

**INDEPENDENT CUSTODY
VISITING IN POLICE
DETENTION FACILITIES
2007-2008**



2009



INDEPENDENT CUSTODY VISITING IN POLICE DETENTION FACILITIES 2007-2008

REPORT



2009

The implementation of this project became possible thanks to the gratuitous work of 160 persons, who devoted time and sustained and purposeful efforts to master the practice of independent custody visiting in police detention facilities. In the course of a year and a half, they conducted a total of 800 visits to 41 precinct departments in the cities of Sofia, Plovdiv and Pleven and under the jurisdiction of the Varna and Burgas Regional Police Directorates, and participated in regular monthly training and experience-sharing meetings. We owe them a debt of heartfelt gratitude for their work and volunteer enthusiasm!

Law Programme, Open Society Institute – Sofia

PROJECT “INDEPENDENT CUSTODY VISITING IN POLICE DETENTION FACILITIES 2007-2008”

Report

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- © Research Associate 1st Class Alexei Pamporov, PhD, author of Part Two
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REPORT

This Report was developed under the Project “Independent Custody Visiting in Police Detention Facilities”, an initiative of the Open Society Institute – Sofia and the Chief Directorate for Crime Suppression, Public Order Protection and Prevention at the Police Directorate General. The project was implemented between April 2007 and August 2008 at precinct police departments under the jurisdiction of the Burgas and Varna Regional Police Directorates and in the cities of Pleven, Plovdiv and Sofia. The project was developed in implementation of the Ministry of Interior’s Community Policing Strategy.

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Introduction

“Independent Custody Visiting in Police Detention Facilities” is one of the most important projects of the Legal Programme of the Open Society Institute – Sofia. It combines a mechanism of civic participation and transparency of public governance with protection of fundamental human rights. These are core principles of the Institute’s philosophy. Their practical implementation by a community of volunteers, non-governmental organisations, structures of the Ministry of Interior and local government authorities is a real challenge, but also an object lesson of the difficulties with which the road to achievement of rule of law in Bulgaria is paved.

The independent custody visiting method was developed on the basis of the experience of Britain. It was pioneered in Bulgaria in 2004 under a project of the Chitalishta Pleven Municipal Fund, financed by the Open Society Institute – Sofia. The results of that project were evaluated, and in 2005 – 2006 the method was adapted and applied at the nine precinct police departments in the City of Sofia, in partnership with the Police Directorate General, the Sofia Police Directorate and Sofia Municipality. Considering the success of the project in Sofia and Pleven, in 2007 and 2008 the Open Society Institute – Sofia extended the practice of independent custody visiting to the cities of Varna, Burgas and Plovdiv and continued the project in Sofia and Pleven.

The present Report includes the main conclusions from the observation conducted in 2007 – 2008, an evaluation of the extent of observance of the standards of international and domestic law on protection of the rights of persons held in police custody, and a summary of the principal recommendations for improvement of police work in this respect. The recommendations and findings have resulted from a sustained effort of the volunteers and co-ordinators under the project. They were discussed with police personnel at various levels and give a clear idea of the key organisational and governance problems facing the system.

All reports on the previous stages of the project have been posted online, on the Internet site of the Institute at www.osi.bg. Their comparison over the years shows that the main problems of the police persist and that progress in addressing them is slow and confined to limited areas. We make public and disseminate the results of this observation in the hope that they will serve as a basis for discussion and adoption of legislative and administrative changes needed to improve the standard of protection of fundamental human rights during police detention, and will contribute to an amelioration of the logistical conditions for police work.

This Report furthermore includes the main conclusions from a sociological survey conducted among police officers and volunteers involved in the project. The results of the survey show that, contrary to the widespread perception, ensuring more transparency of police work actually increases the approval and the willingness of citizens to co-operate with the police in the fulfilment of their key functions. It is therefore clear that achieving greater transparency and accountability in police work is not just an empty slogan but a tool to increase the effectiveness of this work.

The Open Society Institute – Sofia gratefully acknowledges the constructive and fruitful partnership of the SOS – Families at Risk Foundation, Varna, the Diva Community Care Foundation, Plovdiv, the Demetra Association, Burgas, and the CHITALISHTA Pleven Municipal Fund Association, Pleven, and especially the General Police Directorate of the Ministry of Interior.

*Ivanka Ivanova
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PART ONE

I. EXECUTIVE SUMMARY

The “Independent Custody Visiting in Police Detention Facilities” Project is implemented by the Open Society Institute – Sofia according to a methodology approved by the Police Directorate General¹ and its objective is to build confidence between the police and the local community and to ensure transparency of the police institution. The underlying principle of the practice of independent custody visiting is the opportunity of citizens to visit the detention facilities at precinct police departments without advance notice.

Out of a total of 14 criteria monitored under the project,² **five criteria showed improvement since the start of the project in July 2007.** These five criteria are: informing detainees of their rights, providing food within the 24-hour detention, the treatment of detainees by police officers, record keeping, and maintenance of hygiene at precinct police departments.

Partial improvement was found on six of the criteria. These are improvement of the logistics and equipment of detention facilities, allocation of separate service premises and separate premises for detention of men, women, minors etc. **Despite this partial improvement, the 1 January 2009 deadline for elimination of non-conformities with the statutory requirements of Instruction No. 13-2451 of 29 December 2006 will not be met, which means that at the beginning of next year, most of the precinct police department buildings in the monitored cities will not conform to the legal framework.** There are still precinct police departments which do not have expressly designated interrogation rooms, therefore detainees continue to be interrogated in the offices of police investigators or in other premises which are not intended for this purpose. Partial progress was also found on the criteria “Access to legal aid” and “Complaints alleging abuse of force”.

No change was found on three of the criteria: police officers’ working conditions, arrangements for medical assistance and for an interpreter for detained aliens.

A high staff turnover in the police structures under the jurisdiction of the Sofia Police Directorate has emerged as a new problem of current relevance. The understaffing leads to increased stress from the officers’ excessive workload, undermines their motivation to work at the Ministry of Interior, and directly affects the quality of police work as experienced and trained personnel quit the system.

¹ The designations of the Ministry of Interior structures before the amendments to the Ministry of Interior Act promulgated in State Gazette No. 69 of 2008 will be used for the purposes of this presentation as they were valid for two thirds of the period of project implementation.

² See Appendix 1 for a detailed description of the criteria.

II. PRESENTATION OF THE “INDEPENDENT CUSTODY VISITING IN POLICE DETENTION FACILITIES” PROJECT

The “Independent Custody Visiting in Police Detention Facilities” Project is implemented by the Open Society Institute – Sofia according to a methodology approved by the Police Directorate General and its objective is to build confidence between the police and the local community and to ensure transparency of the police institution. The underlying principle of the practice of independent custody visiting is the opportunity of citizens to visit the detention facilities at precinct police departments without advance notice. The project is implemented in the cities of Sofia, Plovdiv, Varna, Burgas and Pleven.

The independent custody visitors are volunteers who have been selected and trained in the method of independent custody visiting. Teams of independent custody visitors pay visits to precinct police departments according to a pre-agreed schedule known only to the project participants. The volunteers examine the detention facilities, interview consenting detainees about the conditions of their detention, and monitor the overall treatment of citizens by the respective unit. Communicating with the police officers, the volunteers may discuss problems related to citizenry-police relations and suggest ways to improve co-operation. On the basis of their visits, the volunteers complete team reports. Their reports record facts established during the visit.

On a monthly basis, the project co-ordinator compiles consolidated reports, and a copy of them is submitted to the Director of the relevant Regional Police Directorate and to the custody visitors. Analytical reports are produced on a quarterly basis, and they are delivered to the Regional Police Directorate as well as to other stakeholders and are disseminated among the public.

III. STATISTICS OF VISITS CONDUCTED IN THE JUNE 2007 – AUGUST 2008 PERIOD

In the period between June 2007 and August 2008, a total of 800³ visits were paid to 41 precinct police departments in the cities of Sofia, Plovdiv and Pleven and under the jurisdiction of the Regional Police Directorates in Varna and Burgas.

Independent custody visiting during the period under review was conducted at various times of the day, with 587 visits paid between 7:00 am and 7:00 pm and 213 visits between 7:00 pm and 7:00 am. The number of visits on weekdays was 544, and 256 visits were paid on weekends. For the period of project implementation, a total of 249 detainees were interviewed. The visits were paid without giving the precinct police department senior officers and staff an advance notice, at various times and by different teams of custody visitors according to the project methodology and the rules for conduct of independent custody visiting.

³ See Appendix 2 for detailed information regarding the conducted visits.



Photo: Georgi Dimitrov

IV. INDEPENDENT CUSTODY VISITORS' FINDINGS. AREAS OF CONCERN

1. Access to legal aid

➤ Informing detainees of their right to free legal aid

During the period of implementation of the project, the situation related to **informing detainees of their right to free legal aid during 24-hour police detention clearly tended to improve**. Independent custody visitors found progress in this respect even at the precinct police departments in Sofia and Plovdiv where, at the beginning of the project (June 2007), the detainees were not given oral clarification of the availability of free legal aid. This positive development is due to the attention paid to the findings in the consolidated monthly reports by the command of the regional directorates and the active role of duty police officers in this respect.

➤ Registered visits by counsel

Throughout the period of implementation of the project, not a single visit by an assigned or retained counsel was registered at the time of independent custody visiting to the precinct police departments in Pleven and Plovdiv. At precinct police departments under the jurisdiction of the Burgas Regional Police Directorate, numerous visits by lawyers were recorded in the record Book of Visits Paid and of Articles and Food Products Received, but since this is not a special register on the provision of legal aid, it does not show whether the lawyers were retained or assigned. Therefore, it is impossible to ascertain what type of lawyer provides legal aid to the detainee and whether legal aid has been provided at all or not. Two visits by retained defence lawyers and three cases in which the detainees were still in custody when an on-duty solicitor arrived were recorded in Sofia between June 2007 and August 2008.

In two cases on record, assigned defence was provided at precinct police departments in Sofia, which is **partial progress on the "Access to legal aid" criterion when compared with the start of the project.**

The lack of information on lawyers' visits, on the time when lawyers were contacted and when they appeared at the police precinct department, on the type of lawyer requested by the detainee, is due **to an omission in the statutory framework** which regulates the documenting of detention. There is no requirement to keep a specialised register or to complete a form showing whether the police officer contacted a lawyer and whether the lawyer refused to provide legal aid for some reason.

Good practice:

The 4th Precinct Police Department in Plovdiv has introduced a system registering the time at which the lawyer was called and his or her answer. If the detained person has requested a retained or assigned counsel, after a phone call by the detainee or the police officer, the lawyer's answer and the time of his or her visit are entered in the declaration by which the detainee acknowledges that he or she has been informed of his or her rights.

➤ **Varying practices in respect of provision of legal aid at precinct police departments**

The implementation of the project reveals that there is no consistent practice of providing legal aid within the 24-hour police detention.

Procedures vary even among precinct police departments in one and the same city. The variations concern the location of the lists of on-duty solicitors, whether these lists are accessible to the detainees or just to the police officers, and whether an on-duty solicitor or the Bar Council is contacted. Practices also vary in respect of who establishes contact with the respective Bar Council or lawyer: the detainee or the police officer.

