



Ricardo Mauricio Menesses Orellana liked horses, and the Pasaquina rodeo was a great opportunity to enjoy a party. He was joined at the event -- which was taking place in the heart of territory controlled by El Salvador's most powerful drug transport group, the Perrones -- by the town's mayor, Hector Odir Ramirez, and the infamous drug and people trafficker Jose Natividad Luna Pereira, alias "Chepe Luna."

Also present were undercover narcotics agents, who immediately recognized Menesses as the director of El Salvador's National Civil Police (PNC).

The Special Antinarcotics Group (GEAN) of the Salvadoran police -- an elite unit trained by the US Drug Enforcement Administration (DEA) and partly financed by Washington -- had been following Chepe Luna's trail since at least 2004. In 2005, a GEAN surveillance team tracked the drug trafficker to the Pasaquina rodeo, in the far east of El Salvador.

This is the first article of a five-part series on police corruption in El Salvador. See whole series here.

The rodeo horse procession was led by Menesses, followed by Mayor Ramirez, and then Chepe Luna himself. An undercover antinarcotics agent who participated in the operation said that part of the surveillance team was recognized by Menesses. Moments later, the head of the Antinarcotics Division (DAN) of the PNC, Godofredo Miranda, ordered the undercover agents to withdraw.

Menesses graduated from the Military Academy in 1987. He formally joined the PNC on March 8, 1993[1], nearly a year and two months after leaving the army. On December 12, 2002, his predecessor, Mauricio Sandoval, named him general deputy director. Following Sandoval's resignation at the end of April 2003,

Menesses was appointed director general of the PNC by President Francisco Guillermo Flores Perez.



Previously, Menesses had worked in the Police Intelligence Center (CIP) -- of which he was the first director -- the Financial Division, and the DAN.

According to his superiors, Menesses never stood out for his qualifications or leadership skills. His rise to important posts, said a former director general, was because he was a "controllable" man, and an "absent director."

In June 2004, Elias Antonio Saca became president, but Menesses kept his post for another year and a half. In the public eye, his mandate was connected with the

"Mano Dura" (Iron Fist) and "Super Mano Dura" plans -- anti-gang strategies aimed at putting hundreds of youth connected with the country's "mara" street gangs behind bars. However, from the very beginning, he aroused suspicions among members of Saca's cabinet, officials in the Attorney General's Office, and even among accredited diplomats in El Salvador. Nonetheless, his close ties with organized crime were unknown until four years later.

In 2005, following various failed attempts to capture Chepe Luna, including the Pasaquina rodeo episode, the activities of Menesses began to attract complaints and private finger-pointing. A cable[2] dated October 15, 2005, sent from the US Embassy to the US State Department, mentions a conversation between the deputy mission chief, the political advisor and Attorney General Belisario Artiga, in which the latter insinuated that Menesses was corrupt and had used his post for personal enrichment.

With the pressure intensifying, President Saca removed Menesses from his post and named Rodrigo Avila director general. However, far from ordering an investigation into Menesses, he sent him into glorified exile in the Salvadoran Embassy in Washington[3].

Nearly four years later, the name of the first police academy graduate to rise to become a PNC director returned to the public spotlight. On July 20, 2009, the Inspector General's Office opened an investigation into Menesses for his ties with Chepe Luna, based on 2005 reports that he had attended the rodeo alongside the trafficker.

SEE ALSO: Coverage of Elites and Organized Crime

Three months later, the office opened a new investigation, this time for alleged ties with Carlos Alberto Rivas Barahona, alias "Chino Tres Colas," one of the leaders of the Barrio 18 gang, who was later sentenced for extortion and homicide[4]. In February 2010, leaving his post unmanned was added to these charges, for Menesses' failure to attend work after having returned from Washington that past December.

In the end, the PNC's disciplinary tribunal dismissed Menesses in March 2010 for abandoning his duties, but the other charges against him went nowhere.

Under Ricardo Menesses, the infiltration of drug trafficking and organized crime into the PNC reached even the highest offices in San Salvador.

It was not always like this. In 1993, following the signing of the Peace Accords that ended a 12-year civil war between the guerrilla movement the Farabundo Marti National Liberation Front (FMLN) and the Washington-backed government of the Nationalist Republican Alliance party (ARENA), the PNC was a ray of hope.

The Original Sin

The PNC was created under the Peace Accords to take over for the National Police, the Financial Police and the National Guard -- three security bodies closely associated with the armed forces, which the United Nations (UN) Truth Commission singled out as the perpetrators of grave violations of human rights, extrajudicial killings and massacres.[5]

The PNC was to be the launch pad for a new culture of peace. Due to its closeness with the people, the role of the new police was considered essential to the process of democratizing the country. The state rested its hopes on the PNC, trusting it would apply the new laws, gain the trust of the civilian population, and, finally, legitimize the state's right to use force to maintain order and implement legal values during El Salvador's post-war years, which they worried would be turbulent. If the PNC failed, the UN said at the time, this would threaten the entire peace process in the future.

