatest interest in corruption and organized crime investigations, officials from the Interior Ministry were equally supportive of information on the limitations and roles of U.S. police during investigations and the means by which

Table 5.8
Interest Rankings of Suggested Topics for Future Training
Mean Ratings by Operational Area

Mean Ranking	
<i>Ministry of Interior</i>	
Coordination between U.S. Police	9.4
Legal status of U.S. Police	9.1
Police limits/roles during investigations	9.0
<i>Procuracy</i>	
Supervision during pre-trial investigations	9.8
Role/Status of U.S. prosecutors	9.4
Organization of U.S. prosecutions	9.1
<i>Judiciary</i>	
Plea bargaining in the U.S.	9.6
U.S. criminal sentencing	9.3
Conducting jury trials	8.9
Civil proceedings in the U.S.	8.2
Intellectual property rights	8.0
<i>Tax Police</i>	
Asset forfeiture	10.0
Detection/Investigation of tax crimes	9.7
Money laundering in the U.S.	9.7
Structure of U.S. tax administration	8.1
<i>Security Services</i>	

Investigating organized crime	9.6
Combating corruption in the U.S.	9.5
Narcotics investigations in the U.S.	8.4
International terrorism/arms trafficking	7.2
U.S. border control	6.9

Table 5.9
Preferred Methods of Exchange of Operational Information
(in Percent)

Issue	Seminars (N =)	Exchange			
		1-Day	1-Wk	Lit.	Visits
Interior Ministry (police)	(29)	14%	38%	17%	31%
Procuracy	(16)	6	19	19	56
Judiciary	(32)	3	28	12	56
Tax Police	(13)	--	31	23	46
Security Services	(23)	--	39	22	39
TOTAL =	(113)	5%	32%	18%	45%

U.S. police agencies cooperate on law enforcement matters.

As with organizational issues, most respondents reported that they would prefer to learn about operational matters from their U.S. counterparts by hosting and participating in exchanges at the practitioner level. While this was especially true for the judges and prosecutors, even the Interior Ministry and tax police officials reported a desire to visit their U.S. counterparts and watch them in actual operational settings. Still, one-week seminars and the exchange of printed information continued to remain popular for most respondents. As table 5.9 shows, only the Interior Ministry's police expressed much interest in short, one-day training seminars.

Survey #2: General Law Enforcement Responses

In an effort to go beyond the views of only national leaders, our Ukrainian colleagues agreed to undertake an additional round of surveys targeted at local level law enforcement officials - police (Ministry of the Interior) and prosecutors (Procuracy). After agreeing on the general goals of these surveys, the project's Kiev staff (Zakaliuk) devised a three-part instrument to focus on organizational and management concerns, operational issues, and a variety of other topics primarily international or U.S. centered. While it was our original intent to utilize the national level survey for the local officials as well, the Kiev staff instead developed a new form based upon our discussions of the earlier survey's results. In doing so, new topics and issues were added, questions were expanded (often to include multiple issues), and the scaling format was condensed to an interest ranking of high (1), medium (2), and low (3). Unfortunately, while this revised instrument did make use of the lessons learned from the earlier process, the instruments' differences are sufficiently great to make direct comparisons of the national and local level leaders' views difficult (see Appendix E).

To administer the new instrument, we returned to the original goal of surveying Oblast level police officials from the Interior Ministry. This, of course, would be far more likely to capture the local views on law enforcement needs from each of the country's 25 geographical regions. In addition, the police agencies from Kiev and Sevastopol were included as were the railroad, or transit police, resulting in a total

sample of 28 agencies.

Once identified, the surveys were distributed to each agency's ranking official (police chief) with a request that he, or a second level administrator of his choosing, complete and return the form. With the instrument, the Rector of the National Law Academy included a personal letter to explain the project's goals and ask each official for his support. Within two weeks, all instruments (100%) were returned.

Table 5.10
Topics of Interest for Law Enforcement Experience Exchange
Oblast Level Police Officials
(in percent)

Topic	<u>Level of Interest</u>		
	Low	Medium	High
Organizational and Management Issues:			
Information technology: Systems and Uses	4%	18%	78%
General management to improve efficiency	--	25	75
Methods of collaboration between CJ components	4	36	61
Practical Matters and Their Execution:			
Investigating corruption and abuse of power	4	21	75
Police methods/procedures for economic crimes	4	25	71
Police arrest and suspect procedures	7	21	71
Issues Involving U.S. Police:			
Selection and training of U.S. police	4	4	93
International collaborations involving U.S. police	--	39	61
Methods of funding/equipping U.S. police	26	15	59
Preventing political pressures on the police	32	25	43
Crime in the United States	7	54	39
International involvement of U.S. police	29	46	25

The survey itself began with a focus on the organizational and management issues that respondents at the national level had indicated were important. Specifically, respondents were asked to rate (high, medium, low) the importance of a series of organizational, managerial, and operational statements. Each statement focused on an aspect of Ukrainian law enforcement that had been identified as a subject of potential concern for future training or experience exchange from the project's earlier surveys. For example, from table 5.10 we can clearly see that organizational information is of interest generally, with those topics having the potential to contribute to improved performance being of special concern. Much like their counterparts from the Ministry of the Interior, the Oblast, or local level, police leaders also expressed considerable interest in sharing information about organizational and managerial improvements that might impact workload, performance evaluations, and accountability. Similarly, they too were interested in improving interactions between police, prosecutors, and judicial authorities. In something of a departure from the national level respondents, however, these officials - who are perhaps more concerned with day-to-day operational matters - gave their second highest rating of interest to materials concerning information and technological systems, tools, and applications.

Concerning operational issues, the local level officials were somewhat at odds with their national counterparts from the Interior Ministry. For example, where the Oblast level chiefs gave overwhelmingly high ratings of interest to matters of police procedures for suspect handling (71% rated *A*high), economic crimes (71%) and the investigation of corruption and abuse of power (75%), their peers in the Ministry seldom listed these issues as subjects they would like to see information exchanges built around. Indeed, only the investigation of economic crimes generated any real interest with 14 percent of the national-level

respondents naming it as a subject of interest. Unfortunately, our Ukrainian partners did not ask the Oblast chiefs to rank order topics of interest. As such, despite the high levels of interest expressed, it is not possible to know how the topics rated by the Oblast chiefs would fare relative to other possible subjects of interest.

What is apparent, however, is that these local level chiefs have far less interest in training or exchange programs focusing on U.S. law enforcement unless a direct application to Ukrainian agencies is obvious. When asked about programs focused on the organization and coordination of U.S. police efforts internationally, for example, more respondents expressed a low interest (29%) than a high (25%). Similarly, general crime trends and patterns (even organized crime) in the U.S., as well as the role of the police against individual crimes (i.e., intellectual property and computer crime), were of a high interest to only 39 percent. Here, however, 54 percent did express at least a medium interest in information. At the opposite extreme, nearly 93 percent of the Oblast level police officials expressed a high interest in learning more about entry and in-service training U.S. police receive as well as the physical, psychological, and moral qualification norms for selection. Meanwhile, the methods of financing U.S. police and the means we use to protect our police from political influences were of less, though moderate, interest.

Finally, when offered the opportunity to propose specific topics for future training and exchange efforts, only about one-third did so. No discernable patterns or new suggestions were found.

Survey #3: Responses from the Procuracy

Much like their Oblast level police counterparts, the final Ukrainian project survey was distributed to local-level prosecutors to learn of their views on training and training needs. Similar to police instrument, the project's Kiev staff devised a multi-part instrument focusing on organizational and management concerns, operational issues, and a other topics primarily international or U.S. centered. Here too, it was our original intent to utilize the national level survey for the local officials, however, the Kiev staff instead substituted their new form, which they based on earlier survey results. While similar in structure to the police instrument, new topics and issues - relevant to prosecutors - were added (again, often including multiple issues) and respondents were once again asked to rank their interest on a scale of high (1), medium (2), and low (3) (see Appendix E).

Administration of this final instrument once again focused on each of the country's 25 geographical (Oblast) regions. This time, however, subdivision chiefs from the city of Kiev, the Kiev region, Sevastopol, Zaporzhyl, and the Crimea were included. In all, this produced a total sample of 43. The surveys were then distributed directly to each respondent (a letter from the Law Academy Rector explaining the project's goals was again included) with a request that he complete and return it. Within two weeks, 41 of the 43 surveys (95%) were returned.

Like its police counterpart, the survey of prosecutors began with a focus on the operational issues that the respondents from the Procuracy at the national level had indicated were important. For example, respondents were asked to rate (high, medium, low) the importance of organizational issues such as the recruitment and training of new prosecutors; the general structure of prosecutorial tasks, evaluations, and accountability models; and the methods of developing collaborations between prosecutors and others in the Ukrainian criminal justice system. As table 5.11 shows, each was considered important.

Table 5.11
Topics of Interest for Law Enforcement Experience Exchange
Oblast Level Prosecutors
(in percent)

Topic	<u>Level of Interest</u>		
	Low	Medium	High
Organizational and Management Issues:			
Methods of collaboration with other CJ components	8%	15%	78%
Recruitment, training, and rights of prosecutors	5	20	75
Prosecutorial tasks, evaluations, and accountability	5	25	70

Practical Matters and Their Execution:

Prosecutorial roles and procedures	--	22	78
Sentencing decision-making	3	32	66
International collaborations on prosecutorial matters	8	38	54

Issues Involving Prosecutions in the U.S.:

Sanctions in the U.S. (i.e., death and asset seizure)	2	45	53
---	---	----	----

When asked about prosecutorial procedures, far greater variability was found in the respondents' answers. For example, for procedural issues involving preliminary investigations, judges' responsibilities and matters of confessions and arrests, all of the local level prosecutors had at least a medium level of interest in seeing training and experience exchange efforts developed for the future. International aid (especially from the U.S.) in criminal matters and the creation of international investigative teams received far less support. From our interviews with prosecutorial practitioners, however, we concluded that the difference here might result more from their need for more immediate improvement and change. Longer-term efforts, such as international collaborations, may simply be of less immediate interest. As the table shows, information concerning the court and sentencing stages of the prosecutorial process received fairly modest support, especially if focused primarily on the U.S. and U.S. practices.

Finally, the local-level prosecutors, too, were asked to list additional suggestions that they considered the most interesting for future exchanges between the U.S. and Ukraine. Their ideas are summarized below.

Comparing the Local and National Level Respondents

Although the decision by our Ukrainian partners to modify the survey instruments administered at the Oblast level makes direct comparisons of the national vs. local views and needs of officials difficult, several conclusions are nonetheless possible. For example, at the national level, respondents from the police (Ministry of the Interior) appeared to be most concerned with the broader issues of the structure of the criminal justice system, the

Table 5.12
Suggestions for Law Enforcement Experience Exchange
Oblast Level Prosecutors

Topic	Number who Suggested
Process Suggestions:	
Oversight of the investigations/prosecution process	6
Witness protection	2
Rights of the citizens	1
Evidence and the collection of information	1
Crime Specific Suggestions:	
Organized Crime	3
Corruption	3
Economic crime and taxation issues	3
Environmental crime	1
Juvenile crime and delinquency	1
Illegal immigration	1
System Suggestions:	
Technology & use of data in the prosecutorial process	4
Foundations for the U.S. prosecutorial process	4
Issues in criminal sentencing	2
Responses to juvenile crime	2
Inter/Intra agency relations with prosecution	2
General criminal justice issues	1

roles of its individual participant agencies, and the manner by which decision-making occurs. Other management-oriented concerns such as issues of supervision, performance evaluations, operational controls, and the development of system and inter-agency collaborations were prominent as well. Apparently of somewhat less interest, were operational concerns such as police/community issues and the investigation of specific crimes, especially organized and economic crimes.

Interests of respondents at the local-level were also focused primarily on managerial concerns, although somewhat more directly. For example, where their national counterparts focused primarily on structure, roles, and decision-making, the respondents at the Oblast level appear to be more concerned about day-to-day operational issues. As such, they gave their highest ratings of interest to issues such as the selection and training of their employees, and the management and use of information and information technologies. General management issues and the investigation and response to corruption were of significant interest to these respondents as well.

Among the prosecutors, similar differences could be found as well. At the national level, respondents from the Procuracy also expressed much interest in the big picture issues involving how the criminal justice system can be structured, the roles and goals of the system's participants, and the overall process of decision-making. Beyond that, however, their interests turned to practical matters such as how inter-agency collaborations are built, the assignment of criminal sentences and other dispositions of cases, and the elements of the investigation process. Economic crimes and the establishment of U.S. legal assistance (collaborations) rated highest among the operational issues for these respondents.

Locally, the prosecutors at the Oblast level shared an interest in the development of collaborations - both interagency and international. In addition, they too were interested in information about the differing roles of prosecutors and options available for sentencing. Finally, they expressed considerable interest in continuing training on how others select and train prosecutors, evaluate prosecutors' work, and maintain systems of accountability.