At the beginning of the project, lists of on-duty solicitors, provided by the Bar Association, were often unavailable at the precinct police departments in Sofia. **By August 2008, such lists were available at all visited precinct police departments.** The only exception was a precinct police department in Varna where, upon request by the independent custody visitors, the police officers found it difficult to locate these lists. This raises the issue about the practical exercise of the detainees' right to choose an assigned counsel.

➤ **Cap on telephone calls at precinct police departments**

Since the start of the project in July 2007, no change has been observed in respect of the problem with the effective limits on telephone calls at precinct police departments, a problem found in all precinct police departments visited under the project. The phone call caps are fixed on the basis of an instruction issued in 1993, which has already lost its purpose, and this often leads to the use of the police officers' or detainees' personal mobile telephones. It is a common practice for the police officers to pay the balance between the fixed limit and the charges for the telephone calls made on the lines of the police departments. These restrictions impede contacts with lawyers as well as with family members of the detained persons.

➤ **Lack of separate premises for visits and for meetings with a lawyer**

As a rule, no premises are expressly designated for visits and for meetings with a lawyer at the precinct police departments. This can compromise the client-solicitor privilege and calls into question the effectiveness of the provided legal aid. The issue of the lack of separate premises for visits and for meetings with a lawyer will be discussed in greater detail in the part on “*Organisation and management of premises*”.

➤ **Ineffective mechanism of co-ordination between the Bar Councils and the police in the provision of legal aid**

In Varna and in Sofia, the independent custody visitors identified as a problem the **substantial delay in finding an assigned counsel**. According to the information obtained, the on-duty solicitors often decline to provide legal aid, citing a heavy caseload or absence from the city, or simply do not answer the phone call. This necessitates looking for another lawyer on the list, which in turn leads to a delay and large telephone bills; quite often, circumstances warranting the release of the detainee occur in the meanwhile.

*After interviews conducted with police officers at the Malko Turnovo Precinct Police Department, the volunteers found that the precinct police department has a problem finding on-duty solicitors. This is due to the fact that there are few lawyers in the town and local police have to resort to the services of lawyers in Burgas, who are not always willing to provide them. **Until the completion of the project, the Burgas Regional Police Directorate and the local Bar Association did not take any measures to mend this practice.***

➤ **Lack of conviction on the part of police officers that there is a point in providing legal aid during 24-hour police detention**

A problem in providing legal aid to detainees is the fact that in quite a few cases, the police officers themselves are convinced that it is pointless to call an on-duty solicitor for 24 hours. Interviewed in connection with a detainee, the duty police officer at a precinct police department in Sofia argued that a lawyer must be called only when the detainee is charged. In Plovdiv, the custody visitors noted that the police investigator routinely calls a lawyer only when the detainee is to be interrogated or at his own discretion.

All these areas of concern invite the conclusion that despite the partial progress, access to legal aid upon police detention remains limited. The problems identified in respect of providing detainees with legal aid are a violation of Article 6,

Paragraph 3 of the Convention for the Protection of Human Rights and Fundamental Freedoms, which states that *"[e]veryone charged with a criminal offence has the following minimum rights: ...to defend himself in person or through legal assistance of his own choosing or, if he has not sufficient means to pay for legal assistance, to be given it free when the interests of justice so require."* Article 30 (4) of the Constitution of the Republic of Bulgaria is also violated, since it states that *"[e]veryone shall have the right to defence by legal counsel as from the moment they are detained or constituted as an accused party"*, and so is Article 63 of the Ministry of Interior Act, which states that *"[t]he person shall have the right to legal counsel as from the moment of detention."* According to Article 14 of Instruction No. 13-2451 of 29 December 2006 on the Procedures to Be Followed by Police Authorities upon Detention of Persons at the MoI Structural Units, on the Equipment of and Order at the Places for Accommodation of Detainees, *"[i]mmediately after the detention, the person shall be informed of the grounds for his or her detention and of the liability provided for in the law, and shall be given clarification of his or her rights,"* and Paragraph (2) states: *"... [the right] to defence by legal counsel and a right to request the assignment of counsel according to the procedure established by the Legal Aid Act."*

2. Access to medical assistance

Throughout the period of implementation of the project, the detainees were informed of their right to medical assistance and the police officers facilitated its provision. At all precinct police departments under the jurisdiction of the Varna and Burgas Regional Police Directorates, and in Sofia, Pleven and Plovdiv, medical assistance is provided through the **emergency medical service centres and the emergency wards of the general hospitals**. Detainees with physical injuries, as well as such in a critical health condition, are usually escorted by police officers to an emergency centre. After the medical intervention, police officers escort the person back to the relevant precinct police department. Police officers say that emergency centres rather than general practitioners are approached even when the detainees have minor complaints, which burdens the Ministry of Interior budget. This also leads to irregular entries in the Record Book of Conducted Medical Examinations, because the doctors are pressed for time to react to the next call.

The following essential problems regarding the provision of medical assistance remain unaddressed:

- The lack of secondary legislation regulating which doctor should be approached and which institution should pay for the examination of persons receiving long-term treatment (diabetics, asthmatics etc.) who, upon deten-

tion, ought to consult a competent specialist. The examination can be paid for either by the National Health Insurance Fund, when the person is health-insured and the person's general practitioner is approached, or by the Ministry of Interior budget, because there is a departmental medical service.

- The pay of doctors attending persons who are not health-insured.
- The accommodation of narcotics-dependent persons or persons with infectious diseases in the common premises for lack of sufficient detention premises.
- The unavailability of protective equipment: disposable surgical gloves and/or masks, which should be available to personnel handling contagiously ill persons.
- The detention of persons in a state of insanity due to mental disorder.

As a result of the measures taken in response to the recommendations of the project, a good practice has been introduced under the jurisdiction of the Burgas Regional Police Directorate which can be used to handle the cases in which persons without health insurance are detained.

*As from 13 December 2007, upon conduct of a medical examination of a detainee at the Emergency Ward of the Burgas General Hospital for Active Treatment AD, the doctor who has conducted the examination completes a standard form. This form constitutes a **referral to a medical examination for establishment of the health status of persons detained under Article 63 of the Ministry of Interior Act**. The form is kept in the file of each detainee. These arrangements apply also to persons without health insurance. The examination referral is standardised and is assigned an outgoing reference number by the hospital.*

Multiplication of this practice could address the problem while revisions of the statutory framework regarding the provision of medical assistance to detainees at precinct police departments are drafted. Within the framework of the project, the Permanent Commission on Human Rights and Police Ethics at the Ministry of Interior started drafting an amendment to the Health Insurance Act, adding detainees without health insurance to the existing provisions – which will provide a statutory solution to the problem with the unsettled obligations to pay for services rendered. **Regrettably, this amendment has not yet been enacted.**

The accommodation of contagiously ill detainees in the common detention premises exposes to a risk the life and health of the rest of the detainees and of the police officers themselves and violates Item 4 of Article 24 of Instruction No. 13-2451 of 29 December 2006, which states: *“Persons having a seizure, mentally ill persons, contagiously ill persons, persons behaving violently, recidivists and persons who can reasonably be suspected of a serious criminal offence, shall be accommodated separately from other*

detainees.” Despite the recurrent recommendations under the project, personal protective equipment – disposable surgical gloves and/or masks – is not available to the officers at any of the precinct police departments monitored under the project.

The immunisation against hepatitis of police officers at the precinct police departments in Sofia is reported as a good practice.

Another problem that remains unaddressed is the detention of persons in a state of insanity due to mental disorder, who must be accommodated separately from the rest and have to be certified. Despite the recurrent recommendations in the reports under the project, the certification procedure, described in detail in Chapter Five “Mental Health” of the Health Act, is not implemented. If aberrant behaviour and signs of mental disorder are noticed, which can be done by the relevant Ministry of Interior officer, the person must be transported to the nearest psychiatric service: psychiatric dispensary, psychiatric hospital, or psychiatric ward of a general hospital. This may alternatively be done by Emergency Medical Service transport.⁴

The police officers at departments under the jurisdiction of the Varna Regional Police Directorate report difficulties in arranging medical assistance for narcotics-dependent detainees. They say that in such cases they approach the Ambulance Service teams, but there is no statutory framework regulating the standard operating procedure in such situations.

3 . Providing food to detainees

At the beginning of the project, detainees were provided with food at appropriate times on money allocated from the budget of the precinct police departments in Varna and in Sofia, and on their own money or from relatives and friends in Plovdiv. Provision of food was problematic at the precinct police departments in Pleven and Burgas.

Responding to the independent custody visitors’ findings, the Minister of Interior issued an order to the chiefs of precinct police departments making the arrangements necessary for the provision of food to detainees in accordance with Article 43 of Instruction No. 13-2451 of 29 December 2006, which states: *“Each detainee shall be provided with food at the appropriate times for breakfast, lunch and dinner according to the regulations for internal order at the detention premises and according to*

⁴ Item 3 of Article 4 of Ordinance No. 25 of 1999 and Ordinance to Amend and Supplement Ordinance No. 29 of 1999 on the Principal Requirements for the Organisation, Operation and Internal Order of Medical-Treatment Facilities for Hospital Care, Dispensaries and Medical and Social Care Homes (promulgated in State Gazette No. 108 of 1999, amended in No. 80 of 2000, No. 61 of 2001; supplemented in No. 99 of 2003).

a methodology prescribing the procedure for attachment and detachment for subsistence of detainees and persons escorted by Ministry of Interior officers on grounds provided for in the Ministry of Interior Act and the Penal Procedure Code.” At present, the detainees are provided with food at the appropriate times at all monitored precinct police departments under the jurisdiction of the Varna and Burgas Regional Police Directorates and in the cities of Sofia, Plovdiv and Pleven.

The following key problems regarding the provision of food to detainees remain unaddressed:

- The quantity and quality of the food provided owing to the extremely insufficient budget allocations. The budgeted daily food allowances are as follows: BGN 2.54 for adults; BGN 3.81 for juveniles; BGN 3.81 for aliens, and this aggregate amount is allocated for breakfast, lunch and dinner;
- The introduction of documentation to record the provision and the refusal of the detainee to receive food.

An independent custody visiting report in Varna finds that the Record Book of Food Products Received lacks entries on the provision of such products by the detainees for the last month. “The last detainee on record did not receive breakfast and lunch. The duty police officer said that this detainee had refused food, but he had not signed in witness of this refusal.” In another case, custody visitors noted in their team report that food had not been ordered for two of the detainees who were released at the time of the visit, as well as that there was no record of refusal of food by those detainees.

Good practice: *A Record Book of the Food Dispensed to Detainees is kept at the 1st Precinct Police Department in Sofia. A statement to the book reports the food by packages for minors and adults. Food is dispensed to detainees after signature of a memorandum of acceptance and delivery and drawing up an accurate and detailed inventory. Food is dispensed three times a day – at breakfast, lunch and dinner – and each package contains two croissants and a bottle of water, whereas the package for minors includes wafers as well.*

4. Providing an interpreter to detained aliens

Problems were identified with the **provision of an interpreter to detainees outside the pre-trial phase at tourist resort centres, such as Varna and Burgas, throughout the period of implementation of the project.**



Photo: Vasilena Valchanova

In Varna, the police officers seek the assistance of tour operators who often refuse to provide such services because the pay is half of the customary amount. They also cite their heavy workload during the high holiday season. There is an ever more pressing problem with finding a licensed interpreter from Romanian, considering the influx of Romanian tourists in Varna. These problems often delay the process of work at precinct police departments, or such interpretation services are no longer needed because the detainee is released before they can be arranged.