The PNC did fail, and to this day the Salvadoran process of consolidating peace and democracy remains incomplete and weakened by this failure.

The PNC was able to move beyond the previous status quo: it is now a more professional, less rudimentary, more capable and democratic force, and is better oriented towards the civilian population than its three military predecessors. However, that is not saying much. This change, moreover, should not be

attributed to the Salvadoran political elites on the right or the left, nor to the leadership of the PNC. It was the international community, represented by the UN, the incipient Salvadoran civil society, and even the victims of police abuse themselves, as well as a few visionary police, who stopped the PNC from moving backwards. The good news, however, ends there.



The investigation undertaken in this series -- and in the book "Infiltrators: A Chronicle of Corruption in the PNC," which will be published in San Salvador in the coming weeks - shows the PNC has failed. It failed in the task of constructing a new

culture of legality and in changing the conduct of its officials. It failed in the task of creating effective methods of internal reform. And, with devastating consequences for its mission of pursuing and preventing criminal activity, the PNC failed in the task of training agents capable of investigating and punishing those responsible for breaking the law, without taking into account their political connections, ideologies or socio-economic status. Like its predecessors, the PNC specialized in obstructing justice and guaranteeing impunity for those with sufficient influence or money.

The UN warned time and time again of the risk that the PNC was born contaminated or without effective tools to clean itself up, while certain foreign officials took note of the lack of political will of successive governments to build an independent and professional public force. As they predicted, institutional weakness took its toll. It was through the police that transnational organized crime, above all drug trafficking organizations and money launderers, penetrated the political system and the social fabric of the country.

SEE ALSO: Coverage of Police Reform

Ricardo Menesses typified these problems in many ways, beginning with his military origins. He was the first police academy student to rise through the ranks to the head of the institution, but he was also the first PNC director that entered the institution without even having left the army. The Peace Accords stated that army officials that joined the PNC should leave active military duty as part of the process of creating a new police force, removed from the history of corruption, human rights violations and extrajudicial killings that plagued the old security bodies.

On May 12, 1994, President Alfredo Cristiani signed Agreement No. 221, [6] which extemporaneously removed 25 officials from the army who had formed part of the old security forces. Among them was Ricardo Menesses. The inclusion of this group in leadership posts in the PNC marked the first major government violation of the spirit of the Peace Accords regarding public security, with the acceptance of high-level army members into the new police. The PNC's most powerful and most questionable elite emerged from this group.

The group includes the officials who have had the most power since the institution was created, as well as the officials who have been subject to the most serious journalistic, administrative and judicial accusations. A number of these officials have been investigated for or accused of aiding contraband runners, drug traffickers, gang members and money launderers; of engaging in sexual harassment; of obstructing justice; of torture; of threats; and of attempted homicide. But just one has been put before a judge, in a case related to a death squad dedicated to executing gang members, and he went free. Of the rest, the majority continues to work in the PNC, and a good portion continue to hold powerful posts.

Among the 25 included in Agreement No. 221 there are several that have held high-level posts: a general PNC director, three deputy directors, four heads of DAN, a director of the CIP, a head of the Transnational Anti-Gang Center, three directors of the Criminal Investigations Unit, two heads of Specialized Areas and various advisors of the general directorate.

"In a meeting with the highest leadership of the police and the Security Ministry, I told them: 'You have had power for 20 years, and the good or bad that occurs in the PNC is your responsibility, no one else's,'" said one member of the Attorney General's Office.[7] His statements were based on a July 2013 meeting in which officials discussed the capture of a drug trafficker and the possible ties that various high-level police officials had with him. The Attorney General, the PNC director, various deputy directors and representatives from the Security Ministry were present at the meeting.

The Inspector General's Office investigated at least nine of the officials that appeared in Agreement No. 221 for both serious and less serious administrative errors. Six were processed by Inspector Zaira Navas, three by Inspector Raul Melara Granillo, and two by Inspector Nora Centeno de Bell.[8] Menesses was among these officials.

The Ombudsman for the Defense of Human Rights (PDDH) mentioned six of them in reports for violations of the right to life, the right to judicial guarantees,

the right to legal due process, the right to effective judicial protection, and the right to truth in various cases. On three occasions -- two[9] of them also recognized by the Inter-American Court of Human Rights -- the PDDH recommended that the Attorney General's Office and the PNC itself establish administrative and judicial responsibilities. This never occurred.

One person on the list was sued three times for sexual harassment[10] and another time for workplace discrimination in different courts and before the PDDH. The judicial system dismissed the charges in all cases.

Another former soldier was accused by one of the general directors of the institution of procedural fraud. Based on a legislative decree that gave the director special powers to bypass disciplinary processes and administrative sanctions, the director fired this PNC official himself. However, the Supreme Court of Justice reversed nearly all the processes initiated, and the official, like others who had been sanctioned or separated from their posts, was pardoned and given back his position.

One of the few officials who was removed from the PNC, in the same process initiated by Sandoval in 2000, was Douglas Inestroza Ascencio, who was also a member of the group of 25.