Section 6:

Conclusions and Recommendations

The data from our surveys suggest that the U.S. sponsored law enforcement training in Ukraine has been only partially responsive to the participants' needs. The earlier lists of approved trainings and the surveys of known participants (1999) reveal that all courses were variations of but five subjects. In fact, more than 56 percent of the participants had been exposed to only three types of experience events: classes on money laundering, importation of narcotics and other contraband, and issues of police science (see table 1.2). These topics are clearly poorly matched to the topics our police respondents identified as appropriate for training and exchange (see table 6.1). For example, while two-thirds of the tax police receiving U.S. sponsored training attended programs about economic crimes and trafficking, 64 percent of those participants who were surveyed later were more interested in witness protection, case dispositions, and community policing practices in the United States. Similarly, 59 percent of the respondents representing the Ministry of the Interior had attended programs on corruption, money laundering, narcotics trafficking and organized crime even though 63 percent expressed greater interest in sessions on police structure and goals, collaborations, and methods of supervision and evaluation.

This is not to say that the more narrow subject matter presented with U.S. support was unimportant or of no interest to the Ukrainian participants - recall that the overwhelming majority of those who participated in these events felt that the quality of the material presented was good, the instructors were knowledgeable, and the experience was

Table 6.1

Comparison of Courses Approved with Ratings of Participant Interests (excluding judicial respondents)

Times Listed	<u>Courses Approved*</u>
---------------------	--------------------------

Topic	by Respondents	1999	2000
Structure, Goals, & Decision-Making	50	--	--
Roles of CJ System Participants	31	--	--
Collaborations	24	--	--
Supervision, Evaluation & Control	24	--	--
General Personnel Issues	23	--	--
Investigative Procedures**	20	--	1
Other Criminal Justice Issues	17	3***	--
Economic Crimes	17	2	3
Corruption**	17	1	2
Information Management & Analysis**	14	1	--
Police/Community Issues	13	--	1
Case Dispositions	12	1	--
Combating Organized Crime	11	4	2
Training	8	--	--
Crime Scene Management	7	--	--
Trafficking (drugs, guns, contraband)	6	2	1
Witness Protection	5	--	--
Crime Specific Investigations	5	3	6

* *Multiple sections of some courses may have been offered.*

** *Listed as both an organizational and operation issue of concern.*

*** *Courses offered include Task Force Management and Executive Development.*

worthwhile. Indeed, all participants reported that they would repeat the experience and would recommend it to their colleagues. Instead, it is to suggest that those receiving the U.S. supported efforts have a more comprehensive view of the needs these programs might address and the benefits such collaborations might produce. As such, while the Ukrainian practitioners we met, interviewed, and surveyed also value the personal contacts made with their U.S. colleagues and appreciated the technical information that was offered, they had an equal interest in exchanging ideas on organizational, programmatic, and even theoretical issues as well. As table 6.1 displays, however, the U.S. efforts to date have been far more narrowly focused.

Aside from the issues of responsiveness to Ukrainian law enforcement needs, the training programs have suffered from poor applicability. In fact, of the Interior Ministry's training participants surveyed by this project, only three percent reported that the material they received during the experience was helpful in their daily jobs and fewer than 15 percent used those materials in their jobs often. Twenty-three percent, on the other hand, reported rarely or never using the materials and information. Consequently, given the overall small numbers of practitioners reached, the small percentages of any single agency trained, and the limited applicability of the materials offered (even with the program's good intentions and the best efforts of the trainers and participants) it remains unlikely that the training offered will be institutionalized or have a lasting impact on law enforcement practices in Ukraine. Indeed, that is precisely what the GAO concluded when its researchers reported in their broad review of rule of law programs throughout the former Soviet Union that:

We found little evidence in our discussion with senior law enforcement officials in Russia and Ukraine that U.S. techniques taught in these training courses were being routinely applied by their organizations. In some cases, training officials cited the use of U.S. provided training materials by some instructors or as reference materials in their libraries, yet none identified a full-scale effort to replicate or adapt the training for routine application in their training institutions (GAO, 2001).

With a few fundamental revisions in the program's approach, however, those same good intentions and efforts are likely to be sufficient to significantly increase the impact of the training and exchange efforts. Below, we outline the steps that we believe are necessary to produce such results.

Recommendation #1:

Program goals should be clearly stated and generally understood

While the ACTTA (Anti-Crime Training and Technical Assistance) program's officially stated goals are that of helping law enforcement officials throughout the NIS countries to develop new techniques and systems to fight crime and strengthen the rule of law and respect for individual rights, the process of translating intentions into actions in Ukraine appears to have become somewhat confused. In fact, our interviews with trainers, participants, and State Department personnel suggest that two often-competing forces appear to be driving the process in Ukraine.

First, from the perspective of the State Department staff, the primary desire appears to be the development and institutionalization of in-country training capacities that are self-perpetuating and lend themselves to formal evaluation. Staff members expressed to us a desire to see U.S. sponsored training where participants are carefully selected based upon their position, assignment, and existing expertise to attend courses that progress from basic, to intermediate, to advanced presentations of technical, programmatic, or theoretical materials. As participants in Ukraine progress through these training steps, formal evaluations employing pre- and posttest measures of knowledge should, they argue, dictate each participant's progress to the next higher training level. In this way, State Department staff asserts that important, relevant information can be relayed to appropriate staff, the integrity of which can then be meaningfully measured.

Some of those directly involved in the process of providing the assistance INL is funding, however, expressed their commitment to other goals from the training and exchange efforts. For example, some individual trainers we interviewed suggested that they saw the training and exchange experiences primarily as opportunities to meet and make friends with officials and practitioners who may later be of value with specific investigations or problems. As such, from their perspective, a successful program should be narrowly targeted to focus on a limited range of topics, recruit higher level officials for participation, and promote face-to-face interaction between participants and instructors from U.S. agencies (especially federal) to the extent possible.

According to some in the State Department, at least a few of the agencies participating have an equivalent organizational view with a primary focus of increasing the Ukrainian law enforcement agencies' technical ability to collaboratively fight the crimes of special interest to them. Simultaneously, these staff members suggest, these agencies see the experience exchange funding as a valuable means of increasing support for their own training efforts. While no agencies officially confirmed these agendas, at least one service provider did suggest that the most valuable outcome of the training and exchange efforts was, in fact, likely to be the opportunities for cultural acclimation. As such, this group chose to stress social interactions - rather than police procedures, problems, and methods - as the primary focus of its program.

While not in direct conflict with each other, these two goals do suggest differing levels of commitment, approaches to training, and outcome measures. For example, for those seeking to establish individual working relationships with foreign colleagues to exchange information and jointly combat international crime, an effective exchange program need not - in fact, probably should not - be too broadly targeted. Good field officers are not always good instructors, which means that large numbers of participants, broadly focused topics, and involvement by more than a few Ukrainian agencies could greatly complicate the real task at hand. Ironically, the goal of effective collaborations may also place U.S. police officials in an awkward position since efforts at long-term democratic reform may actually diminish the more short-term goals of the partnership. Similar dilemmas occurred during the 1950s and 60s in the U.S. as federal officers routinely used state and local police to bypass the more stringent federal rules of procedure (see Clift 1956). The short-term benefits were eventually lost as Constitutional limits were more broadly applied to all levels of police.

At the other extreme are those who promote the cultural aspects of the exchange opportunity. By featuring long-term, live-in exchanges between U.S. and Ukrainian police the proponents explained that the participants (Ukrainian) actually got to know about life in the U.S. While an admirable goal, this all-to-often meant that a high level Ukrainian official was placed (much like a foreign exchange student) with a lower level U.S. officer - usually in a more rural setting. While grateful for the opportunity at personal growth, several Ukrainian officials noted that this practice provided little that was professionally meaningful. In fact, given the considerable gap that exists in the Ukrainian system between the officer (investigators) and line (uniformed) levels of personnel, some participants may have found (although none declared) the exercise difficult (see Appendix A for a description of the Ukrainian model).

Because the program's goals appear so ambiguous, our first recommendation is directed to them. First, we believe that the focus of the program can, and should, be multifaceted. Clearly, it is legitimate to focus on the establishment of working relationships that might benefit U.S. law enforcement efforts; indeed, the Ukrainians we met desired such contacts as well. In developing such contacts, however, all participants should be reminded that the fundamental goal of the project is one of developing new techniques and systems to cope with crime, all while strengthening the rule of law and respect for individual rights.⁶ This means, of course, that in addition to the crime specific courses that have been offered to date, a significantly increased focus should be given to the kinds of topics that the Ukrainian practitioners have requested. These include operational issues such as the selection, training, supervision, and evaluation of personnel, as well as the uses of information and the processes of building and sustaining inter- and intra-agency collaborations. Ironically, throughout the 1990s as police in the U.S. attempted to manage their own evolution into a more community-oriented style of policing, it was these same topics and issues that emerged as the most significant, and difficult, for them to address. With these issues in mind, and given the evolution that those in Ukraine's law enforcement report they desire, we believe that at least the following goals are appropriate and can be made compatible with the overarching goal above:

The development of **joint partnerships** among operational and managerial personnel to support on-going cases and police development,

The advancement of the **concepts of rule-of-law and human dignity** among Ukrainian law enforcement,

The development of the **technical capacity** of Ukrainian law enforcement, and

Strengthening of **incident specific capabilities** (i.e., organized and economic crimes, corruption, narcotics enforcement, and crimes of violence) of Ukrainian law enforcement

The way to achieve these goals can remain consistent with the two-pronged approach already in place - through training and experience exchange efforts. The manner in which these efforts should be coordinated, however, and their specific content are discussed more fully below.

Recommendation #2:

Standardize Coordination of Efforts

The management of the U.S. sponsored training and experience exchange efforts in Ukraine is currently uncoordinated and lacks knowledgeable on-site direction. As we noted earlier, the current program exists primarily as a funding mechanism to support various U.S. agencies and organizations - both private and government - as they deliver a variety of unconnected services. While the programs originate from the INL offices in Washington, D.C., beyond initiating the process of course selection and approval we noted little active involvement on their part. As a result, coordination between providers appears to be non-existent while the evaluation of activities is inconsistent at best.

The weaknesses in *evaluation* were clearly evident when we attempted to obtain copies of the After Action Reports (AAR) describing course content, participants, and post-training results that are to be completed after each training effort. We noted earlier that of the 30 courses taught during FY98 and FY99, only 18 AARs had been submitted to INL by the end of 2000. Unfortunately, due to inconsistent submission practices and little effort to monitor compliance, no meaningful review appears to have existed. As a consequence, when we attempted to re-contact participants, INL staff were able to provide information on only 179 from 17 events where AARs listed participants. Recall that, ultimately, that only 82 participants from four agencies could actually be identified.

Much of the failure to *coordinate*, however, appears to come from the U.S. side in Ukraine. From the program's beginning, it was decided that all on-site activities - including course selection, communications with Ukrainian participants, logistics, and clearances for U.S. personnel to enter Ukraine - would be supervised locally by embassy personnel, specifically the embassy's Resident Legal Advisor.

Unfortunately, this project is but one of his current activities and, as we noted earlier, the current advisor has no apparent knowledge of either police procedure generally or U.S. police training capacities. As a

result, program activities appear to be a secondary concern receiving little in the way of real support. Our own project offered numerous examples. Early on, for instance, we were told that the embassy could provide complete sets of the After Action Reports, a full roster of all who had participated in the U.S. sponsored classes, and whatever logistical and translation support we might need. Not only did these promises not materialize; with few exceptions our embassy coordinator failed to even respond to our requests. Further, country clearances were routinely slow to arrive (or were denied) making travel arrangements and scheduling of trainers and consultants impossible to manage. Not only do logistical difficulties such as these add greatly to project costs, they also go far to insure that the most sought after and highly skilled trainers will be unavailable.

To avoid such problems with future training and exchange efforts, knowledgeable U.S. and Ukrainian project directors should be assigned to plan, coordinate, supervise, and evaluate all program activities. On the U.S. side, this director should be well-informed of police training and technical assistance at both the local and federal levels, and should have demonstrated access to trainers and consultants on the law enforcement topics outlined in the training model to be discussed later. Ideally, the U.S. director should maintain a part-time residence in Ukraine so that he or she knows the relevant professionals and has an understanding of the local needs, problems, and capacities. Lacking that, continuous assignment and regular on-site visits should be required. In either case, the U.S. director should report to INL in Washington, D.C. but maintain regular contact and provide routine briefings of activities to the U.S. Embassy in Ukraine.

Similarly, a full-time Ukrainian official should be designated to provide in-country coordination and data collection as well as support with logistics and local understanding. While the U.S. participants bring much to the partnership, we should always remember that the majority of project activities will take place far away in a system that is not our own. As such, while some differences may emerge in our methods and approaches, the types of surveys and interviews we conducted for this report would not have been possible without the involvement of our Ukrainian counterparts. The process of planning, delivering, and monitoring an on-going program of training and exchanges is even more difficult, making consistent involvement at a high, official Ukrainian level all the more important.