At the precinct police departments in Burgas Region, if the detainee is visiting Bulgaria without the intermediation of a tour operator company, interpreters are used on a contract basis.

The Tsarevo Precinct Police Department “resorts to the services of a teacher of the local school, but he is not paid for that.” For this reason, the police officers say that they can rarely provide an interpreter.

At the Karnobat Precinct Police Department, interpreters are paid only if money has been allocated from the monthly budget of the precinct police department.

An interpreter is provided at random or on a volunteer basis and with a delay, which calls into question the effectiveness and quality of interpretation. The lack of a clear mechanism and secondary legislation regulating the manner of appointment of an interpreter in the cases where the detainees do not understand Bulgarian leads to violations of Article 5, Paragraph 2 of the Convention for the Protection of Human Rights and Fundamental Freedoms: *“Everyone who is arrested shall be informed promptly, in a language which he understands, of the reasons for his arrest and of any charge against him.”* In addition, the lack of prompt provision of interpretation comes into conflict with the requirement of Article 63 (3) of the Ministry of Interior Act, which states: *“Where the detainee has no command of the Bulgarian language, he or she shall be immediately informed of the grounds for the detention thereof in a language which he or she understands.”* Article 15 of Instruction No. I3-2451 of 29 December 2006 is also violated, since according to that provision, the detainee must be familiarised with the grounds for his or her detention and with the rights that he or she enjoys *“in a language which he or she understands with the assistance of an oral interpreter or a sign-language interpreter.”*

The problems with giving detainees access to an interpreter are due mainly to the lack of clear regulation on effecting payment for the service. **The practice of providing an interpreter within the framework of the pre-trial phase has to be applied during 24-hour police detention as well. A mechanism must be established for the appointment and payment of interpreters for detained aliens by means of conclusion of contracts with licensed translation agencies rather than relying on sporadic assistance at the discretion of tour operator companies.**

Despite the recommendations made in the reports throughout the period of implementation of the project, the commands of the Burgas and Varna Regional Police Directorates have not taken measures to eliminate the violations in response to the independent custody visitors' findings.

5. Complaints alleging abuse of force by police officers

Throughout the period of implementation of the project, there was no information on abuse of force by police officers at the visited precinct police departments under the jurisdiction of the Varna, Plovdiv and Pleven Regional Police Directorates. In most cases, the interviewed detainees described the police officers' conduct as "professional" and "polite".

In the period between June 2007 and August 2008, a total of six complaints were made alleging abuse of force by police officers at departments under the Burgas and Sofia Regional Police Directorates (five in Sofia and one in Burgas). On the basis of the information provided by independent custody visitors in the monthly reports under the project, the Sofia Police Directorate conducted a check in which it did not ascertain abuse of force in four of the complaints; information on one complaint, concerning the wrongful use of handcuffs, has not been provided to date. No information is available from the Burgas Regional Police Directorate on a check into the complaint alleging abuse of force.

On the basis of the independent custody visitors' findings and the checks conducted by the police under the project, it can be concluded that abuse of force by the police is an ever rarer practice during 24-hour detention. Nevertheless, the following several factors should be borne in mind when arriving at this conclusion:

- feedback from the police does not provide information on the procedure of investigation of the abuse of force reported by the independent custody visitors. This calls into question the quality of the conducted investigation;
- interviewing the detainee in confidence is very often objectively impeded (the precinct police department buildings do not make this possible, or the police officers are too near to the detainee when he or she is interviewed);
- the lack of feedback from the police on a particular complaint is quite often due to an impossibility to identify the detainee because the independent custody visitors have provided insufficient data;
- there is no independent mechanism for investigation of complaints alleging improper conduct of police officers, which to a certain extent compromises the data from the conducted checks.

Investigated complaints alleging abuse of force

B.S., who was detained at the 2nd Precinct Police Department in Sofia, alleged to the independent custody visitors that he was beaten by “a man in plain clothes” (report from July 2007). After a complaint by the custody visitors, the Sofia Police Directorate conducted a check and provided additional information on the case. The person was examined by an Emergency Medical Service team. The case was diagnosed as withdrawal syndrome resulting from heroin dependence. **Signs of abuse of force were not found.**

A report from January 2008 notes a case in the City of Sofia, in which a detainee complained of having been subjected to physical violence by the rest of the detainees and the police officers at the 2nd Precinct Police Department. The person was initially detained at the 1st Precinct Police Department for 24 hours where during his detention another team of independent custody visitors was paying a visit. He said that he and the rest of the detainees were warned to mind what they would tell the independent custody visitors. After a complaint by the custody visitors, the Sofia Police Directorate conducted a check and provided additional information on the case. **The detainee’s allegations of having been subjected to physical violence by police officers were not confirmed.**

At the 5th Precinct Police Department, a detainee told independent custody visitors on 18 June that he had been beaten by police officers. **A check by the Sofia Police Directorate did not confirm any abuse of force.**

On 30 July at the 8th Precinct Police Department, independent custody visitors interviewed a detained man who did not hold a declaration acknowledging that he had been informed of his rights within the 24-hour detention. The person in question told the custody visitors that he had been subjected to physical violence. The person was not inclined to elaborate because the presence of police officers standing around made him nervous. **A commission appointed by the Sofia Police Directorate did not find evidence that the person had been subjected to physical violence.**

Complaints on which the police have not provided information

During a visit conducted in August 2007 to the 2nd Precinct Police Department in Sofia, the volunteers interviewed a detainee whose wrists were bruised by overnight handcuffs.

On 25 November 2007 at the 2nd Precinct Police Department in Burgas, the independent custody visitors saw detainees being questioned while their personal belongings were scattered on the floor. They were then taken to the front hall of the precinct police department and forced to stand facing the wall. The volunteers note: "... we witnessed rude and scornful treatment on the part of the police officer." The detainees were of Roma origin. The independent custody visitors realised that one of the persons was illiterate because the police officer read out to him the document he had just drawn up and made him sign it. An order for their detention had not been issued, but the detainees were not allowed to leave the precinct police department. The police officer explained that they had been detained to give explanations.

The abuse of force during detention violates Article 3 of the Convention for the Protection of Human Rights and Fundamental Freedoms: *"No one shall be subjected to torture or to inhuman or degrading treatment or punishment"*, as well as Article 29 (1) of the Constitution of the Republic of Bulgaria: *"No one shall be subjected to torture, to cruel, inhuman or degrading treatment, or to forcible assimilation."* The wrongful use of force during detention also constitutes a violation of Article 9 of Instruction No. 13-2451 of 29 December 2006, which states: *"The actions of the police authorities shall exclude the performance, provocation or toleration of any act whatsoever of torture, inhuman or degrading treatment or punishment, as well as manifestations of discrimination against the detainees."*

6. Human resources at precinct police departments

The project identified yet another problem concerning Sofia, in particular: **a low motivation for working in the Ministry of Interior system and a high turnover of police personnel**, which directly affects the quality of police work. Interviews conducted with Security Police officers under the jurisdiction of the Sofia Police Directorate revealed that this is due above all to the law enforcers' excessive workload, the unremittingly high levels of stress, the low pay and the impossibility to provide adequate coverage by full-time positions of the boroughs serviced by the precinct police departments, owing to the high staff turnover.

Police officers' low net monthly salary, BGN 500, is a factor for corruption and high staff turnover. After they join the police force through competition, they spend six months in training, during which time they are paid BGN 195 per month. The in-

interviewed police officers say that at present some 25% of the tenured positions are vacant. This is precisely the reason why the shortage of fuel for police cars is an ever lesser problem: there are no police officers to patrol by car. The renovated 4th Precinct Police Department in Sofia also has a problem: it needs 40 tenured positions to start operating effectively.

Another problem is the **substantial difference between the workload of police at the various precinct police departments in Sofia and in the provinces**. According to the interviewed police officers at the Sofia Police Directorate, the methodology of allocation of tenured positions in the police has not changed since the 1980s and **needs radical adjustment** because of the increased size of Sofia's population and the increasing size of the boroughs serviced by the capital city's nine precinct police departments. **The internal organisation of precinct police departments must also be adjusted**. At present, the only person responsible for the detainees is the duty police officer who, however is also responsible for a number of other activities, including front-desk services for members of the public and pass control at the precinct police department.

The impossibility to service effectively the precinct police departments under the jurisdiction of the Sofia Police Department is due to the overload of the police with extrinsic activities, such as serving court summonses, probation service, judicial security, policing crowd events (concerts, demonstrations, protests, rallies, processions, matches). Police officers guard five or six football matches a week during the season outside their normal working hours and are paid overtime. All this leads, on the one hand, to a reduction of the effective time for rest of the police officers and an increase in stress at the workplace and, on the other hand, to spending of the Ministry of Interior budget on overtime pay for match policing. Yet another problem is the fact that, with the exception of the Vasil Levski National Stadium, all other stadiums do not meet the minimum security standards, which additionally complicates the work of police officers.

7. Organisation and management of premises

At the beginning of the project (June 2007), out of 41 precinct police departments monitored, only two – the 6th and the 9th in Sofia – largely met the statutory requirements for a sufficient number of available premises and equipment. By August 2008, another four precinct police departments met these requirements: the 4th Precinct Police Department in Sofia, the Kameno Precinct Police Department in Burgas, and the 1st and the 3rd Precinct Police Departments under the jurisdiction of the Plovdiv Regional Police Directorate. This shows partial progress in respect of the physical assets at precinct police departments. Repairs that will lead to the designation of special service premises and additional

detention premises are going on at the 1st Precinct Police Department in Pleven, at the 5th Precinct Police Department in Plovdiv, and at the 1st Precinct Police Department in Varna.

The repairs underway at the 1st Precinct Police Department in Pleven envisage construction of an additional floor on part of the department's roof, replacement of joinery units, repair of functional areas, heat insulating work, replacement of the plumbing and wiring systems, redecoration and other repair activities. The first floor of the repaired building will be designated for detainees according to all requirements of Instruction No. I3-2451 of 29 December 2006. At the 2nd Precinct Police Department, the renovation includes repair of the bathrooms, joinery and exterior.

At the 4th Precinct Police Department in Burgas, additional premises for detainees were constructed while the project was in progress, and the closed down 3rd Precinct Police Department was replaced by the new Kameno Precinct Police Department, which is fully compliant with the statutory requirements. A separate block for detainees has been built on the first floor, consisting of four cages for accommodation of men, women, adults and minors of both sexes. The premises are equipped according to Instruction No. I3-2451 of 29 December 2006, including with a video surveillance system.

The physical assets at the 4th, 6th and 9th Precinct Police Departments are tending to improve as a result of the repairs done, which included replacement of central heating systems, redecoration of corridors and offices, and furnishing of new detention premises and service premises. Minor repairs were done at the 1st and the 5th Precinct Police Departments, including redecoration of premises at the department but not construction or furnishing of new premises. Exterior and interior repairs were in progress in the building of the 8th Precinct Police Department in August.