A lieutenant from Agreement No. 221 was the only one who had to face a judge when, in 1995, he was accused of forming part of the Black Shadow[11] (Sombra Negra), a death squad that police participated in that was dedicated to executing gang members and members of criminal groups. The official was exonerated a little less than a year after his arrest and since then, has occupied important posts in the PNC.

From the beginning, the PNC was born with its own original sin: the inclusion of former soldiers that worked with criminal groups and preserved a closed power structure that prevented any authority from investigating them for over two decades.

Menesses left of his own accord. And all the officials from that group that was removed from the army in 1994 who were later accused of crimes continue to hold their posts. The majority remain far from criminal prosecution or internal investigations. The sensation of hope that the PNC gave to El Salvador when it was created has fallen far short of its goal.

** This is a shortened version of an investigation by the Salvadoran journalist Hector Silva. The contents are part of a soon to be released book entitled: "The Infiltrators: the story of corruption in the police of El Salvador." This is the first*

article of a five-part series on police corruption in El Salvador. See whole series here.

Silva is a journalist who worked for 15 years in La Prensa Grafica of El Salvador. Since 2012, he has been a fellow at the Center for Latin American and Latino Studies at American University. For additional information, please contact the author by email .

Footnotes

[1] Beltran, J. "Ricardo Menesses queda a cargo interinamente". El Diario de Hoy, San Salvador, April 29, 2003.

[2] Butler, M. "El Salvador homicides equal 2004 figures/Finger pointing among justice sector." Wikileaks. Cable: 05SANSALVADOR2811. October 14, 2005

[3] See Silva Ávalos, Héctor "Washington, refugio para amigos de Chepe Luna". InSightCrime.org, May 28, 2013. <http://es.insightcrime.org/analisis/washington-refugio-para-amigos-de-chepe-luna>

[4] Nation staff. "PNC investiga ex director por vínculo con pandillero. La Prensa Gráfica, San Salvador, October 20, 2009.

[5] See summary: "De la Locura a la Esperanza: la guerra de los Doce Años en El Salvador: Reporte de la Comisión de la Verdad para El Salvador." Uca.edu.sv

[6] This is how AGREEMENT No. 221 appears in the government newspaper:

San Salvador, May 12, 1994.

"The executive body of the Branch of National Defense agrees to: TRANSFER from the Active Situation Arms Category to the Reserve Situation in the Same Category the sirs Major ÓSCAR ARMANDO PEÑA DURÁN; Captains ABRAHAM ALBERTO MARÍN LÓPEZ; ÓSCAR OLIVERIO GÓMEZ DUARTE; LUIS ERNESTO NÚÑEZ CÁRCAMO; Lieutenants GODOFREDO ALBERTO MIRANDA MARTÍNEZ; VLADIMIR ALBERTO CÁCERES RIVAS; WILFREDO DE JESÚS AVELENDIA ECHEVERRÍA; ÓSCAR ORLANDO CALDERÓN BAIDES; VÍCTOR MANUEL RODRÍGUEZ PERAZA; DOUGLAS OMAR GARCÍA FUNES; JAIME FRANCISCO VIGIL RECINOS; RICARDO MAURICIO MENESSES ORELLANA; WILLIAM LEONEL ORANTES SALAZAR; PEDRO BALTAZAR GONZÁLEZ RODRÍGUEZ; PABLO DE JESÚS ESCOBAR BAÑOS; JORGE ARMANDO FLORES VELASCO; MAURICIO ANTONIO ARRIAZA CHICAS; CÉSAR BALDEMAR FLORES MURILLO; DANIEL DE JESÚS MARTÍNEZ HERNÁNDEZ; DOUGLAS RENÉ INESTROZA ASCENCIO; ALEX ENRIQUE LEMUS RECINOS; ÁNGEL MIGUEL BARQUERO SILVA; Deputy Lieutenants MAXIMILIANO TORRES JIMÉNEZ; ROMEO ANTONIO MARTÍNEZ MOLINA y MIGUEL ÁNGEL GUERRERO VALLECILLOS.

The present move will take effect on this day. COMMUNICATE (Signed by Mr. President of the Republic and General Commander of the Armed Forces). The Vice Minister of National Defense, TEJADA MURCIA.

[7] Interview with the author. San Salvador. August 2013.

[8] The officials Luis Ernesto Núñez Cárcamo and Wilfredo de Jesús Avelenda Echeverría were processed on more than one occasion

[9] See the case of García Prieto and another versus El Salvador. Sentenced on November 20, 2007. See Informe Especial de la Señora Procuradora para la Defensa de los Derechos Humanos," given May 9, 2002, Katya Natalia Miranda Jiménez.

[10] See "Informe Especial sobre Acoso Sexual y Discriminación de las Mujeres en la Policía Nacional Civil." PDDH. Mentions Wilfredo Avelenda Echeverría, July 24, 2003.

[11] For a complete account of the Sombra Negra case and of the accusations against Flores Murillo and other members of the PNC see Ladutke, Lawrence Michael. "Freedom of expression in El Salvador". 2004. Pp. 205 ss.

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