To support the training co-directors a development team comprised of Ukrainian law enforcement officials (national and oblast level) and U.S. police/training specialists should be also established. Together, this team should develop routine mechanisms to query law enforcement officials, managers, and practitioners from throughout Ukraine on the needs and problems they confront. Once a range of appropriate issues is identified, the development team would then consider the capacities in each country to respond and participate. These capacities include the interest of U.S. agencies (police, training, and educational) in conducting training and experience exchanges as well as the quality and availability of knowledgeable consultants and trainers. Similarly, the interest and capacities of Ukrainian law enforcement, academies, and institutes should be determined as well. Only then can a realistic timetable be developed for either the delivery or development of training and exchange events.

Finally, while it is important for the projects directors to communicate often and openly with U.S. embassy staff, they, rather than embassy personnel, should retain the responsibility for coordination of all aspects of trainings and exchange.

Recommendation #3:

Design Training for Sustainability

As is the case in Ukraine, all too often efforts at law enforcement assistance - both foreign and in the U.S. - consist of little more than drop in courses delivered with little consistency to a small number of representatives of as many different agencies as possible. Unfortunately, our experience in the U.S. is that many of these lessons have only limited application in the sites where they are offered and few get translated into meaningful practice by those who participate. In fact, most often the few who attend report that upon returning to their organizations any new ideas or changes they may have embraced are simply swamped by day-to-day activities and the socializing pressures of their fellow officers.

If we are to avoid that continuing mistake with the U.S. sponsored training in Ukraine, a few fundamental lessons from the literature and our own experience locally should be followed:

Develop locally relevant curricula. If training is to be well received it must be localized or adapted to local conditions. Drop in courses all too often provide information that is inappropriate and solutions that are

infeasible. Unfortunately, our interviews with Ukrainian officials and participants suggest that this has often been the case with previous U.S. sponsored events. Recall the earlier example where officials observed that courses on money laundering taught by the Internal Revenue Service begin with the premise that criminals use banks as part of their laundering schemes. In Ukraine, however, banks are not commonly used. Courses involving investigative procedures and police/community involvement were also offered as examples of this point. That this is a problem can be seen in the observation that while most participants enjoyed the training they experienced, significant numbers of participants reported that the information they received had little or only small application in their day-to-day work settings.

In place of the standard off-the-shelf courses, for training in Ukraine we instead suggest a program of course development that merges U.S. experience with Ukrainian needs and capacities. Once a suitable range of training subjects are identified, the co-directors and development team would assemble an appropriate group (from both countries) to build a course curricula and any supporting materials that might be necessary. Ideally, this curricula group would involve a mix of practitioners and educators in the same way that much of the national police curricula developed in the U.S. has been managed for the past decade or so.

Prepare content on important, appropriate topics. Given the importance of public cooperation with law enforcement efforts, crime specific training and exchanges should be focused first on those issues impacting the public's view of police legitimacy - corruption, discipline, and human/civil rights. Other crime problems should be included only as local needs demand.

Equally important are topics to avoid. For example, curricula that rely on demonstrations of technology that is unavailable to the participants and their agencies can create barriers and be self-defeating. This lesson was made obvious to us when we encountered initial hostility from a group of Kiev city police investigators we were engaging in a discussion session. After much prodding from both our staff and their supervisors, these officers finally complained of the condescending attitude of Americans who conducted a demonstration of crime scene technology that concluded with the message that it's a shame you'll never be able to afford what is being shown.

In general, curricula should not rely on technology and technological solutions to policing problems. First, as observers of policing in the U.S. have noted, policing is largely a people-oriented business. While technology can enhance law enforcement, effectiveness at crime fighting is more closely related to organizational processes and police/community interactions. As such, we believe that the officials responding to our surveys are correct in their desire to increase the training focus on organizational processes, the selection and training of personnel, and evaluations and procedural controls. Training sponsored by the U.S. should go further than only personnel matters, however, since Ukrainian agencies have little experience at community outreach and program evaluation.

Develop a cadre of experienced trainers. Once all course materials are complete, a cadre of Ukrainian trainers could then be developed (train-the-trainers) and funding provided to support the replication of the new course throughout the country. Not only would the costs to this approach be substantially smaller than the current, inefficient methods used, but the process would insure that all courses are relevant to the environment, presented in the participants' own language, and made available to entire agencies expressing interest.

While there is an important role for training conducted by U.S. law enforcement and police experts - especially in highly crime specific areas - experience suggests that these consultants might best be used in more interactive, discussion type formats. Programs such as the "Executive Sessions" sponsored by Sam Houston State University for Texas police managers, or the more nationally focused "Measuring What Matters" meetings held for police decision-makers at Harvard University may be the most conducive for high level interactions between international colleagues. For line-level training, however, the use of these consultants - with all of the restrictions and limitations that accompany them - may largely insure a limited training impact.

Engage appropriate participants. If training is to impact change at the organizational level a "scattershot" approach to participation should be avoided for all but managerial topics. For impacts in attitudinal areas to take root, a critical mass of supportive individuals must exist for one another. Failing such support, even an effectively trained participant finds that upon return to normal duties the press of routine and the socializing effect of peers will often "undo" all that has been learned. As Bayley (2001) has noted elsewhere, "It is important to remember that resistance to change is the rule rather than the exception in any organization." As such, training for operational level personnel should be designed for broad dissemination within each

participating agency. We believe that this can only be accomplished if the training has been localized, is taught by Ukrainian law enforcement instructors, and is made available to significant portions of the participating agencies.

Recommendation #4:
Expand Participation in the Development and Delivery of Training and Exchanges

As it is currently structured, the U.S. sponsored training in Ukraine is heavily dominated by the various federal law enforcement agencies. Although we found a few instances where outside consultants had been used for presentations, for the most part the program is both funded and operated by the federal government. Unfortunately, we believe that this greatly and unnecessarily limits the program.

While their resources are considerable in many ways, federal law enforcement agencies are nonetheless not full service police departments and have little experience at fielding the kinds of service requests most training participants will confront. As such, we suggest that the broad range of experience available at the U.S. state and local level be introduced to the program. Since they possess greater expertise on a broader range of topics of interest, their ability to deliver and/or prepare the kinds of training and exchange experiences needed to support the Ukrainian police evolution is far greater than that of their federal counterparts. In addition, as law enforcement has become increasingly global during the past few decades, the need for collaborative partnerships to address multi-national crimes has become equally important for at least the major U.S. police agencies as well.

In an effort to determine the interest of local police agencies in the United States in experience exchange with Ukrainian counterparts, PERF conducted an informal fax survey of its general members (N=268) at the end of 2000. The faxed survey was designed to learn the views of law enforcement executives in large police agencies on the need for international collaboration with countries such as Ukraine. PERF routinely polls its members on such matters of interest, leaving it to them to determine if a response is needed or appropriate. In this instance, 79 agencies (30%) promptly replied. Surprisingly, mid-sized and smaller agencies expressed the greatest interest in this topic. One-third of respondents, in fact, served communities with populations less than 100,000 while more than half (51%) represented communities of up to 500,000 population. Geographically, the agencies most strongly represented were from the southeast (28%) and north central (22%) states.

Interestingly, 78 percent (n=53) of the respondents reported having community members that came from former Soviet Union countries such as Ukraine. While all of the agencies serving the largest communities (>500,000 population) reported such community members, significant percentages of even the smaller (<100,000) and mid-sized (100,001 to 500,000) communities did as well. As such, more than 82 percent were concerned, either somewhat (37%), moderately (26%) or greatly (19%), about transnational crime involving those countries. Because of their concern, 62 percent desired a direct relationship with Ukrainian law enforcement. Should such a relationship exist, nearly half (46%) of the responding agencies added that their agency's participation would be either somewhat or very valuable. From table 6.1 we can see that largest agencies, and those from the east coast states, shared the greatest interest in such relationships.

Table 6.1
U.S. Police Interest in U.S./Ukraine Law Enforcement Interactions
(in percent)

	Desire Direct Relationship	<u>Relationship Value</u>				
		<i>Very</i>	<i>Some</i>	<i>Little</i>	<i>None</i>	
Population:						
< 100,000 (n=23)		53%	22%	22%	39%	17%
100,000 to 500,000 (n=35)		57	14	25	50	11
> 500,000 (n=10)		82	27	36	36	---

Region:

Northwest (n=1)	100	---	100	---	---	
Southwest (n=13)		44	23	15	54	8
North Central (n=17)	38	6	18	59	18	
South Central (n=12)	62	25	25	33	17	
Northeast (n=7)	80	---	29	71	---	
Southeast (n=22)	79	27	46	18	9	

As evidence of their interest, nearly 60 percent of the responding agencies reported that they would be willing to host members of Ukrainian law enforcement in exchanges or for fellowships for time periods as long as one month. Here too, the largest agencies (70%) and those from the Southeast (86%) expressed the greatest interest. Somewhat fewer (43%), however, were willing to provide their own staff for purposes of technical assistance or experience exchanges taking place in Ukraine. As table 6.2 shows, however, respondents were not overwhelmingly interested in specific topics of the exchange.

Table 6.2
Topics of Interest for U.S./Ukraine Exchange
(in percent)

Topic	% Interested
Policing Models	44
Investigative Techniques	42
Interagency Partnerships	42
Crime Scene Management	39
Administration	38
Info Management/Crime Analysis	38
Tactics	34

The lesson we draw from these responses is that U.S. police agencies, much less the individuals in them, are both willing and interested in the kinds of direct collaboration and exchanges that the U.S. sponsored training program seeks to introduce. This means that the current focus of exchanges on cultural acclimation (Harmony) and brief departmental visits (IACP) can be restructured to include more substantive activities. We propose three activities specifically:

Long-term fellowships - these periods in residence of one-month or more will allow participants to work in specialized units. Not only will they observe activities, they will participate in actual investigations and operations.

Short-term exchanges - that allow for tours and brief discussions of methods and problems.

Workshops on administrative topics - will include one to two day discussions among small groups (20) of top managers to discuss administrative issues and approaches. Brief presentations by outside experts can be used to stimulate discussions.

Obviously, the intent of these programs is the exchange of relevant information and ideas while building close working relationships among the participants.

Recommendation #5:

All Training and Exchange Events Should be Rigorously Evaluated

What we have proposed is a comprehensive model of on-site training, curricula development for local usage, and experience exchanges between operational level personnel. Given the great distances involved and the complications of language, we have no doubt that each of these is a difficult undertaking with ample opportunity

for errors and failures along the way. As such, the final responsibility for the training directors should be the development of a regular process of feedback from participants and their agencies as well as a formal, rigorous evaluation of both the training and exchange processes and their impacts.

Process Evaluation

An important aspect of any evaluation is the documentation of the program process. Essentially, the process evaluation should seek to determine if the training and exchanges are being provided as intended. If so, then what outputs might reasonably be expected? If not, why not and what adjustments can be made to learn from the failures? In other words, knowledge of how the program occurred and proceeded provides decision-makers with information regarding what produced successful outcomes or what failed to work. In this instance, the evaluation of the program's process should include at least the following items:

A description of the process of training development and implementation. The process of translating ideas into activities involves the inevitable problems of implementation. In this case, those problems are severely compounded by distance, the absence of a common language, and significantly different cultures that will influence how training should be provided in the minds of participants and trainers alike. The development of resources, personnel, activities, and commitment to those activities will each be critical in assessing whether and why the resulting products were a success.

A description of the environments where the training and exchange programs took place. Before meaningful decisions can be reached as to the training and exchange program's effectiveness, a detailed description of the environment in which it occurred is required. This is essential if we are to understand and appreciate the social factors that may influence the implementation. Elements of this description should include the demographics and professional backgrounds of both participants and instructors as well as the nature of the organizations involved, the physical setting where the events occurred, and the crime and service problems of interest to the participants.

A description and measurement of the training program efforts over time. Rossi et al. (1979:132) explained the need to describe and measure program operations as they occur:

A large proportion of programs that fail to show impacts are really failures to deliver the interventions in ways specified. Actually, there are three potential failures: First, no treatment is delivered at all (or not enough); second, the wrong treatment is delivered; and third, the treatment is unstandardized, uncontrolled, or varies across target populations. In each instance, the need to monitor the actual delivery of services and identify faults and deficiencies is essential.

For training to be effective, it must be carried out in such a way that sufficient valid evidence exists to describe the way it worked (or failed to work). Among the items to be considered in this description are the number and types of participants in each training class, their levels of attendance and participation, and participants' grasp of the materials presented.

Identification of intervening events and assessment of their impact on training. Any number of external factors are capable of impacting the process and impact of U.S. sponsored training. As Bayley (2001) notes, attitudes of the host government; commitment of participating agencies; openness of individual officers; budgetary considerations; and crime, fear, and citizen expectations all exert considerable sway over the types of events accepted, and the assessment and impact of the information presented. Events that impact those variables should be carefully noted.

Identification of unanticipated consequences. The training being offered and the professional relationships being built will not exist in a vacuum. Technology may be misused, efforts to increase community involvement may lead to improper influences on either the police or the community, and the needs of the collaborating partners could actually retard the growth towards more openness. Since unanticipated consequences almost always result from complex social interactions, the project team should remain alert and sensitive to the possi-

bility that unpredicted results may occur and either add to or detract from the ultimate assessment of the net effect of the program.