The following key problems in respect of the physical assets at precinct police departments remain unaddressed:

- **the lack of a sufficient number of premises** for accommodation in separate cages of detained juveniles, detained women, as well as contagiously ill, persons acting violently, and recidivists;
- **the lack of service premises:** interrogation rooms, rooms for meetings with a lawyer, sanitary units and rooms for processing of the detention documentation;
- **the outdated physical assets and inadequate furnishing of detention premises and the available service premises:** the lack of a bunk or bed as a means of rest, access to natural light, adequate ventilation, video surveillance, temperature of at least 18°C in the detention facilities. The premises for juveniles do not always have beds, alarm buttons, safe windowpanes etc. In respect of the available service premises, they most often lack furniture fastened to the floor, sound recording equipment etc.;

➤ **bad working conditions for the police officers.**

§ 4 of the Transitional and Final Provisions of Instruction No. 13-2451 of 29 December 2006 sets 1 January 2009 as the deadline for elimination of the non-conformities with the statutory requirements with the exception of the minimum standards of sanitation and hygiene. According to the independent custody visitors, this deadline will not be met. A Phare Project titled “Modernising Bulgarian Police and Enhancing Their Efficiency” and its Sub-project 2 “Police Investigation and Improvement of Respect for Human Rights of Persons Under Detention” provided for financing for the renovation of precinct police departments in conformity with the statutory requirements. Nevertheless, Bulgaria failed to absorb through public procurement half of the EUR 1 275 000 allocated under that project, which means that repairs will be done in just 22 out of a total of 185 precinct police departments.

➤ **Lack of sufficient number of premises to accommodate detainees at precinct police departments**

The independent custody visitors found that most precinct police departments have one or two detention premises. These premises are insufficient to meet the statutory requirements for accommodation in separate premises of women, juveniles, contagiously ill,⁵ recidivists and other categories of detainees. To meet all requirements regarding the detention facilities, a precinct police department must have about seven different cages.

There are still precinct police departments which lack **separate premises for juveniles**, for which reason they have to be transported to a precinct police department with such premises. Separate premises for juveniles are not available at the 1st, 2nd, 3rd and 7th Precinct Police Departments in Sofia, at the 1st Precinct Police Department in Pleven, at the Malko Tarnovo Precinct Police Department under the jurisdiction of the Burgas Regional Police Directorate, and at the Aksakovo Precinct Police Department in Varna. In Plovdiv, only the 1st and the 3rd Precinct Police Departments have separate premises for juveniles. When detained at a precinct police department which lacks such premises, they are escorted to a temporary juvenile placement facility operated by the Ministry of Interior. A shortage of premises was also found by the independent custody visitors at the Aytos Precinct Police Department, where *“the premise for juveniles is used by the police investigators as an office”*, and at the Pomorie Precinct Police Department, where, *“when a juvenile is accommodated on the premise, the Police Counselling Centre inspector has to leave the premise together with the office equipment he uses.”*

For lack of sufficient premises, women have to be accommodated in the

⁵ The problem with the accommodation of contagiously ill and mentally ill detainees in the common premises was discussed in Part 2 “Access to medical assistance”.

premises for juveniles if they are vacant or in the corridor of the precinct police department; or they have to be transported to a precinct police department with a larger number of premises. Despite the limitations of the physical assets, it should be emphasised that **persons of different sex** are accommodated in different premises and simultaneous accommodation of persons of different sex in one and the same premise is not allowed to happen.

When there is only one detention premise, there is a problem when several persons are detained at one and the same time. In such cases, they are accommodated on a bench in the corridor under the direct observation of police officers, or the person or persons are transported to another precinct police department where there is a vacant detention premise. In these cases, the persons are not accommodated in premises expressly designated for this purpose, which violates Article 5 (1) of Instruction No. 13-2451 of 29 December 2006: *"Places for accommodation of detainees shall be expressly designated at the structural units of the Ministry of Interior, which shall include: 1. Detention premises."*

➤ Lack of service premises

Since the launch of the project in June 2007, the number of precinct police departments having all statutorily required service premises has increased by just two. To be able to function according to the statutory requirements, a precinct police department must have at least six service premises. Out of the total 41 precinct police departments monitored under the project, only six precinct police departments have expressly designated premises for visits and for meetings with a lawyer, for interrogation, booking and documents processing. These are the 1st and the 3rd Precinct Police Departments in Plovdiv, the Kameno Precinct Police Departments under the jurisdiction of the Burgas Regional Police Directorate, and the 4th, the 5th, the 6th and the 9th Precinct Police Departments in Sofia. At the departments under the jurisdiction of the Varna Regional Police Directorate and in Pleven, one and the same service premise is used for different purposes: visits and meetings with a lawyer, interrogation, booking and processing of documents.

Of all precinct police departments visited under the project, the only ones having an expressly designated interrogation room are the Ruen Precinct Police Department, the Kameno Precinct Police Department, the Nesebar Precinct Police Department, the 1st and the 3rd Precinct Police Departments in Plovdiv, and the 4th, the 5th, the 6th and the 9th Precinct Police Departments in Sofia. During the last quarter of implementation of the project, a room for interrogation of detainees was expressly designated at the 1st Precinct Police Department under the jurisdiction of the Burgas Regional Police Directorate, but it is also used for visits and meetings with a lawyer. The premise underwent minor repairs and does not meet the requirements of the instruction for special-purpose equipment.



Photo: Javor Nikolov

The precinct police departments which do not have expressly **designated interrogation rooms** use the offices of police investigators or other premises which are not assigned for this purpose. At the Provadia Precinct Police Department, under the jurisdiction of the Varna Regional Police Directorate, interrogations are conducted in a conference room. At the departments under the jurisdiction of the Burgas Regional Police Directorate, a room which the police officers call “club” and which resembles a classroom is used for this purpose.

The lack of expressly designated premises for conduct of interrogations and the use of the offices of operatives and other premises violates Article 76 (1) of Instruction No. I3-2451 of 29 December 2006, which states that *the premises for conduct of an interrogation must be sound-proofed and must have secure principal and back-up lighting and, at the same time, meet the following conditions: they must not have a threatening appearance, they must allow all participants in the interrogation process to be seated in chairs of the same type and standard, the chair and the table of the interrogated person must be fastened to the floor and/or walls, they must have equipment for full sound and video recording of the conducted interrogation, which shall mandatorily be used for control of the conformity with the procedure for the stay of the detainee and respect of the rights thereof, they must not contain suspicious objects like wooden truncheons, broom handles, clubs, metal rods, pieces of solid electric wire, mock firearms or knives and other objects which could be used for the purpose of coercion or which could create an impression of threat in respect of the detainees.*

At the launch of the project in June 2007, there were no **expressly designated premises for visits and for meetings with a lawyer** at the precinct police departments in Varna, Burgas and Pleven. At this point, such premises are available at the Kameno Precinct Police Department in Burgas and at the 5th Precinct Police Department in Sofia. Premises have also been expressly designated at the 1st and the 3rd Precinct Police Departments in Plovdiv and at the 4th and 6th Precinct Police Departments in Sofia, which is partial progress on this criterion monitored under the project.

At the precinct police departments which lack such premises, the meetings take place in the vacant offices of police investigators, the briefing rooms, the “clubs” or in the front hall of the precinct police department.

The lack of expressly designated premises for visits and for meetings with a lawyer and the use of the offices of operatives and other premises violates Article 30 (5) of the **Constitution of the Republic of Bulgaria**, which states that *“everyone shall have the right to meet their defence counsel in private. The confidentiality of such communication shall be inviolable.”* Meeting with a lawyer in premises such as “the club” or the front hall of the precinct police department poses a risk of compromising the client-solicitor privilege. Article 33 (3) of the Bar Act states: *“The conversations between a lawyer and a client thereof may not be listened to and recorded. Any recordings, if made, may not be used as means of proof and shall be subject to immediate destruction.”* This

is also a breach of Article 77 of **Instruction No. Із-2451 of 29 December 2006**, which regulates in detail that *the premises for visits and for meetings with a lawyer shall be sound-proofed and furnished with secure principal and back-up lighting and, at the same time, shall meet the following conditions: the chairs, tables and other objects therein shall be fastened to the floor and/or walls; they shall ensure confidentiality of the conversation while, at the same time, allowing visual control by the guards through a glazed section of the door or in another appropriate manner.*

No change has been found in respect of the expressly designated **detainees' booking and documents processing premises, which are still not available** at the visited precinct police departments under the jurisdiction of the Varna Regional Police Directorate and in Pleven. At departments under the jurisdiction of the Burgas Regional Police Directorate, such premises are available only at the 5th Precinct Police Department and at the Kameno Precinct Police Department, at the 1st and 3rd Precinct Police Departments in Plovdiv, and at the 4th, 5th, 6th, 8th and 9th Precinct Police Departments in Sofia.

At precinct police departments which lack such premises, the front hall or the rooms of the police officers on duty are usually used for this purpose.

The lack of expressly designated detainees' booking and documents processing premises and the use of the offices of operatives and other premises violates the statutory requirements of Article 79 (3) and (4) of **Instruction No. Із-2451 of 29 December 2006**, according to which *"they shall be equipped with seating accommodations (benches) fastened to the floor, whereto handcuffs may be locked. A workplace with the requisite equipment and documentation for the processing and detention of persons shall be furnished in the detainees' booking and detention documentation processing premises."*

- **Outdated physical assets and inadequate furnishing of the places for accommodation of detainees and the available service premises**

Detention premises

The independent custody visitors found that, with minor exceptions, the detention premises were in a bad condition and inadequately furnished. **The statutory requirement for the provision of a means of rest (a bunk or a bed) is not met in most cases.** Examples in this respect include the 1st, 5th, Sozopol, Ruen, Aytos, Karnobat and Sungurlare Precinct Police Departments under the jurisdiction of the Burgas Regional Police Directorate, where there is a bench instead of a bunk in the detention rooms. In Plovdiv, the detention room at the 5th Precinct Police Department is still a problem, as it is furnished with one plastic chair and one armchair. Even though the detention room at the 4th Precinct Police Department in Plovdiv is in very good condition, there is only one means of rest and when more than two persons are

detained, one of them sleeps on the floor and the others sleep seated on the bunk. As a result of ongoing repairs, the problem with the lack of a means of rest at the 1st Precinct Police Department in Varna will be solved, but it remains outstanding at the 5th Precinct Police Department. Instead of a bunk or a bed for the detainee, as required by Article 59 (2) of **Instruction No. Із-2451 of 2006**, most precinct police departments in Varna have a bench.

Due to the unsuitable building stock of the precinct police departments, ensuring access to natural light, ventilation and a temperature of at least 18°C is a common problem. During their visits to the precinct police departments in Plovdiv, the independent custody visitors found that two of the detention rooms at the 6th Precinct Police Department lack access to natural light and ventilation. At the 2nd Precinct Police Department in Plovdiv, only the premise for female detainees has access to natural light and ventilation. On the basis of their visits to departments under the jurisdiction of the Burgas Regional Police Directorate, the independent custody visitors found that the 1st, 2nd and 4th Precinct Police Departments and the Primorsko, Pomorie, Aytos, Sungurlare and Malko Tarnovo Precinct Police Departments lack ventilation and natural light in their detention rooms. Natural light is also inaccessible to the detention rooms of the 1st, 3rd and 5th Precinct Police Departments in Sofia, and fresh air can enter there only through the bars of the cages. At departments under the jurisdiction of the Varna Regional Police Directorate, ventilation is reported as unsatisfactory at the Aksakovo, Devnya and Provadia Precinct Police Departments.