Impact Evaluation

Finally, while the process evaluation asks what was done, measurements of impact are concerned with the resulting effect of the effort. Most immediate, of course, is the evaluation of the training itself. This includes questions about the quality of the course, instructor, materials used, and style of presentation. Beyond that, however, it should be equally important for the project team to examine the extent that materials are incorporated in participants' daily work, changes in the organization, practices that result from the training, and any impact on the specific issues (i.e., drug trafficking, domestic violence) being addressed by the training and its materials.

Conclusion

For the past two years, PERF's project staff has examined the U.S. sponsored training program for Ukrainian law enforcement. In that time, we have interviewed or surveyed not only staff from INL, but also agency representatives from the service providers, many trainers, Ukrainian government officials, line-level law enforcers from city and regional police agencies, and numerous participants in a variety of on-going events.

From those efforts, we learned that the current training courses sponsored by the U.S. government are generally well received, but all-too-often present materials that translate poorly to the participants' primary responsibilities. As a result, Ukrainian officials, agency managers, and field-level practitioners were asked to suggest issues that they considered most appropriate for future training and exchanges.

In offering those suggestions, PERF's staff and consultants also prepared a series of five interrelated recommendations intended to strengthen the training and exchange process. Among them were ideas for clarifying the overall program goals, reorganizing the process by which training courses are chosen and administered, institutionalizing the courses into the Ukrainian system, broadening the pool of available trainers and exchange sites, and formalizing the process of program evaluation and adjustment. We believe that the acceptance of these recommendations will advance the program far on the road to success.

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Appendices

APPENDIX A

Law Enforcement and Policing in Ukraine

Appendix A

Law Enforcement and Policing in Ukraine

Although often used interchangeably in the United States, references to policing and law enforcement are distinct in Ukraine. Law enforcement in its strictest sense, for example, in Ukraine typically refers to the processes of the courts, prosecutors, militia, tax police, and security services. The police, meanwhile, have considerably less status and are assigned far less investigative and enforcement responsibility than their U.S. counterparts. Instead, many of the service-oriented activities we have increasingly attempted to entice upon our police under the community-oriented policing banner are routinely accepted as proper and appropriate for the police in Ukraine. Indeed, in the words of the Vice Rector at the Kiev Training Academy for the procuracy, the police are there to provide for a comfortable life in society - not law enforcement.⁶

While in some ways similar to the systems in the U.S., the difference in law enforcement focus and terminology reflect important differences in the way the police are viewed in the U.S. and in Ukraine. In turn, these differences are related to and impact the wide variety of personnel and process issues that should be the focus of police training. As such, in this section we summarize the structure of the Ukrainian police and outline the processes used in response to crimes. In doing so, where appropriate we will identify any important differences between the Ukrainian systems and our own.

The National Police

Unlike in the U.S., policing and law enforcement in Ukraine are largely national systems administered under the Ministry of the Interior (policing) and the Procuracy (prosecution). Within the Interior Ministry, police services are subdivided by primary function to include a Criminal Division, Administrative Police Services, State Security Service, Border Police, and the State Tax Police. Each of these functional units is described more fully below.

Criminal Division

Included in this division are the more traditional policing functions, including the investigation of homicide, burglary, robbery, property crimes, and fraud. Acting on the report of either crimes or accidents, the officers of this unit provide the initial response and conduct the opening investigation. Unless they are resolved quickly, incidents are passed on to police investigators who complete this preliminary investigation⁶ (Ukrainian police expand the concept of preliminary investigation to include all steps taken prior to a formal case referral for prosecution) to gather evidence and identify suspects. In especially complex or important cases, investigators from the Procuracy may join the case, either in a supervisory role or to assume outright jurisdiction. Street crimes (both property and persons-related) and many economic crimes fall within this division's areas of concern.

Traffic Police

While this unit was created largely in response to fare beating on public transportation, these officers are involved in statewide automobile inspections as well as traffic direction, traffic accident investigations, and DWI enforcement. Because their salaries were traditionally at least partially dependent upon the collection of fines, this unit has been a highly sought after assignment and is frequently tainted with stories of corruption.

Recent revisions (in 2001) altered the fine collecting roles of these officers in an effort to reduce corruption and improve the standing of police in the eyes of the public.

Security Services

Also within the Ministry of the Interior is the State Security Service that handles issues of national security. Since 1994, this unit has maintained a separate division on organized crime and corruption. Although created in response to new laws on issues related to organized crime, this group has only recently gone beyond the detection of organized crime groups and the initiation of preliminary investigations.

Border Guards

As its name implies, this division of the Ministry of the Interior is responsible for the enforcement of emigration issues and the protection of national borders.

Tax Police

Although a good deal of ambiguity exists concerning the actual powers of the tax police and the nature of the crimes they investigate, tax evasion, illegal currency transactions, and speculation - the purchase and sale of scarce goods for a profit - do appear to fall squarely within this unit's sphere of influence. Less certain are their investigations into activities that compromise and damage social relationships in manufacturing, financial, and trade spheres (Malkin, 1999).

Regional Police Structure

As we noted, policing in Ukraine is a single system of agencies belonging to the Ministry of Interior. The legislative foundation for their authority and activities can be found in both the Ukrainian Constitution as well as the criminal code section, On Police. In addition, decrees from the President, acts from the Ministry, and decisions of the High Rada (Senate) and Cabinet of Ministers all influence police activities. The General Prosecutor of Ukraine oversees police activity to insure legality.

Below the national level, Ukraine is divided into 25 geographical regions called Oblasts. In addition, two of Ukraine's major cities (Kiev and Sevastopol) are considered equal in status to an Oblast with all 27 functioning not unlike our own states in that each maintains regional police authority for each of the significant functions.

These 27 regional areas (Oblasts) are further divided into local districts with each containing its own police department. With the exception of organized crime, these local police agencies are similar to those at the Oblast level. This means that the local police concentrate on and are responsible for local crimes, accidents, and incidents; economic crimes; traffic functions and safety; and juvenile crimes and services. Still, important or complex crimes that come to the attention of the police at the local level are transferred up to the Oblast level.

The Procuracy

While not part of the police as we use the term, the Procuracy and its staff clearly occupy the central position in Ukrainian law enforcement. More than simply prosecutors of crimes referred by the police, Procuracy investigators oversee complex or important investigations, review governmental institutions in search of wrongdoings (malfeasance and maladministration), and seek out social injustices. As Foglesong and Solomon (2000) describe it, the Procuracy appears as a governmental institution rather than a separate branch of government or the criminal justice system. Indeed, in some regards, the Procuracy in Ukraine is similar to the many branches of own Department of Justice as they investigate both crimes and injustices (similar to the Federal Bureau of Investigation) and prepare cases for trial (U.S. Attorneys and District Attorneys).

Police Rank and File

In Ukraine the generic reference to officer evokes an image more of military than civilian police. Where the U.S. rank system for policing is one of promotion that encourages police staff to rise in rank with increased experience, strong performance evaluations, and testing, a strong bifurcation between line and supervisory ranks in the Ukrainian system dictates position almost entirely on training and education. To illustrate, the educational and duty activities for various positions are outlined below.

Non-Commissioned Police

In Ukraine, the lowest police rank is that of policeman (usually male) or militia person, although employees with military service at the rank of Sergeant can often, though not always, transfer laterally. Absent a military background, employees can be considered for promotion to Sergeant or Senior Sergeant after 18 months service at the militia level. Promotions are determined by evaluation committee, as is described later in this section.

The lower ranks of police in Ukraine are uniformed and drive marked patrol cars much as you would see in any U.S. city. These street/patrol police are generally recruited from their communities and can receive community incentives such as free public transportation to enhance their pay. Patrol police are issued weapons and radios at the start of their shifts but return their equipment at each shift's end. They are considered to be on duty at all times, however, and are expected to intervene any time that they witness a crime. While officially law

enforcers, the activities of these police are more routinely focused on public safety and service matters.

Officer Rank Police

The lowest level of police Aofficer@ is the AJunior Officer@ or AJunior Inspector,@ a rank that is further divided into junior or senior specialist levels depending upon entry-level education. Junior specialists, for example, enter police service at the rank of 1st Lieutenant after graduation from a two-year college program. Senior specialists, meanwhile, come to police service from three-year college programs and begin one step higher at the rank of 2nd Lieutenant. In either case, these officers are generally assigned the duties of Detective in a district police department where they investigate crimes and supervise patrol police.

At the next level is the ASenior Officer@ or ASenior Inspector.@ These employees are graduates of four-year college programs and enter the police department at the rank of Captain. The majority of these officers hold the position of Investigator, although some who have had previous police experience may be assigned as either criminologists or as directors of criminal investigation units.

The highest level of office is a ASupervisory Officer.@ These employees typically hold the rank of General and are assigned as agency or major division heads.

Demographics of the Police Force

The majority of Ukraine's police officers are males who have completed military service. Indeed, we could find no reports of women in patrol positions while estimates of female detectives were low, averaging around two to three percent. Instead, women in Ukrainian policing appear in significant numbers only in highly technical positions such as accounting and finance, as criminologists, and in forensics positions. Even then, however, we were advised that for the most part the women in forensics positions tended to be assigned laboratory work while male specialists handled crime scene matters. Only in the area of juvenile crime inspectors, it seems, do women maintain a significance presence where and estimated 75 percent of employees are female.

The maximum age for police staff is dependent upon the person's specific rank and assignment. For example, Captains confront mandatory retirement at 45 while heads of regional units must step aside at 55 years of age.

In each instance, however, when a police employee reaches his or her mandatory retirement age, an appropriate supervisor can request an extension of service of no more that five years. All extensions are granted at the Oblast level.

Police Recruitment and Selection

Hiring standards and the terms and conditions for new employees are established by the Ministry of the Interior and distributed to the Oblast-level agencies. Once national standards are set, each Oblast's personnel department then begins the process of recruiting and hiring Noncommissioned police. Officer level candidates, on-the-other-hand, are recruited directly from the pool of recent graduates of the educational system.

To qualify for police employment a candidate must first have successfully completed military service, which is now mandatory for men and voluntary for women. As a result, agency personnel units tend to recruit heavily from the military. This is usually accomplished by notifying those in the special military police about the possibility of permanent employment in civilian agencies. The police themselves prefer these candidates since they believe that these candidates have learned discipline, are proficient with weapons, and are physically fit. In addition to the military, police recruiters also find candidates through job referrals (especially from existing police) as well as an open application system that is available to all interested members of the country. Recommendations by community members and from faculty at schools, colleges, and Institutes are considered important as well.

Performance Evaluation

As the final step in the personnel process, police performance evaluations are completed on employees once every two years. The lowest police staff levels are scrutinized at the district level while mid- and higher-level personnel are rated at the Oblast level. A commission headed by the Minister of Interior evaluates Generals.

To prepare an employee's evaluation appropriate supervisors examine job performance, weapons proficiency, physical conditioning, and the employee's ability to communicate with residents and others on the job and in the community. Further, the supervisor also examines the employee's family relationships and relations with colleagues looking for possible conflicts. When the evaluation is complete, the supervisor then forwards his assessment to an evaluation committee in an open process where he and the rated employee jointly present their

views. Committee members ask questions and prepare a final written report summarizing the evaluation. Once it determines how well the employee meets the necessary job requirements (personal and professional), the evaluation committee has several alternatives. Ideally, of course, is a recommendation for the employee to continue in his or her position. For exceptional candidates, however, the committee may recommend that the person be considered for promotion to a higher level. It is from these recommendations that the pool of candidates eligible for promotion is developed.

For employees not meeting the minimum job and performance requirements, a detailed summary of weaknesses must be prepared. The employee is then permitted to offer a defense and opportunities for appeal are available.

In some instances, the committee may acknowledge the employees explanation and amend its prior report. If not, however, demotion or forced resignation may result.

For weaknesses not sufficient to warrant dismissal, the evaluation committee has the option of placing conditional requirements that allow the employee to correct his or her problem areas. In such cases, a 6 to 12 month probationary period is usually added. At that time, the employee is reevaluated and asked to leave if the problem persists. One final option available to the evaluation committee is to recommend retirement for employees who have reached an eligible age.

Ukrainian Police: Criminal Procedures

In Ukraine, criminal investigations are carried out at both the district level and the Oblast level. In either case, investigators may come from the police, the Procuracy, or the state security service; however, in all instances a prosecutor supervises each case investigation. This model is similar in many respects to the case investigation structure within our own Federal Bureau of Investigation (FBI), where a close relationship exists between investigating agents and the U.S. Attorneys who prosecute their cases. In other ways, however, the similarities are not consistent. As such, we review the process by which cases are investigated, and the roles played by the police and Procuracy, below.

Case Investigation Process

According to the Ukrainian criminal procedure code, there are several stages of the case investigation process, including the initial and preliminary investigations (also called an inquiry or inquest) and the pre-trial investigation. During the initial investigation, the concern is primarily with putting the facts of the case on paper, preparing an initial report, and doing basic actions such as checks for similar cases. Included here are investigator led searches for evidence. It is at this stage that a decision is made as to whether a crime has actually occurred and will be formally recorded. If so, a preliminary investigation is opened and the case is referred to an appropriate investigator.

While all police units conduct preliminary investigations, Article 101 of the Ukrainian Procedural Code specifies which investigatory unit will handle certain crimes. Burglaries, for example, are strictly handled by police jurisdictions while the more serious crime of homicide is referred directly to Procuracy investigators.

For most other offenses, jurisdiction is divided so the case is assigned depending upon how and by whom it was discovered and to whom it was initially reported. In either case, during the investigation, responding police can take a potential suspect into custody for a brief period (three days) while the search for evidence is completed. At that time, a supervising prosecutor must review the investigation and authorize an arrest if appropriate. This prosecutorial oversight is required even for apprehensions during crimes in progress. In cases where sufficient evidence to support an arrest is determined not to exist, the suspect can be required to remain available in the investigating jurisdiction under circumstances not unlike our own bail bond agreement.

Regardless of where jurisdiction is located, investigators have approximately two-months to complete their work and present a case to the prosecutor. For especially serious cases, however, the prosecutor's discretion allows for an increase in the investigation period.

Once a suspect has been charged, the pretrial investigation begins. If it is not already assigned to the prosecutors-investigators, it is moved to their jurisdiction where the decision concerning the next appropriate action is made. For example, the investigator must decide whether to obtain a warrant for arrest, arrange for bond or bail, or release under community supervision for juvenile suspects. Still, only the prosecutor can refer a case to court.

Problems of Comparison

While in some ways our systems are similar, important differences exist that make direct comparisons of crime trends and the effectiveness of the criminal justice systems quite difficult. For example, Foglesong and

Solomon (2001) note that except for cases involving juveniles or the mentally ill, Advocates (defense counsel) have limited access to information during the pretrial investigation and have no right or authority to conduct parallel inquiries. In addition, the Ukrainian system allows for ASupplementary Investigation® for those cases where courts decide that insufficient evidence exists to support a conviction. In such instances, the case is suspended and returned for further investigation without prejudice to the prosecution.

Perhaps most difficult for comparative purposes is the lack of standardization and the general unreliability of Ukrainian police and crime statistics (similar, though less severe problems have been noted with U.S. record keeping as well). For example, as we noted earlier, the investigative procedure in Ukraine does not require the official reporting - or registering - of a crime until the police have concluded that the report is real and worthy of pursuit. Foglesong and Solomon (2001) note that by 1998, the police actually registered no more than two of every five crimes reported to them (down from two of three in 1990), suggesting that the standards for exclusion are quite broad. This was confirmed by our own interviews when we discussed a typical theft of a bicycle with police officials in Kiev. Unless the victim knew who had taken the bike, or there was information that would likely lead to the recovery of the property or arrest of the thief, they explained that it was unlikely that a report would be taken or investigation begun. In the absence of such information, officials explained, the police officer would likely tell the victim to go home and take better care of his or her property in the future.

Police Training in Ukraine

The training and education system for police in Ukraine is quite extensive and complex. As discussed earlier, there are very different education requirements for lower ranked, line level police and the higher-ranking officers. In this final section, we outline the training provided to all police.

Line Level Police Training

Each Oblast has a four to six week basic training academy that all members of each police agency must undergo. Among the subjects for new employees are discipline, use of weapons, criminal and constitutional law, basic patrol procedures, and a host of administrative and organizational guidelines. To complete the program, employees are regularly tested on the various topics and a physical fitness test (but not a JRPAT or job related physical ability test) is administered. Only after the successful completion of this program can the new candidate take the required oath of office and attain police authority.

Following his or her basic training, the new employee next works with an experienced field-training officer for approximately six months. While these training officers receive no special preparation for this training assignment, administrators report that they try to select only reliable officers for this duty. In addition, each police section maintains a personnel specialist who maps a career plan for the new officer. Unfortunately, no specific documentation for or of this process appears to exist.

In addition to their field training, in-service training focused in three primary areas is routinely available to officers:

New orders and legal training.

Weapons and special technical training. Driver training is also provided.

Specific actions and strategies.

Here too, however, no written materials or curricula were available and instructors, we were told, do not specialize in any given area. Duration and regularity of training appear to vary considerably as well. For example, while weekly training is reportedly offered to all officers in Aroll call® formats, other training methods are dependent upon individual agency-s staffing needs. For most employees, however, we were advised that one day each month is set aside for both physical fitness and weapons proficiency while another half-day is made available for instruction in other topics as needed.

ACTTA Law Enforcement and Criminal Justice Programs in Ukraine

APPENDIX B

ACTTA Law Enforcement and Criminal Justice Programs in Ukraine

In FY99, the following programs were funded under the ACCTA initiative. Many of these programs are designed to build a long-term capacity for democracy and rule of law.

Office of Overseas Prosecutorial Development, Assistance and Training program, U.S. Department of Justice (DOJ/OPDAT). This Department of Justice (DOJ) program provides for training seminars and conferences for the procuracy, judiciary, and law enforcement agencies combating corruption, organized crime and financial crimes. DOJ/OPDAT also conducts regional training at the International Law Enforcement Academy (ILEA) in Budapest, Hungary. DOJ U.S. Attorneys conduct the training. Under this program, assistance is also provided to the Ministries of Justice in NIS countries on legislative drafting of criminal laws, including modern money laundering statutes.

ABA/CEELI Criminal Law Program. This DOJ program funds a criminal law liaison office in Kiev that is staffed by one lawyer and an administrative assistant. The primary focus of this program is training for the judiciary on criminal procedure issues.

Law Enforcement Training Programs. FY99 funding provides for training courses to be provided to Ukrainian law enforcement agencies by DEA, FLETC, ATF, EPA and the FBI on counter-narcotics, police science matters, financial crimes, international banking and money laundering, and organized crime. These programs are the focus of this report.

Law Enforcement Exchange Programs. FY99 did not provide funding for these initiatives since funds were extant from FY98. These programs nonetheless carryover through this period and are also focus of this report. The State Department has funded two NGOs to coordinate exchanges between Ukrainian law enforcement officers and officials with U.S. counterparts.

Department of Treasury Financial Enforcement Adviser Program. This program is being initiated to address specific financial crime activities in Ukraine. At the request of the Ukrainian government, the U.S. Treasury Department will initially provide Bureau of Alcohol, Tobacco, and Firearms (ATF) representatives to work with Ukrainian tax officials. The Treasury advisor assigned to the State Tax Administration (STA) is working on two initiatives in the area of tax administration. This includes a course for STA tax auditors on casino operations and internal controls, and a criminal enforcement course for Tax Police managers.

American University Center for the Study of Organized Crime. This DOJ-funded project was initiated during 1999 with the establishment of a Center for the Study of Organized Crime at the National Law Academy in Kharkiv. A joint conference with the Center was held in April on regional organized crime issues.

National Institute of Justice Research Partnership Program. In FY98, the National Institute of Justice, U.S. Department of Justice (NIJ) was awarded \$1,518,000 by the State Department to establish a program of partnerships between U.S. researchers and their counterparts in the NIS on criminal justice issues. The total cost for the two-year program in Ukraine is approximately \$1.2 million. NIJ's partner for this program is the Ukrainian Academy of Law Sciences.

The project envisions the following:

Partnerships between researchers and practitioners in the U.S. and Ukraine on transnational criminal justice issues, including organized crime, corruption, trafficking of women, financial crimes and related subjects over a two-year period. These study efforts will result in the publication of research reports. It is anticipated that this project will bring U.S. research and experience to bear on the crime problems facing Ukraine.

The installation of Internet studios in Ukraine to support that country's criminal justice researchers. The Internet studios, which were developed by the Rule of Law Foundation under an NIJ grant, will train Ukrainian personnel to manage the studios, publish data and reports on crime and justice issues on the Internet, and link researchers and practitioners. In all, studios have been installed in the facilities of the Ukrainian Academy of Law Sciences, as well as the National Academy of the Ministry of the Interior, the Procurator-Generals Office, the Ministry of Justice, and other law enforcement agencies.

A joint project between Ukraine and the U.S. to evaluate the impact and effectiveness of U.S. law enforcement training and technical assistance efforts.

Law Enforcement Police Science Administration. FY99 funding provided for technical assistance for the National Academy of the Ministry of the Interior located in Kiev. A team from INL and the International Criminal Investigative Training Assistance Program (ICITAP) traveled to Kiev in July of that year to work with the National Academy on this project. Arrangements were underway to establish collaboration with the Ukraine National Police Academy and both of the U.S. Federal Law Enforcement Training Center and John Jay College in New York City. INL has contracted with DOJ/ICITAP to provide assistance to the Ukrainian Border Guard Academy on curriculum and instruction development. In addition, INL is proposing to Ukraine Border Guards

the installation of a U.S. funded APisces® automated traveler identification system to improve monitoring of borders and migration.

Forensic Laboratory Assistance. FY99 funding included forensic laboratory equipment to be provided to the Ministry of Interior. An assessment team traveled to Ukraine during the summer of 1999 to conduct an assessment of needs and make support recommendations.

Domestic Violence and Trafficking in Women and Children. The State Department continues to provide grants to American NGOs for community policing and support to Ukrainian training institutions. In 1998, INL initiated an NGO-led program to address issues of domestic violence through exchanges of multi-disciplinary groups in the U.S. and Ukraine, through American NGOs Project Harmony in Lviv and Odessa and Sister Cities in Cherkassy and Kharkiv. This initiative was expanded in FY99 to combat trafficking in women and girls. This program complements a broader USG initiative that includes education and support for economic alternatives through programs funded by USAID.

USAID-funded programs include assistance to victims through establishment of women's crisis centers in Dnipropetrovsk, Lviv and Donetsk. USAID is also working with primary health care clinics in six cities in an effort to assist women directly, or through referrals from the above-mentioned trafficking prevention centers. In October 1999, a USAID-funded team of anti-trafficking specialists traveled to Ukraine to review USAID's current strategy, assess the current legal structure related to anti-trafficking, and identify the capability of law enforcement entities to provide services for victims and to prosecute traffickers.

Appendix C

ACTTA Rule of Law Activities

Appendix C ACTTA Rule of Law Activities

These activities provide a range of legal and judicial reforms. They are often grass roots in nature and provide public advocacy training to increase local advocacy work in Ukraine. By working directly with citizen groups to address concerns, these programs hope to demonstrate to local citizens groups how to use the law to effect lasting change.

ABA/CHEECHI Consortium and ABA-CEELI Programs: Under these USAID-funded projects, assistance has been provided in the areas of legal education, environmental advocacy, legal reform, and to strengthen the judiciary and the Ministry of Justice.

ARD/CHEECI has focused programming to provide support for the establishment of the Judiciary Training Center at the Supreme Court and High Arbitration Court, respectively. Through the center, ARD/CHEECI has facilitated training for judges on the Constitutional Court, Supreme Court and Arbitration Court, and oblast judges on civil law issues. A second component, the Outreach and Advocacy Campaign, supports Ukrainian advocacy NGOs in providing legal counsel to citizens and supports the production of media messages on legal reform and citizens' rights issues. ARD/CHEECI also provided study tours to the United States for judges and executive branch personnel to enhance their capacity to assist Ukraine in reforming its judicial system.

As part of its advocacy training, ABA/CEELI has established and provides technical assistance to four Environmental Public Advocacy Centers (EPACS), which have been successful in challenging government decisions through the courts. The EPACS play an important role in allowing enforcement of rights under existing environmental laws. In addition to its work with EPACS, ABA/CEELI has provided continuing legal education for local groups of lawyers, including numerous sessions on interpretations of various provisions of

the Constitution of Ukraine.

Anti-Corruption Programs: In addition to the anti-corruption seminars conducted by DOJ/OPDAT and the grant programs to the American University Organized Crime Study Center and NIJ, USAID has also undertaken anti-corruption efforts to complement the work of other donors to include the World Bank Institute national-level integrity program, Transparency International, and the Office of Economic and Cultural Development. One USAID program has helped to develop a public-private partnership in the Donetsk region to address corruption. Another program publicizes grass-roots efforts to tackle issues of corruption. ARD/CHEECI also worked closely with the Ministry of Justice to develop a draft Code of Ethics for Government Employees.

Economic Restructuring Programs: Current and planned USAID economic restructuring activities related to the rule of law include support for the enforcement of contracts through an assessment of the feasibility of applying alternative dispute resolution (ADR) mechanisms to commercial disputes. The USAID mission is currently reviewing proposals for the implementation of ADR programming.

In addition, judicial training is being undertaken to educate judges about the new bankruptcy law signed by President Kuchma in August 1999. Training is also underway for governmental representatives on the operation of the State Pledge Registry, which began operations in March 1999, to support the use of moveable property and tax liens as collateral for commercial loans.

Other rule of law activities include support for the revisions of the draft Civil Code of Ukraine, which governs virtually all commercial relationships in Ukraine. A Commercial Law Clearinghouse has been established to facilitate public access to the legislative process in Ukraine. Legislative drafts and commentaries are being made available to the public via a computerized database.