The findings show a violation of Article 69 of **Instruction No. Із-2451 of 29 December 2006**, which states that *“detention rooms shall be provided with permanent ventilation and access to natural light.”*

Independent custody visitors also found that the temperature in the detention rooms does not meet the requirement of at least 18°C, especially in winter months. Quite often this is due to the fact that the cells are located opposite the front door of the precinct police department and this minimum temperature cannot possibly be maintained.

In one case, a person detained at a precinct police department in Varna in December 2007 said that he had not been provided with a blanket and that he had been taken out of the cell to spend the night on a couch in front of the cell, where he had been given a heater. A team report from December 2007 states that at the 4th Precinct Police Department in Varna, the heating is not turned on on Sundays. Even though the required temperature is impossible to maintain in the cells of detainees during the winter period, cases are reported at precinct police departments in Plovdiv in which the detainees were not provided with blankets because the logistics officer at the relevant precinct police department had a day off.

These facts demonstrate a conflict with the requirements of Article 71 of **Instruction No. І3-2451 of 29 December 2006**: *“In the detention rooms, a minimum temperature of 18° Celsius shall be ensured during the heating season.”*

Responding to the recommendations made by the project team, the Plovdiv Regional Police Directorate took measures and such cases were not recorded during the period under review.

During the first visits under the project to the 1st and 2nd Precinct Police Departments in Pleven, it emerged that the blankets used by detainees were their own, having been provided by their relatives. Blankets were not available at both precinct police departments, which violates Article 59 (3) of Instruction No. І3-2451 of 29 December 2006: *“The detainees shall be provided with a blanket for the time of night-time rest.”*

As a result of the joint efforts of the independent custody visitors and the command of the Pleven Regional Police Directorate, and with the financial support of Pleven Municipality, blankets were provided for detainees at the 1st and 2nd Precinct Police Departments.

Article 74 of Instruction No. І3-2451 of 29 December 2006 **introduces additional requirements for the premises for juveniles**. They must be equipped with beds complete with bedclothes, a table and a locker. The windows must be secured, and video surveillance and alarm buttons must be installed.

Regarding the conditions in detention rooms, the independent custody visitors note that the detention rooms for juveniles are in a better physical condition and offer better conditions for accommodation compared with the premises designated for the detention of adults. The principal weakness in respect of the equipment remains the lack of alarm buttons in the rooms.

In response to the **independent custody visitors’ findings within the project, alarm buttons have been installed in the room for juveniles at the 2nd Precinct Police Department in Pleven and at the 2nd Precinct Police Department in Varna**, thereby implementing Article 74 of Instruction No. І3-2451 of 29 December 2006: *“The premises for detention of juveniles shall meet the following additional conditions: 4. alarm buttons shall be installed therein at a place accessible to the detained juveniles.”*

Since the launch of the project, hygiene conditions on the premises of the monitored precinct police departments have shown improvement.

Service premises

After visiting some of the precinct police departments under the jurisdiction of the Varna Regional Police Directorate, the independent custody visitors noted that the room designated for interrogations contained objects which could inflict self-injuries or injuries on persons: cables, jerrycans with petrol, fluorescent tubes.

Compared with the start of the project, **these premises are now more secure and the leaving of objects that could jeopardise the detainee or the officer is not permitted.** On the basis of the monthly reports on the visits and the recommendations in the reports under the project, the commands of the precinct police departments have taken measures to eliminate the violation under Item 5 of Article 76 (1) of Instruction No. 13-2451 of 29 December 2006, according to which the premises for conduct of interrogations *“must not contain suspicious objects like wooden truncheons, broom handles, clubs, metal rods, pieces of solid electric wire, mock firearms or knives and other objects which could be used for the purpose of coercion or which could create an impression of threat in respect of the detainees.”*

In most cases the independent custody visitors found the lavatories at precinct police departments in **poor physical condition.** A lingering problem is **the use of one and the same lavatory by police officers and detainees.** Consumables like soap, toilet paper and detergents remain in short supply.

Progress in respect of the management of sanitary units has been noted. The commands of the precinct police departments take prompt action for repairs or improvement of hygiene, responding to findings and accounts in the monthly reports on independent custody visits.

At the 6th Precinct Police Department in Plovdiv, regardless of the outdated building stock, the police officers have made arrangements ensuring the cleaning of the common sanitary unit on the cleaner's days off by raising money of their own.

Video surveillance

Unlike the start of the project, by August 2008 video surveillance was installed at most of the precinct police departments, independent custody visitors found. The lack of a statutorily established standard for the mode of operation and location of this equipment is becoming a major problem.

For example, at the Pleven precinct police departments the cameras transmit information in real time but do not tape, while at the six precinct police departments in Plovdiv the video surveillance produces videotape which is kept for one month.

At some precinct police departments, the cameras are installed in front of the detention rooms, for example, at the 1st, 4th, Kameno, Ruen, Nesebar and Primorsko Precinct Police Departments under the jurisdiction of the Burgas Regional Police Directorate, while at the precinct police departments under the jurisdiction of the Varna Regional Police Directorate such equipment is provided mostly for the premises for juveniles.

Even though most precinct police departments are equipped with surveil-

lance cameras, cases have been found under the project in which existing cameras are inoperative for technical reasons or due to ongoing repairs. In the cases where there is no video surveillance, the detainees are under constant visual control of an on-duty police officer.

➤ **Bad working conditions for police officers**

Within the project, no progress was found on the “Police officers’ working conditions” criterion. At the precinct police departments where no repairs have been made police officers continue to work in very bad working conditions due to the unsuitable building stock and the obsolete equipment.

The following key problems remain:

- shortage of consumables, office supplies, fuel for police cars, which police officers quite often buy with their own money;
- shortage of computers and office equipment for use by police officers;
- limits on telephone calls from office telephones at precinct police departments, for which reason the police officers have to use their personal phones to contact the detainees’ friends and relatives or a lawyer, or the detainees’ mobile telephones;
- lack of funds for printing new standard forms of registers and blank forms.

8. Keeping of records and registers

Within the project, no material omissions in the completion of the detention documentation were found at the precinct police departments in Pleven and under the jurisdiction of the Varna Regional Police Directorate. The negative practice of correcting information already entered into the registers, found in the records kept at the precinct police departments in Sofia and Plovdiv, was abandoned by the end of the project. Responding to the findings, the situation has changed for the better and information is already meticulously recorded in the registers and record books at the precinct police departments, which is an improvement on the “Detention documentation keeping” criterion.

When the first visits under the project were paid in July 2007, one of the principal findings of the independent custody visitors was that the registers were not kept regularly, but this practice was abandoned by the end of the project.

Independent custody visitors, who visited the 3rd Precinct Police Department in Burgas on 6 November 2007, found that the escorting of detainees to the lavatory was not recorded in the Record Book on Taking Detainees out of Detention Facilities. At the Ruen Precinct Police Department, data on several detainees who had been taken out were missing from that register. After a visit to the 4th Precinct Police Department, the independent custody visitors noted in their team report that: "Examining the Record Book of Detainees, we found that the last detainee had been held at the detention facility between 2:30 am and 9:30 am. He had not been taken out and had not been visited, as evident from the Record Book on Taking Detainees out of Detention Facilities." Examining the rest of the record books, the visitors found, however, that "the person had given written explanations and had also undergone medical examination." These records were not entered into the Record Book on Taking Detainees out of Detention Facilities.

The omissions found in respect of the detention documentation concern mainly discrepancies between the registers and the detention orders.

*At the precinct police departments in Plovdiv, the omissions in the completion of **detention orders** concern the lack of a date and time of the detention. There is a discrepancy with the time of detention stated in the Record Book of Detainees. Quite often the grounds for detention are not spelled out, but only the relevant article and item of the Ministry of Interior Act are cited. In the last months of the project (June-August 2008) other omissions were also found, concerning the lack of signature of the detainee and discrepancies in the declaration completed by the detainee.*

At the 5th Precinct Police Department in Burgas, it was found that the numbers of detention orders No. 126 of 5 December 2007 and No. 127 of 5 December 2007 were missing from the Book of Detainees and that there was a discrepancy in the time: the orders gave the time of detention as 4:30 pm, whereas the record Book of Detainees recorded 5:30 pm.

In the first months of implementation of the project, the independent custody visitors found inaccuracies in the keeping of the *Record Book of Medical Examinations*.

In Burgas, medical examination records are quite often attached to that register, but the record book lacks data on examined detainee, e.g. the number of the detention order, date and time. At the 1st Precinct Police Department the independent custody visitors found that the Record Book of Medical Examinations had not been kept on a regular basis between 14 August and 13 December 2007.

In Sofia, the number of the detention order is not entered into the Record Book of Medical Examinations.

Following the recommendations made in the monthly reports, the relevant registers and documents are now being completed ever more diligently and carefully.

One of the problems that **remain unaddressed even at the end of the project** is that the declarations by which the detainees acknowledge that they have been informed of their rights use old standard forms which do not meet the statutory requirements and do not guarantee all rights of the detainees. Another problem is the incompatibility of the available record books with the new standard forms, as a result of which information is missing in some boxes of the detention documentation. Owing to the chronic shortage of office supplies at precinct police departments, another common irregularity is the use of grid notebooks or roster books instead of the standard-format registers.

A team visiting the Pomorie Precinct Police Department found that, instead of a Record Book of Detainees, a roster book is used to enter the forename, patronymic and surname and the Standard Public Registry Personal Number (EGN) of the detainee, as well the names of the police officer who guards him or her.

These findings show a violation of Instruction No. I3-2451 of 29 December 2006, which regulates the manner of keeping of the detention registers at precinct police departments.

Another unresolved issue pointed out by the independent custody visitors is that Instruction No. I3-2451 of 29 December 2006 regulates too many registers that have to be kept during 24-hour detention. Since there is no police officer responsible for this activity alone, the excessive copying of one and the same information in all registers results in delays and mistakes. A working group of independent custody visitors and police officers, formed within the project, reviewed and analysed the records kept and proposed draft instruments seeking to optimise the documentation (see chapter "Recommendations" and Appendices 3, 4, 5 and 6). Out of the total of seven books which are kept for the purposes of 24-hour detention, the independent custody visitors recommend that only four record books should be retained. New draft standard forms of a Record Book of Detainees (Appendix 3), a Record Book on Taking Detainees out of Detention Facilities (Appendix 6), a Statement of Food Dispensed



Photo: Vasilena Valchanova

to Detainees (*Appendices 4 and 5*) and a proposal to revise the Record Book of the Sums of Money Impounded from, Received by and Spent by Detainees have been prepared. The latter register is retained but is renamed Record Book of Sums of Money Spent by/for Detainees with Special Needs. "Special needs" refers to the health status of persons in need of special medication (e.g. where the detainee is a diabetic and needs insulin) or specific dietetic food. To obtain such medication or food, the detainee gives money to police officers for their purchase, and this is recorded in the Book of Sums of Money Spent by Detainees with Special Needs.

V. RECOMMENDATIONS

Access to legal aid

- Establish a practice of having one stand-by lawyer or a law firm to service a particular precinct police department. In this way, there will be only one telephone number to call and the presence of a lawyer will be guaranteed.
- Give detainees a detailed and understandable oral clarification of their right to free legal aid.
- Bring Instruction No. 13-2451 of 29 December 2006 into conformity with the Legal Aid Act and standardise the legal aid provision procedure.