Support for deregulation and a more transparent and fair system of regulation continues in the context of reducing obstacles to doing business by reducing the number and scope of unnecessary inspections, licensing and certification of all kinds.

Appendix D

Summaries of Available After Action Reports

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Summaries of Available After Action Reports

Bureau of Alcohol, Tobacco, and Firearms

In the evaluation for ATF course participants, attendees were asked to identify the most beneficial aspect of the course and to suggest ways the course could be improved. After Action Reports were available for one of the five ATF courses approved for FY98 and FY99 and conducted by end of year 2000.

Course: International Post-blast Investigation Training

This course provided participants with hands-on learning experiences for post-blast bomb investigations. During this course attendees were given access to the most recent technology and investigative techniques. In addition, the participants were involved in practical field exercises that included the analysis of each team member's specific duties, team investigative techniques, as well as the A100-step® method. The trainers report that participants appeared to be encouraged by the knowledge they gained from the course and felt that they would be able to effectively apply this knowledge to their jobs and share it with their peers.

A summary of participants' responses shows that they generally felt that the program to be well planned with instructors who were skilled in the subject matter. In addition, they reported that the practical exercises

reinforced the theoretical material presented in the classroom and will make future application of this material easier. Further, the use of a methodical approach such as the A100-step method[®] was described as among the most beneficial aspects of the course. Other aspects participants described as beneficial were safety procedures and the utilization of special equipment.

As for revisions, the participants added that course exercises would be more rewarding if explosive devices more similar to those found in Ukraine were used. Attendees also expressed an interest in receiving specialized training regarding the origin and causes of fires. Further training and similar courses taught by the ATF were requested.

Drug Enforcement Administration

In the evaluations of DEA courses, participants were asked to identify the most beneficial aspect of each course and suggest ways that each course could be improved. After Action Reports were available for each of the three DEA courses approved and offered during FY98 and FY99.

DEA Course #1: Forensic Chemist Seminar

This course contained four primary goals:

- To provide training in traditional and specialized investigative techniques;
- To promote international cooperation in drug investigations;
- To inform the participants of DEA's mission and how DEA can assist in their investigations; and
- To enhance relations and cooperation between DEA and its counterparts.

The course covered topics such as data handling, computer forensics, chromatography, and spectrometry. Overall, the participants felt the course was useful and informative. However, they did note that Ukraine lacks much of the equipment necessary to conduct the sophisticated scientific analysis discussed. Despite this, they expressed satisfaction with seminar content, organization, venue, and especially the laboratory sessions. When asked to suggest ways the course could be improved, the primary suggestion was to increase the course length.

In general, participants felt this would allow more in-depth training on each subject as well as allow more time for laboratory work and practical exercises.

DEA #2: International Narcotic Enforcement Seminar

This seminar had five primary goals:

- To provide basic training in traditional and specialized investigative techniques that focus on drug trafficking in the region;
- To promote professional and personal relationships that will further enhance cooperation and assistance between the participants in enforcement operations;
- To operate and control a wide variety of enforcement specialties;
- To ensure that the participants are fully aware of DEA's mission and how it is implemented; and
- To enhance relations and cooperation between DEA and its counterpart organizations.

In these reports, participants indicated clear intentions to utilize the skills developed during the course. They noted, however, that economic conditions in Ukraine have adverse effects on anti-narcotics efforts. Specific problems mentioned include a lack of equipment, supplies, and pay for police officers.

As for course quality, most praised were the professionalism and skill of the instructors. When asked how the course could be improved, attendees suggested that the course be expanded beyond two weeks so that additional time focused on undercover operations and intelligence matters could be added. In addition, they suggested that more focus on regional characteristics should be included.

DEA Course #3: Narcotics Interdiction/Investigation/Regional Seminar

The purpose of this seminar was to enhance participants' awareness of drug interdiction/ enforcement techniques and foster a closer relationship between the agencies of Ukraine and the United States.

Overall, participants expressed satisfaction with this course although more advanced curriculum addressing topics such as international legal issues, international asset forfeiture, and extensive analytical instruction were requested. The initial material covered in the course was possibly too basic because the course was scheduled to be attended only by mid-level supervisors but was attended primarily by high-ranking officers. Students and

instructors did note, however, that they had benefited from the interaction and class discussions.

Federal Bureau of Investigation

In the evaluation for FBI courses, participants were asked to indicate their agreement (1:strongly disagree to 5: strongly agree) with a series of statements:

The training provided met the objectives of this course.

The sessions provided information that will help me improve my job performance.

The instructors provided sufficient opportunity for student participation.

The sessions were well organized.

The sessions were presented so that I could easily understand the information.

The sessions were intellectually challenging.

The instructors demonstrated knowledge in this area.

The instructors had experience in this area.

I learned new information in this course.

Students are also asked to respond to open-ended questions regarding the most beneficial aspect of the training, ways to improve it, and to provide any additional comments they felt appropriate. After Action Reports were available for five of the twelve courses approved for FY98 and FY99, and *conducted* by the time of the writing of this report in the Spring of 2000.

FBI Course #1: Organized Crime

Course evaluation questions were asked for each of the following five course components: international organized crime trends; evolving law and police procedure; case studies; investigative techniques; and money laundering schemes.

The mean response to the evaluation questions for each course component ranged from 4.1 and 4.8. In general, the highest marks were on questions regarding the course instructors.

The responses to the open-ended questions suggest that communication with peers experienced during the course was a key factor contributing to its success. Indeed, the majority of comments about the most beneficial aspect of the training listed the interaction and exchange of experiences, ideas, and trends among the participants as the most rewarding. The other aspect of the course that received significant praise was the money-laundering component.

Participants also gave suggestions on ways to improve the course, however. First, they advised that more detailed and in-depth case studies should be added. Second, were requests for more video aids reflecting the stages of the work being explained. Attendees added that participants should be given more information in advance of seminars on the case studies, other participants, and laws or criminal justice system structures that may vary.

Overall, however, the participants felt that the course was rewarding and suggested similar seminars be held in the future and possibly for longer time periods.

FBI Course #2: Collection and Preservation of Crime Scene Evidence

Although this After Action Report was incomplete, the available data suggest that the course was well received. A mean rating of 4.3 for the first evaluation question showed that students felt the course met its objectives. The available mean ratings for the remaining questions for the five different aspects of the program ranged from 4.1 to 4.7.

The mean rating for the question, "I learned new information in this course" was 4.4. This is significant since subsequent questions show that the majority of participants had over ten years of experience in crime scene investigations. In fact, 93 percent of the attendees had more than seven years of experience while none had fewer than four.

Finally, the students were asked to evaluate the training supports used in the course. The handouts received a rating of 4.4; training aids, audio-visual aids, and interpreters all received ratings of 4.5.

None of the students responded to the open-ended questions regarding the most beneficial aspect of the training, ways to improve it, and additional comments.

FBI Course #3: International Law Enforcement Executive Forum (ILEEF)

The After Action Report for this course did not include a course evaluation from the participants. Instead, the report consists of a detailed course description and classroom progress from the instructor-s perspective.

The report notes that the participants were reserved during the first day however gradually became more involved in class discussions. The first topic that catalyzed class discussion was the U.S. system for protection of citizens against police corruption as well as protections for falsely accused police officers. Corruption proved to be one of the most popular topics covered during the course. Chief Richard Pennington of the New Orleans Police Department was a guest speaker for the corruption issue and discussed managerial techniques to combat corruption. Chief John Vasquez of the Macon, Georgia Police Department gave a presentation on maintaining discipline and high morale. The participants responded favorably to the two guest speakers and suggested more examples of their materials as well as similar speakers. In conjunction with these presentations, class participation in discussions about related issues Ukraine was encouraged.

FBI Course #4: Financial Institution Fraud

Course evaluation questions were asked for each of the following four course components: financial institution fraud investigations, methods of payment/tracing of funds, forgery/counterfeit and fraud schemes. The mean response to the first question, *Athe training provided met the objectives of this course,* was 4.8. The mean scores for the remaining questions for each of the four components ranged from 4.3 to 5.0. It should be noted that while the lowest rating in all four-course components was given to the usefulness of the information in improving job performance, these scores were still high. Finally, when asked if they learned new information in this course, participants = mean rating was 4.6.

Attendees were also asked to evaluate the usefulness of the training supports used during the course. All of the supports received very high scores; handouts received a rating of 4.7, training aids 4.8, audio-visual aids 4.8, and the interpreters 4.8.

Still, participants in this class had little experience at the investigation of financial institution fraud cases - 61 percent had no experience at all and only 6 percent had more than three years of experience. This lack of relevant experience may be related to the fact that financial crime has only recently become a significant policing concern.

Finally, participants were given the opportunity to evaluate the course through open-ended questions. First, they were asked what they felt the most beneficial aspect of the course was. Respondents typically answered that the discussions on fraud and money laundering were the most helpful part of the program. Responses to the question of how to improve the course suggested more videos, visual aids, handouts, and a longer time length for the course. Attendees also responded that they would appreciate more personal contact with the course instructors.

FBI Course #5: Advanced Law Enforcement Safety and Survival Seminar

The goal of this course was to teach various concepts and tactics necessary for survival in law enforcement work. The course evaluation questions were asked for each of the following four course components: concepts and tactics for survival, planning guide for making arrests, basic tactical procedures, and command/control and arrest team leader.

The mean response to the question asking if *Athe training provided met the objectives of this course,* was 3.6.

The mean scores for the remaining questions for each of the four components ranged from 3.7 to 4.8. The lowest scores were given to the intellectual challenge of the first and second component while highest scores for every course component was given to the instructor-s knowledge of the subject matter. While all of the questions received positive answers, the highest levels of satisfaction were given to the instructors. Meanwhile the lowest level of satisfaction, though still positive, was in regards to the intellectual stimulation of the course. Finally, when asked overall if they learned new information in the course, the mean response was 4.2.

Next, attendees were asked to rate the value of the training supports used during the course. Handouts received a mean score of 4.0, training aids 4.1, audio-visual aids 4.6. The highest rankings, however, were given to the course interpreters who received a mean rating of 4.8. The participants in the course had varied levels of experience in command and control issues. Two-thirds of the class had between one and six years of experience while the remaining third had either a significant amount or none at all. Finally, participants were asked open-ended questions about the course. First, they were asked to describe the most beneficial aspect of the training they received. Tactical methods, building entry, and search lectures received the highest praise. Next, participants were asked to suggest ways to improve the course. It was felt

repetitions of course materials and practical exercises as well as more handouts, study aids, and visual aids would improve the course. The additional comments at the end of the survey suggest that, on average, attendees were satisfied.

Internal Revenue Service

The evaluation for the IRS courses asked a series of five questions designed to assess the quality of the course content and its instructors. The After Action Report was available for the only IRS course that was approved for FY98 and FY99, and *conducted* by the time of the writing of this report in the Spring of 2000.

IRS Course #1: International Training

The topics discussed in this course included methods of analyzing information, conducting money laundering investigations, interviewing, management control, informants, undercover operations, and investigative techniques. Throughout the course, instructors are reported to have asked the participants to volunteer topics that would be beneficial to them. The instructors attempted to incorporate these topics into the course and periodically asked the class for further input on course material.

The course evaluation was listed as a summary of attendee responses to five questions. The first asked if participants felt that course content met their expectations. Fifteen responded that it exceeded expectations, eighteen responded that it met them, and none felt it did not meet them. The second question asked what aspect of the course participants felt contributed most to its effectiveness. Most offered the instructors and class discussions as the most valuable. Many also felt that the practical exercises and training aids also played a significant role in the course. Participants were then questioned about the variety of activities. Overall, 31 attendees rated the variety as satisfactory while two considered the variety of topics covered excessive.

Finally, when asked about the quality of the instructors, 21 participants rated them as excellent, ten as very good, and two as good. Similarly, when attendees were asked to rate the program overall, 13 rated it as excellent, 15 as very good, and five as only fair. Participants were then given the opportunity to make additional comments. The key concepts in these comments suggested more frequent and longer courses, examples of theoretical concepts with visual aids, and continued cooperation in training and information sharing.

Overseas Prosecutorial Development, Assistance, and Training (OPDAT)

No formal evaluation protocol was used consistently in evaluating OPDAT courses, although participants are often asked to rate the quality of the course content and its instructors. After Action Reports were available for six of the eight OPDAT courses approved for FY98 and FY99, and *conducted* by the time of the writing of this report in the Spring of 2000.

OPDAT Course #1: Financial Crimes Seminar

The goals of this course were to familiarize the participant judges and academics with the legal authorities and laws behind fraud, financial crime, and computer crime investigations. The course also attempted to familiarize participants with the strategies and techniques used in the United States to investigate and prosecute these crimes. During this two-day course, four main topics were discussed. First, was an overview of the criminal justice system in the U.S. Second, was a presentation of major banking offenses. These included topics such as fraud, false statements, and illegal participation in bank and credit institutions. Next was money laundering. This section included an examination of U.S. anti-money laundering policies such as domestic reporting requirements and Reports of Foreign Bank and Financial Accounts (FBAR). Finally, the course discussed computer crimes and U.S. laws against them.