Access to medical assistance

- Regarding the provision of emergency care, amend the Health Insurance Act to cover persons without health insurance.
- Train police officers to identify a life-threatening condition which requires urgent consultation through the emergency medical service centres.
- Disseminate the good practice of the Burgas Regional Police Directorate on preparing a standard referral of detainees to a medical examination.
- In cases requiring long-term treatment (e.g. for chronically ill persons), if the detainee carries medicines on his or her person, they should be kept by the precinct police department personnel and the person should be given only the requisite dose. If the detainee does not carry medicines, the therapy during detention must be determined by a medical practitioner competent to treat the particular disease through consulting physicians or general practitioners, and such health service should be introduced/contracted.
- In the declaration by which detainees acknowledge that they have been informed of their rights during detention, insert an item to the effect that the detainee must pay for the medical examination with his or her own money if no health problems are detected.
- Upon release, detainees themselves should register their health status (good/bad) in the receipt attached to the detention order.
- Medical practitioners must complete the registers relevant to their work correctly and legibly and must sign.
- Ensure training and appropriate supplies for handling contagiously ill, narcotics-dependent and mentally ill detainees.

In connection with the detention of mentally ill persons:

- Use the services of duty psychiatrists at the relevant psychiatric dispensary or another specialist medical-treatment facility according to the particular disease, who, where necessary, should be called to examine and certify the detained person. This should be done only in the presence of the detainees' family.
- Upon detention of persons suspected of mental deviations and derangement, the documents should be completed by or in the presence of a duty specialist.
- If, after a medical examination, the persons have to be transported to a psychiatric care facility, this should be done in the presence of a duty specialist: psychiatrist or head of ward at a psychiatric dispensary.
- Reorganise detention premises in line with the statutory requirements so as:
 - to prevent the spread of contagious, parasitic and infectious diseases, and
 - to provide safety in respect of the risk of aggression and self-aggression by psychotics.
- Discontinue the existing practice of transporting and placing mentally ill persons at alcoholic detoxification facilities.

Providing food to detainees

- Introduce a standard form (*see Appendices 4 and 5*) recording each provision to and/or refusal of food by the detainee.
- Update the amount of the daily food allowance for detained juveniles and, to this end, allocate funds in the Ministry of Interior budget.

Providing an interpreter to detained aliens

- Regulate by secondary legislation the provision of an interpreter to detained aliens.
- Compile information materials in various languages about the rights during 24-hour detention, giving the phone number of the relevant embassy or consulate, and use them until an interpreter is provided at the precinct police department.
- Allocate funds for payment of interpretation services at precinct police departments.
- Compile lists of interpreters in various languages, to be available to precinct police department personnel in resort areas.

Complaints alleging abuse of force by police officers

- Appoint a full-time officer with the sole responsibility to receive members of the public and to receive and process complaints alleging police officers' misbehaviour.
- Modernise the system of receiving complaints from members of the public.
- Ensure greater transparency of the system of investigating violations committed by police officers.
- Observe rigorously the requirements of the Instruction regarding the organisation of interrogation rooms.
- Introduce video and sound recording of interrogations.
- Bulgaria should accede to and ratify the Optional Protocol to the UN Convention against Torture, which provides for the establishment of national preventive mechanisms.

Organisation and management of premises

- Elaborate a comprehensive strategy planning the building stock of precinct police departments for a specified period of time under criteria such as size of the serviced municipalities, number of detainees in previous years, volume of documentation kept (number of memorandums, case files etc.). As part of the strategy, develop a mechanism for quality control of repairs performed and the extent to which they meet the functional needs of the relevant precinct police department.
- Determine the number of premises required at precinct police departments on the basis of the above criteria.
- Repair and designate the required detention rooms and service premises at the precinct police departments which have physical assets with sufficient space. The premises of investigative detention facilities and basement premises could be used to this end, providing there sufficient space and artificial lighting.
- Owing to the shortage of detention rooms in the existing building stock, adopt the "remote detention facility" model, with specialised security, to which detainees are to be escorted.
- Until the problem with the designation of service premises is solved, secure as much as possible the ones that are used at present by not allowing objects that could pose a risk to security to be left there.
- Introduce a single standard for mode of operation and installation of video surveillance equipment.
- Procure and install video surveillance cameras meeting the statutory requirements.

- Lift the restrictions on telephone calls originating from precinct police departments where the calls are made to provide legal aid, medical assistance or an interpreter and to inform the detainee's family.
- Set up stand-alone front desks for members of the public outside the precinct police department buildings in co-operation with the municipalities concerned. Address by legislation the issue of the ownership of the front desks.
- Increase the precinct police department budget allocation for technical devices, office supplies, consumables and hygiene preparations.
- Renovate the office equipment and furniture at police departments.
- In respect of pass control, introduce an electronic system with access cards for police officers.
- Provide adequate financial and other resources for the implementation of Instruction No. І3-2451 of 29 December 2006.

Keeping of records and registers

- On the basis of the proposals of a working group of police officers and independent custody visitors, introduce the drafted standard forms of registers to optimise and streamline the information collected and stored in connection with police detention (*see Appendices 3, 4, 5 and 6*), as follows:
 - introduce a new format of a Record Book of Detainees (*see Appendix 3*);
 - introduce a Record Book on Removal of Detainees, replacing the Record Book on Taking Detainees out of Detention Facilities (*see Appendix 6*);
 - retain the Record Book of Inspections, widening the box on findings;
 - retain all standard blank forms on 24-hour detention;
 - drop the Record Book of Medical Examinations, the Record Book of Visits Paid and Articles and Food Products Received, the Alphabetical Index of Detainees.
- Implement information and communication technologies for automation of processes at precinct police departments.

Human resources

- Develop a methodology for periodic assessment of the allocation of tenured positions within the system based on objective criteria, such as the number of crime reports by members of the public, the number of case files, the number of detainees, population size in the relevant area.
- Carry out a comprehensive review and restructuring of the territorial competence of precinct police departments and the population size they cover so as to ensure a comparable workload of the individual territorial structures of the Ministry of Interior.
- Restore the tenured position of “detention officer” in the larger cities where police have a heavier workload, and make this officer expressly and only responsible for the persons detained under the jurisdiction of a particular precinct police department. This is a European practice which existed in Bulgaria when detention facilities were run by the investigating authorities.
- To improve the performance of precinct police department personnel, improve police officers’ working conditions: infrastructure, clothing, regular supply of consumables, free meals when due, defrayal of overheads.
- To relieve the police of extrinsic activities, transfer the policing of rallies and demonstrations to the Gendarmerie Directorate, and the policing of sports matches to sports companies and private security firms. Alternatively, the Bulgarian Football Union should reimburse the Ministry of Interior budget for the costs of providing security at football games, and this should be done on the basis of a transparent and publicised agreement.

VI. GOOD PRACTICES

- Placing completed sample documents, which are most often used by members of the public, and of lists of the rights and obligations of detainees, at a conspicuous place at the 3rd, 5th, 6th, 7th and 9th Precinct Police Departments in Sofia and at the 3rd Precinct Police Department in Plovdiv. They are most often placed at the front desks for members of the public or in front of the detention rooms.
- The video surveillance at the 2nd and 1st Precinct Police Departments in Plovdiv produces a videotape which is kept for one month.
- The Chief of the 5th Precinct Police Department in Burgas has issued an order placing the police officer on duty in charge of the requirements-conforming completion of all record books and registers on detention of persons.
- A letterbox for complaints and suggestions by members of the public has been placed in a conspicuous place at the 1st, 2nd, 3rd, 5th and 6th Precinct Police Departments in Sofia.
- Some precinct police departments under the jurisdiction of the Burgas Regional Police Directorate have a declaration in several language versions, by which the detainees acknowledge that they have been informed of their rights.
- The 4th and the 6th Precinct Police Departments in Plovdiv have introduced a system documenting the visits of lawyers and, respectively, their response when initially approached by the police officer or the detainee.

INDEPENDENT CUSTODY VISITING IN POLICE DETENTION FACILITIES AND SOCIAL ATTITUDES ABOUT POLICE WORK

Consolidated Report on
Representative Surveys
October 2007 – February 2008

EXECUTIVE SUMMARY

Positive tendencies

- The “Independent Custody Visiting in Police Detention Facilities” Project satisfied the independent custody visitors. The implementation of their activity directly involved getting to see police work up close, which was also their main motive for joining the project.
- Direct observation of police at work at the precinct police departments has led to a dramatic change in attitudes about police work. The cumulative share of approval increased from 57% at the start of the project to 80% six months later.
- The notions that police always respond to a call, that they respond to a call promptly, as well as that they solve a large proportion of criminal offences, have increased substantially.
- The notion that police solve a small proportion of criminal offences has declined by 20% even among those independent custody visitors who do not approve of police performance.
- The independent custody visitors’ notion that police officers must be more careful about protection of citizens’ rights has declined steeply. This may be seen as a positive assessment of the respect for detainees’ rights at precinct police departments.
- The independent custody visiting in police detention facilities has had a very strong effect on the visitors’ attitude about the key priorities of the police. After a period of six-month observation of police work, citizens’ attitudes converged with police officers’ attitudes, even though they were completely different at the start of the project.
- Improvement of physical assets is identified both by the police officers and independent custody visitors as the most important change that the police need.
- Observing the police at work has substantially affected the independent custody visitors’ preparedness to testify in court and before the police. It has also had a very strong impact on their inclination to report perpetrated criminal offences.
- The period of independent custody visiting in police detention facilities has had a positive effect on the inclination to participate in some form of co-operation with the police.
- Police officers’ assessment of usefulness of the independent custody visiting improved by 6% between the first and the second waves of the survey, which can be seen as a very positive development.
- Six months after the start of the project, police officers’ assessment of the

effect of independent observation of police work as a whole was more positive than their expectations at the start of the project.

- Six months after the start of the project, police officers found that the independent custody visiting had a very positive effect on the proper keeping of record books and registers, on the proper completion of detention orders, on providing food for detainees and on informing detainees of their rights. On the whole, the overall positive assessment considerably exceeds the negative assessments of the project.
- Police officers' assessment of the net effect of the independent custody visiting shows a very positive trend. In the first wave, this effect was associated above all with improvement of the credibility and public image of the police. In the second wave, the police officers indicated that the observation had the greatest positive effect on the transparency of police work, respect for detainees' rights, and police accountability.

Negative tendencies

- The attitude that police officers must give members of the public a better reception has increased substantially. This can be seen as a sign of problems with the reception of members of the public at precinct police departments.
- The public expects that the role of area police inspectors should be enhanced. Police officers themselves attach almost no importance to this type of reform.
- In respect of reporting criminal offences, testifying before the police and testifying in court, police officers have a very negative notion about members of the public. The independent custody visiting cannot be said to have had a positive effect on this attitude.
- Both at the beginning of the project and six months later, the proportion of police officers who were aware of its implementation was relatively low.
- According to the independent custody visitors, the assessment of the effect of the independent observation on police work as a whole is lower than initially expected.

1. RESEARCH METHODOLOGY

1.1. Sample

The survey of social attitudes about police work was carried out at two levels: attitudes of independent custody visitors, and of precinct police department personnel directly engaged with police detention activities.