Though a participant evaluation of the course was not included in this report, the instructors felt it had accomplished its goals and was a valuable experience for the participants. The instructors added that the seminar was well timed since many of the new laws governing financial crime are emerging now with the transition to a market economy.

OPDAT Course #2: Regional Organized Crime Conference

The goals of this course were to familiarize Ukrainian law enforcement with the problems associated with combating organized crime in Ukraine and to expose them to strategies and techniques used to prosecute

organized crime in the U. S. This After Action Report was a summary of instructors' opinions and did not include participant evaluations. During the course, the participants were exposed to a broad variety of problems involved in combating organized crime. One of the most beneficial aspects of this overview was the exchange of personal experiences and viewpoints among the attendees and instructors. The instructors felt that the participants were able to draw analogies from the course to their own practices despite differences between the two nations' legal systems and practices.

OPDAT Course #3: Overview of Prosecuting Organized Crime

The goal of this course was to familiarize Ukrainian prosecutors and judges with complicated trials, organized crime, and political corruption as well as strategies and techniques that can be used to deal with them. The topics that were included in the course focused on plea bargaining, sentencing guidelines, and the courts' role in investigations.

The conference was attended primarily by Ukrainian judges, but several prosecutors and investigators attended as well. Originally, the judges were skeptical of much of the information (specifically sentencing guidelines and plea bargaining) because they felt it would be a threat to the newly granted independence of the courts. After the course, however, the instructors felt that most of the judges had reversed their opinions and had come to see plea bargaining and sentencing guidelines as an effective tool for the judiciary.

Many of the judges reportedly expressed an interest in incorporating many U. S. practices into the Ukrainian system. One of their largest concerns was acquiring funding to run a modern courthouse. The judges, prosecutors, and investigators that attended the conference left with a greater understanding of the value of tough money laundering laws to combat organized crime, the importance of working collectively as a task force, and the procedures for obtaining evidence from other nations through mutual legal assistance.

It was noted that the relations between the Americans and Ukrainians involved had become cordial by the end of the conference.

OPDAT Course #4: Conference on Criminal Procedure Reform

The goal of this course was to familiarize the participants with issues involving criminal procedure reform in Ukraine as well as a comparative discussion of U.S. and Ukrainian criminal procedure and practice. Primary topics included Ukraine's newly drafted criminal procedure code as well as sentencing issues and the role of the prosecutor and defense council. This conference was a follow-up program to a visit by senior Ukrainian Supreme Court judges to the United States.

Approximately 200 judges from the Ukrainian Supreme Court as well as every Oblast attended the conference.

These were primarily judges with senior positions. Therefore it was felt that the material discussed at the conference would have a beneficial affect on the country's judiciary process. Instructors also felt that the material was pertinent and advanced enough for the attendees.

There was no report on the views of those who attended the conference.

OPDAT Course #5: Regional Transnational Organized Crime

This course was attended by delegations from three nations - Poland, Russia, and Ukraine. The course was well received by the participants and it was recommended that it be taught again in the future.

The course evaluation was based on a scale of one to six (1-strongly disagree and 6-strongly agree). The evaluation was broken down by nation. Typically, the delegates from Poland expressed the most satisfaction while the Ukrainians showed the least. The range of mean scores from all nations was 4.00 to 5.89. The scores showed that the instructors performed well and were respected. Overall, the participants thought the program was interesting and effective. Furthermore, the participants felt that the material covered applied to their current work and they felt that it would be useful for future tasks. When asked what course topic was the most valuable, most participants listed legal procedure and systems or international legal assistance and cooperation. The section about money laundering also received a significant number of listings as well.

Preparation was the overall aspect of the course that instructors and participants both felt could be improved.

The instructors cited problems that arose when the Polish delegation did not receive copies of the case studies prior to arrival. Furthermore, the Poles were not fed dinner upon arrival. It was also felt that more documentation should be provided prior to the course on the participants, instructors, and basic functions of U.S. procedures such as opening a case and indictments. Furthermore, the instructors and participants felt that more visual aids should be used and documents indexed to increase understanding and ease the restrictions imposed by language barriers. It is noted that the evaluation's audio-visual question received the lowest scores

from the participants (4.34). The participants also suggested that future sessions should include topics on legal procedures and systems. Specifically, they indicated interest in problems created by differing systems and procedures when crimes involved multiple nations.

OPDAT Course #6: Organized Crime and Corruption

The goals of this course were to familiarize the judiciary, investigators, prosecutors, and other law enforcement officials with the criminal justice system in the United States such as investigative techniques and strategies for combating organized crime. The course also addressed problems in criminal procedure reform and provided an opportunity to consider comparative approaches in addressing the problem of organized crime and corruption.

The material covered during the course was little more than overview of the covered topics because the course was only a one-day event. Topics ranged from the history of fighting organized crime to preventive actions in Ukrainian criminal procedure. Despite the brevity of the course, the instructors felt that it was on the appropriate level for the 200 attendees as most were from outlying regions in Ukraine and thus unfamiliar with U.S. laws and practices. Many of the participants held supervisory positions in their organizations.

U.S. Secret Service

No formal evaluation protocol was used in evaluating the Secret Service course, although participants were asked about the quality of the course content and its instructors. The After Action Report was available for the only course approved for FY98 and FY99, and *conducted* by the time of the writing of this report in the spring of 2000.

U.S. Secret Service Course #1: Forensic Laboratory Assistant Seminar

The objectives of this course were to meet with key officials in the Ministry of Internal Affairs of Ukraine and tour their ballistic laboratories in order to provide specific recommendations to improve and enhance the forensic capabilities of the forensic departments and their equipment. The instructors also focused on exposing the participants to current developments and trends in forensic technology as well as the training qualifications to use them. One of the primary topics in the course was fingerprinting technology and the use of latent fingerprint examiners. Based upon this course, Ukrainian and U.S. officials recommended equipment purchases for Ukraine.

The summary of the participant evaluation was very brief. In essence, they were pleased with the course and would like to see additional training support in the future.

Department of Treasury

No formal evaluation protocol was used in evaluating the Department of Treasury course. The After Action Report was available for the only DOT course approved for FY98 and FY99, and *conducted* by the time of the writing of this report in the spring of 2000.

DOT Course: Tax Enforcement

A course evaluation was not included in this After Action Report. Instead, a detailed account of the proceedings is provided.

The course was based upon practices from the U.S. Internal Revenue Service Criminal Division though there was a focus on attempting to relate the differences and similarities between Ukraine and the U.S. Participants were reportedly encouraged to actively participate in course discussions and had a substantial amount of input in the course agenda. Participants told the instructors their expectations for the course and the topics they would like to see addressed. Most of the suggested topics were discussed.

The remainder of the report is focused on suggestions for the improvement of the Ukrainian Tax Militia as well as current finance laws and regulatory practices.

U.S. Embassy Description of Other U.S. Sponsored Criminal Justice Programs in Ukraine

Appendix E

U.S. Embassy Description of Other U.S. Sponsored Criminal Justice Programs in Ukraine

In its review of this report the U.S. Embassy in Ukraine notes that their mission in the provision of criminal justice assistance is far broader than the report's limited focus on law enforcement training and experience exchange. The Charge d= Affaires= summary of those activities is provided below.

A key U.S. priority has been to work with the GOU [Government of Ukraine] to develop the legal infrastructure necessary in a post-Soviet society to combat modern transnational crime and a framework for bilateral law enforcement cooperation. These efforts in Ukraine were undertaken primarily by the Embassy's Law Enforcement Affairs Officer working closely with the U.S. Department of Justice and other USG [United States Government] agencies and have resulted in the enactment of a new and comprehensive criminal code of Ukraine, which entered into force on September 1, 2001. The new criminal code criminalizes money laundering and other financial crimes, trafficking of people, and other transnational crimes. USG assistance coordinated by the Embassy has also played a key role in the development of new legislation concerning money laundering, criminal procedure and judicial reform that is currently pending enactment in the Ukrainian Parliament.

The report does not highlight the steps that have been taken by Embassy Kiev and the INL Bureau to establish a framework for the GOU for bilateral cooperation on crime issues and to develop comprehensive strategies and programs for INL-funded law enforcement assistance programs that are tailored to USG goals and Ukrainian needs. These steps include the following:

Law Enforcement Priorities: In FY 2000, Embassy Kiev identified four key law enforcement priorities that would meet U.S. Government objectives and met Ukrainian needs: These priorities are the focus of INL-funded assistance programs: 1) money laundering, 2) trafficking in people, 3) intellectual property rights enforcement, and 4) border security.

Long-term Strategies and Assistance Programs: In support of the four priorities outlined above, comprehensive and long-term strategies and assistance programs were developed for FY 2001. These priorities and supporting programs are designed primarily to assist the GOU in the establishment of legal and regulatory frameworks essential to addressing these transnational crime problems. APolice-type@training is only a small element in support of such priorities. Existing assistance programs or training activities (i.e. short-term, off-the-shelf programs), which do not fall under these priority categories, are reviewed on a case-by-case basis to determine if funds should be reprogrammed and channeled into programs that do support these priorities. Planning is underway for comprehensive programs for FY 2002.

Mutual Legal Assistance Treaty in Criminal Matters (MLAT). In July 1998 Vice President Gore and President Kuchma signed the MLAT in Kiev. The agreement entered into force provisionally in 1999, allowing the exchange of information between the United States and Ukraine in the investigation and prosecution of criminal cases. The Ukrainian Parliament and the U.S. Senate subsequently ratified the MLAT. Numerous requests for assistance in criminal matters have been processed under the MLAT.

U.S.-Ukraine law Enforcement Working Group (LEWG). In 1998, the bilateral LEWG was established as part of the Foreign Policy Committee of the United States Binational Commission to improve cooperation in combating transnational crime and to promote the rule of law in Ukraine. Key U.S. and Ukrainian law enforcement agencies are represented in the LEWG. The LEWG has agreed upon a detailed program of ABilateral Cooperation for Combating Corruption and Organized Crime, 2000-2005,@ that was signed in June 2000. The LEWG meets annually to exchange information and provide input on law enforcement assistance needs, priorities and activities.

Bilateral Memorandum of Understanding (MOU). The Embassy is currently negotiating an MOU with the Ukrainian government whereby both sides will agree on law enforcement assistance projects in support of the four law enforcement priorities. The MOU is intended to implement the goals and objectives of the bilateral

LEWG and the joint program for combating corruption and organized crime.

Law Enforcement Issues Coordinating Committee (LEICC). As part of the Embassy's ongoing efforts to improve the coordination of law enforcement and rule of law assistance programs, the Embassy in spring of 2000, established the LEICC. The LEICC, chaired by the DCM, includes representatives from all key sections and agencies represented at the Embassy and meets periodically to review ongoing assistance activities.

Law Enforcement and Narcotics Coordinator. In 1998, INL established a new position in the Embassy to work on law enforcement programs. The Law Enforcement Affairs Officer has played a key role in working with GOU counterparts to help develop the legal framework essential to promote the rule of law society in Ukraine, to include the entry into force of the MLAT. Other activities have included assistance in the drafting of key legislation, to include the new Criminal Code as well as draft laws on money laundering, criminal procedure and judicial reform. Local staff to support the implementation of assistance programs has now augmented this office.

Appendix F Project Surveys

Survey #1: Participant Survey

Survey #2:
Agency Survey

Survey #3:
Topics of Interest: Ministry of the Interior (Police)

Survey #4: Topics of Interest: Public Prosecutor

Survey #5:
Broadcast Fax to PERF General Members

United States - Ukraine

Law Enforcement Information Exchange

Participant Survey Codebook

V 1: Respondent Number:

V 2:	Agency:	<i>Frequency</i>	<i>Percent</i>
1 -	National Tax Administration (NTA)	14	22.6
2 -	Lviv	5	8.1

3 -	Ministry of the Interior, Main Administration of Search and Operational Investigation	13	21.0
4 -	Ministry of the Interior	30	48.4

V 3: Number of Courses taken

1 =	One	30	48.4
2 =	Two	20	32.3
3 =	Three	7	11.3
4 =	Four	2	3.2
5 =	Five	2	3.2
8 =	Eight	1	1.6

V 4.1 - 4.7:

What was the topic of the exchange you attended:

		<u>Courses Taken</u>						
		1	2	3	4	5	6	7
1 =	Contraband	7	1	-	-	-	-	-
2 =	Controlling the Borders	2	2	-	-	-	-	-
3 =	Corruption	8	1	1	-	-	-	-
4 =	Anti-Drug Trafficking	9	2	-	1	-	-	-
5 =	Illicit Firearms	1	2	-	-	1	-	-
6 =	Intellectual Property Rights	3	2	-	-	-	1	-
7 =	Law Enforcement/Police	14	4	1	-	-	-	-
8 =	Money Laund/Fin Crimes		11	7	5	-	-	-
9 =	Organized Crime	6	3	3	2	-	-	-
10 =	Rule of Law/Judicial Ref		-	2	2	-	1	-
11 =	Stolen Cars		-	3	-	-	-	-
12 =	Trafficking/Viol. Against Women/Children		1	3	-	1	-	-
13 =	Investigating Crimes in Tax		-	-	1	-	-	-
14 =	Black Mkt for Alch & Tob		-	-	-	-	-	1
15 =	Org. of Sheriff-s Office		-	-	-	1	-	-
	N =	62	32	12	5	3	1	1
99 =	Not Applicable/Missing		30	50	57	59	61	61

Please rate how much you agree with the following statements about the exchange you attended on a scale of 10 (most agreement) to 1 (least agreement).