Owing to the small range and ready availability of the respondents, the sample of the independent custody visitors is exhaustive. It consists, respectively, of 132 persons (October 2007) and 120 persons (February 2008) in the five regions in which the “Independent Custody Visiting in Police Detention Facilities” Project was implemented. The sample is structured as follows:

Socio-demographic characteristics	Percentage of respondents (%)	
	October 2007	February 2008
Gender		
Male	19.2	20.8
Female	80.8	79.2
Age group		
18-24	43.1	31.9
25-29	16.9	20.2
30-34	13.8	13.4
35-44	15.4	22.7
45+	10.8	11.8
Residence		
Sofia	22.0	19.2
Plovdiv	12.1	11.7
Varna	23.5	31.7
Burgas	30.3	20.8
Pleven	12.1	16.7

Owing to the specificity of police work and the confidentiality of information regarding the complement of precinct police departments, a model of a proportional sample for the surveyed regions was elaborated after consulting the National Police Service. The sample is exhaustive in respect of the chiefs of precinct police departments and the chiefs of the Criminal Police, Economic Police and Security Police Departments. In respect of the following precinct police department components: (1) Stand-by operational unit; (2) Police inspectors and junior police inspectors; (3)

Grade E and F officers of the Patrol and Guard Duty Sector; and (4) Operatives of the Criminal Police and Economic Police Sectors, the sample is representative in the following characteristics: (a) region, (b) departments involved in police detention, and (c) officer grade. The planned range of the sample formed in this way included 807 persons by October 2007, which, in the case of the survey, guarantees a 3.4% maximum margin of stochastic error at a 95 % confidence level. The realised sample covered 740 persons, as a result of which the stochastic error of the survey edged up to 3.5% without affecting the confidence level. Taking advantage of the specificity of the method of collecting empirical information, the personnel of two precinct police departments in Varna delivered uncompleted questionnaires to the regional co-ordinators of the project. Thus, approximately one quarter of the sample in the City of Varna was unrealised, which led to a region-specific increase in the stochastic error to 4.8%. The percentage of sample members who refused to participate in the survey in the other four cities does not exceed the projected level, which is why the stochastic error there was not affected. To avoid a potential repetition of this precedent, the sample for the City of Varna was expanded in the second survey. Thus, 788 persons were polled in the second wave.

The realised police samples are structured as follows:

Socio-demographic characteristics	Percentage of respondents (%)	
	October 2007	February 2008
Gender		
Male	93.6	94.2
Female	6.4	5.8
Age group		
18-24	1.7	2.0
25-29	10.3	7.8
30-34	23	15.4
35-39	25.4	25.6
40-44	21.2	25.2
45-49	11.7	15.5
50-54	5.2	6.9
55-59	1.6	1.6

Socio-demographic characteristics	Percentage of respondents (%)	
	October 2007	February 2008
Residence		
Sofia	28.2	25.0
Plovdiv	18.8	16.6
Varna	14.9	20.9
Burgas	31.1	31.6
Pleven	7	5.8

1.2. Data collection method

The empirical information was collected by means of a direct anonymous questionnaire, which the respondents completed personally and then inserted in a sealed opaque envelope. The envelopes were collected by the regional co-ordinators of the “Independent Custody Visiting in Police Detention Facilities” Project and sent to the Open Society Institute – Sofia. The purpose of this method is to fully guarantee the respondents’ anonymity so as to maximise the credibility of their responses and avoid socially desirable responses considering the subject of the survey.

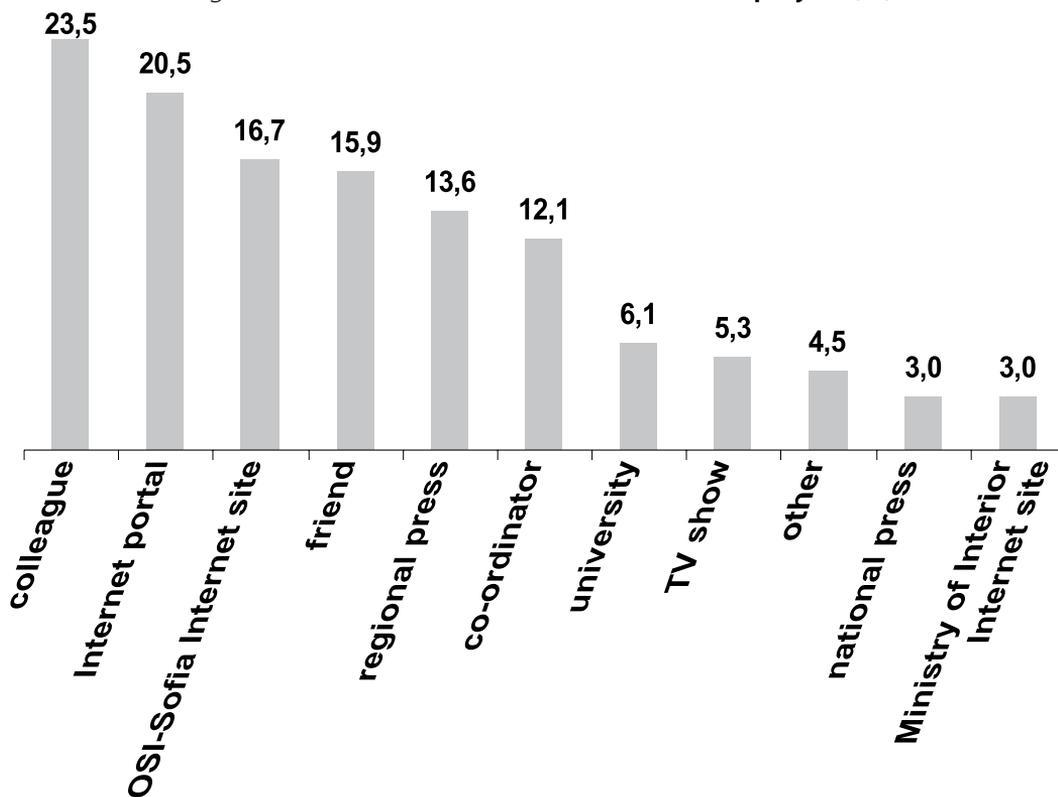
There are two types of questionnaires (*see Appendices to Part Two*). Version 1 is designed for the independent custody visitors. It includes additional questions intended to establish their motives for joining the project. Version 2 is designed for the police officers. It includes additional questions intended to establish the level of personal initiative and readiness to assume responsibility in respect of various elements of police work.

2. INDEPENDENT CUSTODY VISITORS' MOTIVATION

2.1. Source of information

In respect of the initial source of information about the “Independent Custody Visiting in Police Detention Facilities” Project, the survey found an increased significance of the Internet environment. Cyberspace was the source of information for 42.5% of the independent custody visitors. The respondents’ individual social network (colleagues and friends) also stands out as a very important factor in this case: 39.4%. The national media (television and press) played an almost insignificant role in respect of the project. The regional press was a factor in the regions of Burgas and Plovdiv, and Radio Varna was a factor in Varna. Regional co-ordinators were instrumental in providing information about the project in the regions of Varna, Burgas and Pleven. The information displayed at Sofia University and at the University of National and World Economy was an important source in Sofia.

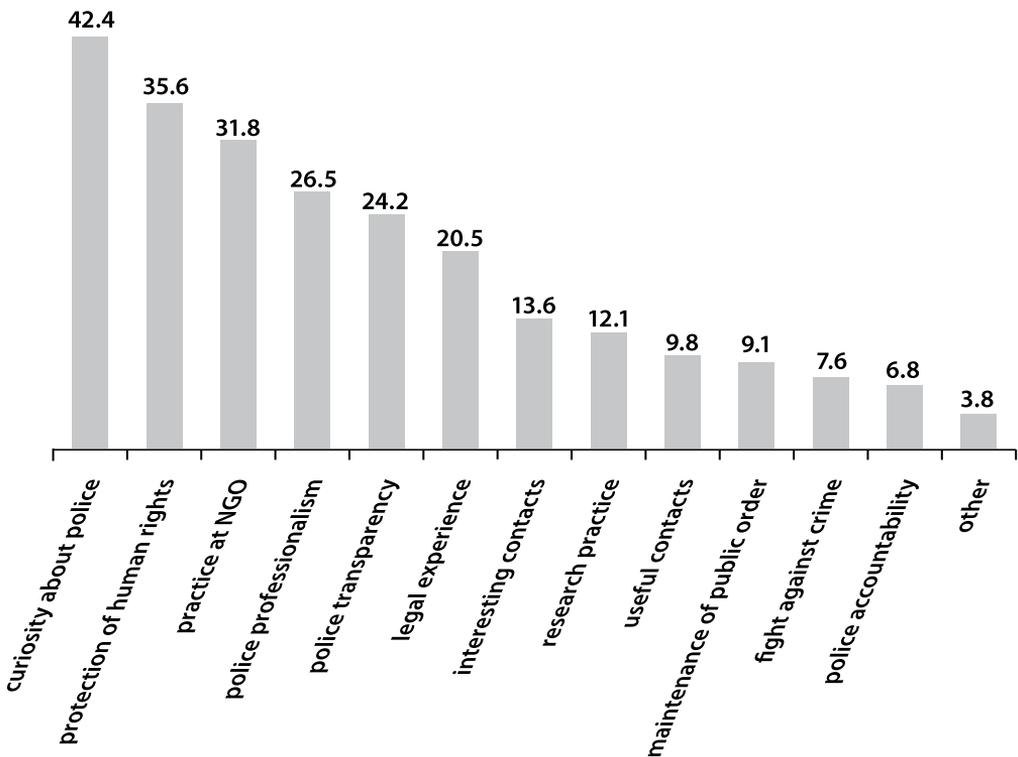
Fig. 1. Initial source of information about the project (%)



2.2. Reasons for joining

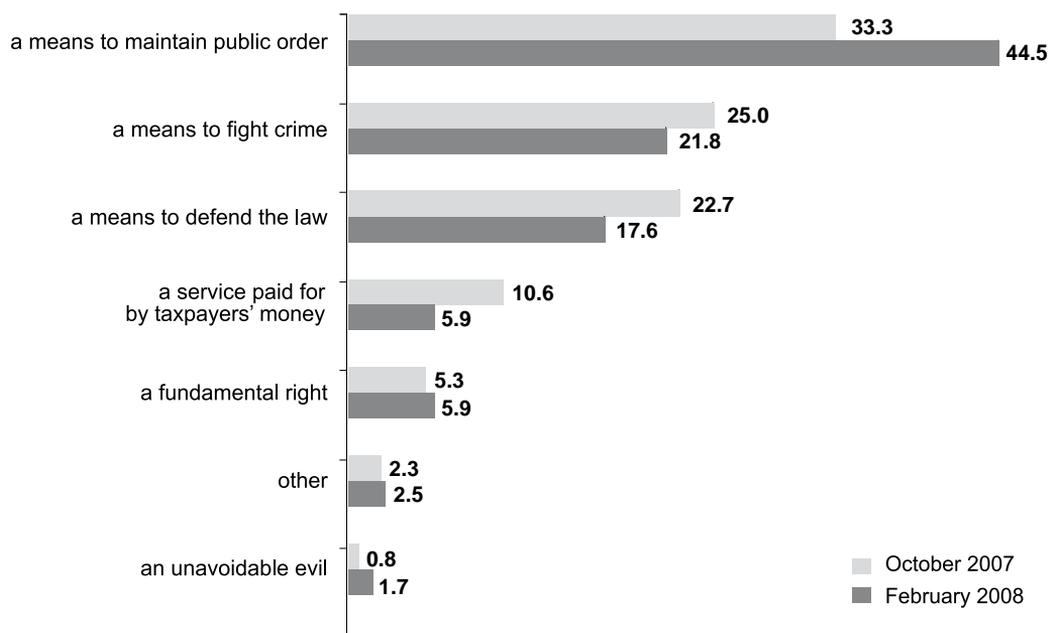
Interestingly, the independent custody visitors' decision to join the project was prompted above all by their curiosity about police work (42.4%) rather than by their civic stance. Next comes the desire to further the protection of civil rights (35.6%), which can be seen as an indication of the perception that civil rights are violated upon police detention. The third most significant motive is the desire to gain practical experience in the non-governmental sector, 31.8%, which is probably due to the lack of NGO experience on the part of nearly two thirds of the visitors. Regrettably, an active civic stance supporting the position of the police – to assist in the fight against crime and the maintenance of public order – comes at the bottom of the motivating factors (Figure 2), even though it is precisely these activities that were identified in both waves of the survey as what the police are actually doing (Figure 3).