Scaled 1 (least) to 10 (most)

		5	6	7	8	9	10
V 5.1:	It was relevant to my job duties:	-	4	10	17	14	16
V 5.2:	The material was of high quality:		2	1	6	14	24 15
V 5.3:	The material was new to me:	6	3	5	18	13	16
V 5.4:	The American participants were knowledgeable:	1	1	7	14	22	16
V 5.5:	Overall, the exp was valuable:	-	3	7	23	20	9

V 6: Since the exchange experience, have you used the information provided in your job?

		<i>Frequency</i>	<i>Percent</i>
1 =	Often	16	25.8
2 =	Sometimes	36	58.1
3 =	Rarely	9	14.5
4 =	Not at all	1	1.6

V 7: How much has the information provided by the exchange been helpful in your daily job?

		<i>Frequency</i>	<i>Percent</i>
1 =	Very helpful	17	27.4
2 =	Somewhat helpful	34	54.8
3 =	Not very helpful	11	17.7
4 =	Not at all helpful	-	---

V 8: Would you like to participate in another exchange experience on another subject?

		<i>Frequency</i>	<i>Percent</i>
1 =	Yes	62	100
2 =	No	--	----

V 9: Would you recommend that your colleagues participate in an exchange experience if it is available?

		<i>Frequency</i>	<i>Percent</i>
1 =	Yes	62	100
2 =	No	--	----

Please identify any additional topics that might be appropriate for additional information or experience exchanges:

V 10.1:	Crime Specific Suggestions:	<i>Frequency</i>	<i>Percent</i>
1 =	Tax Avoidance and Investigations	6	9.7
2 =	Banking Crimes	5	8.1
3 =	Money Laundering and Financial Crimes	9	14.5
4 =	Transnational Organized Crime	9	14.5
5 =	Drugs and Other Illicit Goods	1	1.6
6 =	Trafficking in Humans/Human Organs	4	6.5
7 =	Intellectual Property Rights	1	1.6
8 =	Computer Crimes	1	1.6
9 =	Immigration Crimes	1	1.6
99 =	Not Applicable/Missing	25	40.3

V 10.2:	System Suggestions:	<i>Frequency</i>	<i>Percent</i>
1 =	Police Organization and Management	4	6.5
2 =	International Police Collaboration	4	6.5
3 =	Police/Community Collaboration	2	3.2
4 =	Investigative Processes	-	---
5 =	Suspect Rights	1	1.6
6 =	Data Use and Management	4	6.5
7 =	Technology in Investigations	3	4.8
8 =	Evidence Collection	-	---
9 =	Prosecutorial Process	1	1.6
10 =	International Prosecutorial Collaboration	4	6.5
11 =	Corruption	7	11.3
99 =	Not Applicable/Missing	32	51.6

United States - Ukraine Law Enforcement Information Exchange

V 1: Respondent Number:

V 2: Agency:	<i>Frequency</i>	<i>Percent</i>
1 - National Tax Administration (NTA)	14	22.6
2 - Lviv	5	8.1
3 - Ministry of the Interior, Main Administration of Search and Operational Investigation	13	21.0
4 - Ministry of the Interior	30	48.4

V 3: Number of Courses taken

1 = One	30	48.4
2 = Two	20	32.3
3 = Three	7	11.3
4 = Four	2	3.2
5 = Five	2	3.2
8 = Eight	1	1.6

V 4.1 - 4.7:

What was the topic of the exchange you attended:

	<u>Courses Taken</u>						
	1	2	3	4	5	6	7
1 = Contraband	7	1	-	-	-	-	-
2 = Controlling the Borders	2	2	-	-	-	-	-
3 = Corruption	8	1	1	-	-	-	-
4 = Anti-Drug Trafficking	9	2	-	1	-	-	-
5 = Illicit Firearms	1	2	-	-	1	-	-
6 = Intellectual Property Right	3	2	-	-	-	1	-
7 = Law Enforcemt/Police Sci	14	4	4	1	-	-	-
8 = Money Laund/Fin Crimes	11	7	5	5	-	-	-
9 = Organized Crime	6	3	3	2	2	-	-
10 = Rule of Law/Judicial Ref	-	2	2	-	-	1	-
11 = Stolen Cars	-	3	-	-	-	-	-
12 = Trafficking/Viol Against Women/Children	1	3	-	1	-	-	-
13 = Investigating Crimes in Tax	-	-	-	1	-	-	-
14 = Black Market for Alch & Tob	-	-	-	-	-	-	1
15 = Organization of Sheriff-s Off	-	-	-	-	1	-	-
N =	62	32	12	5	3	1	1
99 = Not Applicable/Missing	-	30	50	57	59	61	61

Please rate how much you agree with the following statements about the exchange you attended on a scale of 10 (most agreement) to 1 (least agreement).

	<i>Scaled 1 (least) to 10 (most)</i>						
	5	6	7	8	9	10	
V 5.1: It was relevant to my job duties:	-	4	10	17	14	16	
V 5.2: The material was of high quality:		2	1	6	14	24	15
V 5.3: The material was new to me:	6	3	5	18	13	16	
V 5.4: The American participants were knowledgeable:	1	1	7	14	22	16	
V 5.5: Overall, the exp was valuable:	-	3	7	23	20	9	

V 6: Since the exchange experience, have you used the information provided in your job?

	<i>Frequency</i>	<i>Percent</i>
1 = Often	16	25.8
2 = Sometimes	36	58.1
3 = Rarely	9	14.5
4 = Not at all	1	1.6

V 7: How much has the information provided by the exchange been helpful in your daily job?

	<i>Frequency</i>	<i>Percent</i>
1 = Very helpful	17	27.4
2 = Somewhat helpful	34	54.8
3 = Not very helpful	11	17.7
4 = Not at all helpful	-	---

V 8: Would you like to participate in another exchange experience on another subject?

Frequency Percent

1 =	Yes	62	100
2 =	No	--	----

V 9: Would you recommend that your colleagues participate in an exchange experience if it is available?

		<i>Frequency</i>	<i>Percent</i>
1 =	Yes	62	100
2 =	No	--	----

Please identify any additional topics that might be appropriate for additional information or experience exchanges:

V 10.1:	Crime Specific Suggestions:	<i>Frequency</i>	<i>Percent</i>
1 =	Tax Avoidance and Investigations	6	9.7
2 =	Banking Crimes	5	8.1
3 =	Money Laundering and Financial Crimes	9	14.5
4 =	Transnational Organized Crime	9	14.5
5 =	Drugs and Other Illicit Goods	1	1.6
6 =	Trafficking in Humans/Human Organs	4	6.5
7 =	Intellectual Property Rights	1	1.6
8 =	Computer Crimes	1	1.6
9 =	Immigration Crimes	1	1.6
99 =	Not Applicable/Missing	25	40.3

V 10.2:	System Suggestions:	<i>Frequency</i>	<i>Percent</i>
1 =	Police Organization and Management	4	6.5
2 =	International Police Collaboration	4	6.5
3 =	Police/Community Collaboration	2	3.2
4 =	Investigative Processes	-	---
5 =	Suspect Rights	1	1.6
6 =	Data Use and Management	4	6.5
7 =	Technology in Investigations	3	4.8
8 =	Evidence Collection	-	---
9 =	Prosecutorial Process	1	1.6
10 =	International Prosecutorial Collaboration	4	6.5
11 =	Corruption	7	11.3
99 =	Not Applicable/Missing	32	51.6

Codebook for Survey #4

Topics of Interest for Experience Exchange Public Prosecutor

Survey #: Numbered sequentially

Agency: Prosecutorial region/area

Organizational and Management Issues

V1: Job description and responsibilities of prosecutor; planning, criteria for job evaluation, accountability, interest overall and in specific job tasks.

	<i>Frequency</i>		<i>Percent</i>	
1 =	High	28	68.3	
2 =	Medium	10	24.4	
3 =	Low	2	4.9	
9 =	Missing	1	2.4	

V2: Interrelations and interactions between prosecutors of various levels, between various institutions of criminal justice, and between courts.

1 =	High	31	75.6	
2 =	Medium	6	14.6	
3 =	Low	3	7.3	
9 =	Missing	1	2.4	

V3: Initial training and recruitment process for new labor force, workshops for current employees, legal and social rights of employees in institutions of criminal justice.

1 =	High	30	73.2	
2 =	Medium	8	19.5	
3 =	Low	2	4.9	
9 =	Missing	1	2.4	

Practical Matters and Their Execution

V5: Preliminary investigation, judges= responsibilities, overseeing in proceedings of confessions and of preliminary investigation, decision mechanisms in certain procedural matters, accountability of arrests, organizational role of prosecution in investigation of crimes in the economy.

	<i>Frequency</i>		<i>Percent</i>	
--	------------------	--	----------------	--

1 =	High	31	75.6
2 =	Medium	9	22.0
3 =	Low	--	---
9 =	Missing	1	2.4

V6: Justice, court investigation, responsibilities of prosecutor, assigning terms at penitentiary, system of checks and balances within justice system.

1 =	High	25	61.0
2 =	Medium	12	29.3
3 =	Low	1	2.4
9 =	Missing	3	7.3

V7: International aid, especially of the USA, in criminal matters: borders, regulations, agreements, responsibilities, creation of specific goal-oriented international investigation groups receiving help and information from the Caribbean and the Pacific.

1 =	High	21	51.2
2 =	Medium	15	36.6
3 =	Low	3	7.3
9 =	Missing	2	4.9

Additional

V8: Penalties in the US legislation regarding death penalty, confiscation of property, criminal responsibility for certain felonies (organized crime, offenses involving customs and computers, contraband, etc).

1 =	High	21	51.2
2 =	Medium	18	43.9
3 =	Low	1	2.4
9 =	Missing	1	2.4

V9-11: Please list the problems that in your opinion are the most interesting for future efforts at U.S./Ukraine experience exchange:

		<i>Frequency</i>	<i>Percent</i>
V9:	Systems Suggestions:		
1 =	Foundations/Role of the U.S. prosecutorial process	4	9.8
2 =	International Collaboration in Prosecution (i.e, extradition)	2	4.9
3 =	Responses to juvenile crime	2	4.9
4 =	Inter/Intra agency relations with prosecution	2	4.9
5 =	Prosecutor training/support	1	2.4
6 =	Issues in criminal sentencing/corrections	3	7.3
7 =	Technology and the use data in the prosecutorial	4	9.8

	process			
8 =	General criminal justice issues	1	2.4	
9 =	None	22	53.7	

V10: Process Suggestions:

1 =	Oversight of the investigations/prosecution process	6	14.6	
2 =	Rights of the citizens	1	2.4	
3 =	Evidence and the collection of information	1	2.4	
4 =	Witness protection	2	4.9	
9 =	None	31	75.6	

V11: Crime Specific Suggestions:

1 =	Juvenile crime and delinquency	1	2.4	
2 =	Organized crime	3	7.3	
3 =	Illegal immigration	1	2.4	
4 =	Corruption	3	7.3	
5 =	Economic crime and taxation issues	3	7.3	
6 =	Environmental crime	1	2.4	
9 =	None	29	70.7	

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CHUCK WEXLER
 EXECUTIVE DIRECTOR

Dear PERF Member:

For the last year and a half, PERF has worked on an NIJ-funded project to assess avenues for experience exchange involving law enforcement agencies in the United States and in Eastern European countries such as Ukraine. In this context, experience exchange refers to joint workshops, symposium and in-country visits, where law enforcement officers from different countries learn from each other's experiences. As we prepare to issue our recommendations to the Department of State, we would like to include some measure of the needs and interests of United States law enforcement agencies in such exchanges.

Please complete the questions below and **fax this form to Melissa Reuland at PERF at 202-466-7826**. Thank you very much for your time.

1. Do you have Eastern European communities in your area? Yes No
2. How concerned is your department with transnational organized crime involving Eastern Europe, Ukraine or Russia?

Greatly concerned

Moderately concerned
Somewhat concerned
Not concerned at all

3. Would a direct relationship with Ukrainian law enforcement counterparts be helpful to your agency in addressing these transnational crime concerns?

Yes
No
Not a Concern

4. Please indicate your department's interest in participating in United States /Ukrainian law enforcement experience exchanges.

Very Interested
Somewhat interested
Not Interested at all

5. Would your department be willing to host members of Ukrainian law enforcement for 1-4 week long fellowships? Yes No

6. Would you be willing to provide agency staff to travel to Ukraine for technical assistance and information exchanges with Ukrainian counterparts? Yes No

7. If so, in which areas would your department be interested in participating?

Policing Models
Administration
Tactics
Investigative Techniques
Crime Scene Management
Information Management and Crime Analysis
Interagency Partnerships