Fig. 2. What are your reasons for joining as an independent custody visitor? (%)⁶



⁶ Respondents can give up to three possible answers, which accounts for the difference between the total and the sum of its component parts.

Fig. 3. What is your perception of police work? (%)



Several months after the initial survey, the independent custody visitors felt satisfied with their participation in the project (92.5%), and just 3.4% felt partly disappointed. Curiously, the volunteers' motives for joining the project overlap with what they think they have gained from their participation (Table 1).

Table 1. What did you gain from your participation in the project? (%)

I saw police work up close	76.7
I think I assisted in protection of human rights	31.7
I checked the accountability of police work	25.8
I gained practical experience in the non-governmental sector	20.8
I checked the transparency of police work	19.2
I established interesting social contacts	15.8
I checked the professionalism of police work	15.8
I established useful social contacts	15.0
I gained research experience	9.2
I gained legal experience	8.3

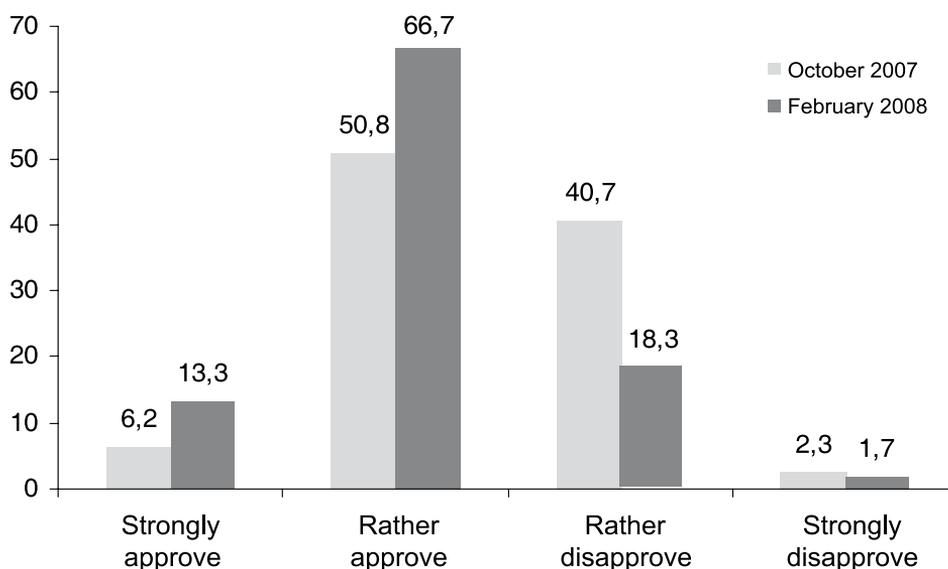
I think I assisted in the maintenance of public order	5.8
I think I assisted in the fight against crime	2.5
Other	1.7
I gained nothing	0.8

3. PRIORITIES OF AND EXPECTATIONS FROM POLICE PERFORMANCE

3.1. Assessment of police performance

At the start of the project, the positive assessments of police performance only slightly outnumbered the negative assessments. The cumulative share of approval was 57%. A noteworthy circumstance in this respect is that after getting to see police work up close, the independent custody visitors radically changed their view of it from negative to positive. By February 2008, the cumulative share of approval reached 80% (Figure 4).⁷

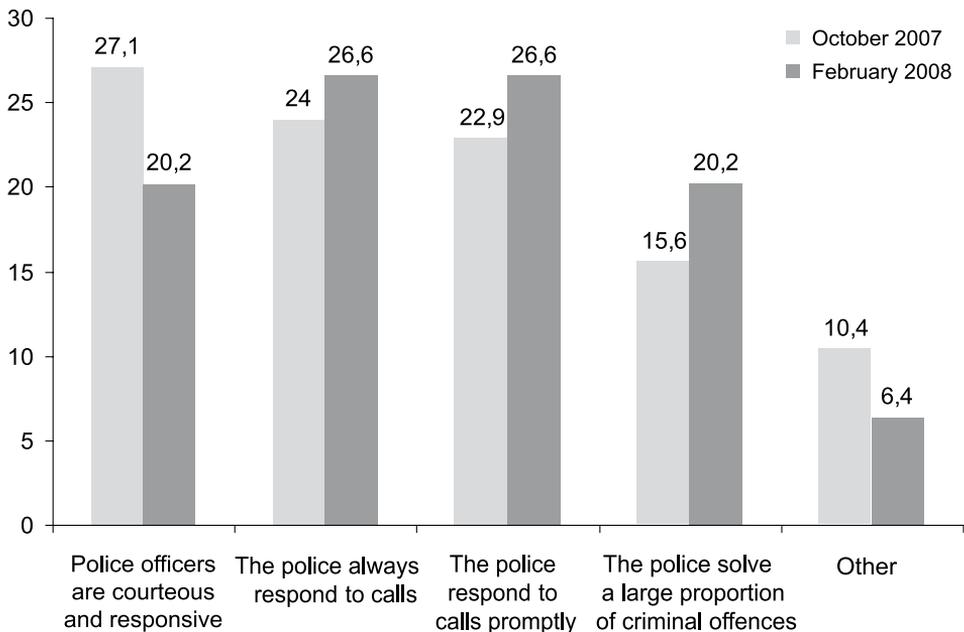
Fig. 4. Approval/disapproval of police performance (%)



⁷ Interestingly, confidence in the police exceeds the registered standard confidence in the Ministry of Interior. An OSI-Sofia survey of March 2008 shows that the respondents demonstrate a higher level of disapproval of police performance than of approval. The difference between the cumulative share of approval and the cumulative share of disapproval approximates 10 percentage points. Just 5.8% of respondents strongly approve of police performance, and 30% rather approve of it. At the same time, 21.3% strongly disapprove of police performance and another 25% rather disapprove of it. **Nevertheless, it should be noted that approval of police performance considerably exceeds the level of approval of the performance of the Ministry of Interior in general, where the difference between approval and disapproval is nearly 20 percentage points.** The cumulative share of disapproval of the Ministry of Interior is 55%, whereas the cumulative share of approval is 27.4%. The difference may be due to the high level of mistrust towards other services of the Ministry of Interior or towards the political leadership, but such an interpretation would be speculative because it was not included in advance in the methodology of the present survey.

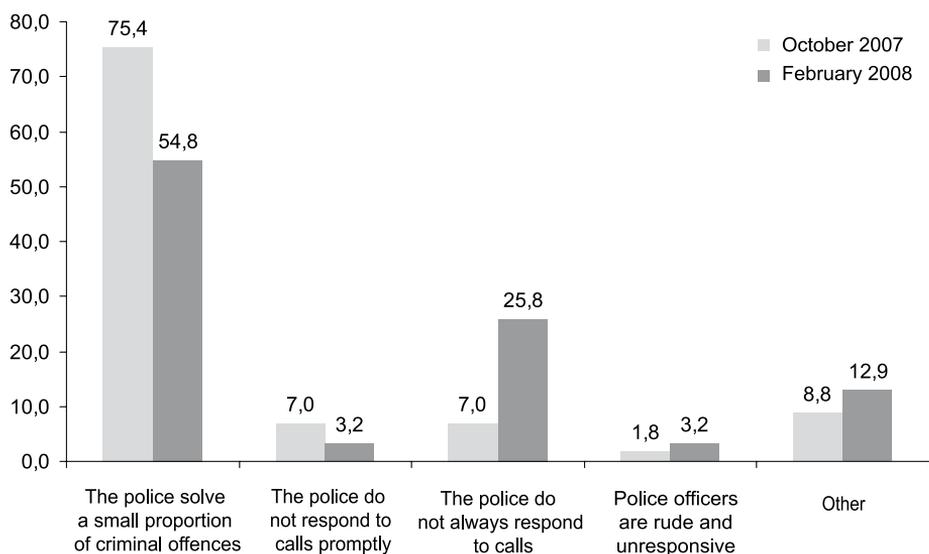
A significant positive change was also found in the reasons for approval of police work (Figure 5). At the start of the project, the principal factors for approval of police work were police officers' courteousness and responsiveness to calls from members of the public. After several months of direct observation of police at work, the notions that police always respond to a call, that they respond to a call promptly, as well as that they solve a large proportion of criminal offences, increased substantially. Even though approval on account of "courteousness" decreased, this should not be interpreted in a negative way because it is due to the increased positive attitude about the factors that directly indicate a high effectiveness of police work.

Fig. 5. Reasons for approval (%)



In the first wave, the notion of the low clearance rate of criminal offences stood out as the only significant reason for disapproval of police performance. This notion declined by 20%, and this is a markedly positive trend. An increase in the share of the notion that police do not always respond to calls stands out as the second most significant problem in the second wave of the survey.

Fig. 6. Reasons for disapproval (%)



3.2. How members of the public expect to be treated by the police

Concerning the way members of the public expect to be treated by the police, the independent custody visitors' principal expectation at the start of the project was that the police should give members of the public a sense of security (56.5%), should enforce order (45.8%), should be incorruptible (42.7%), and should guarantee the rule of law (42%) (Figure 7). As a notable positive fact in this respect, police officers' attitudes have a relatively similar distribution (Figure 8): to give members of the public a sense of security (56.5%), to enforce order (46%), to be incorruptible (44.2%), and to guarantee the rule of law (54.9%). The share of those who believe that the police should guarantee the rule of law declined among both independent custody visitors and police officers. Among the independent custody visitors, this decline was due to an increase of the expectation regarding giving members of the public a sense of security, enforcing order, and incorruptibility. Among police officers, it was due to an increase of the expectation that police should deter offenders.

What is particularly interesting is that the independent custody visitors concluded their participation in the project more keenly aware of the specific problems facing at-risk social groups (children, the homeless, the mentally ill, drug addicts). The independent custody visitors' expectations that the police should take special care of the members of these groups increased at the end of the project. By contrast with this attitude of the visitors, the police officers do not seem to realise their active role regarding at-risk social groups.

Fig. 7. How members of the public expect to be treated by the police – according to the independent custody visitors (%)

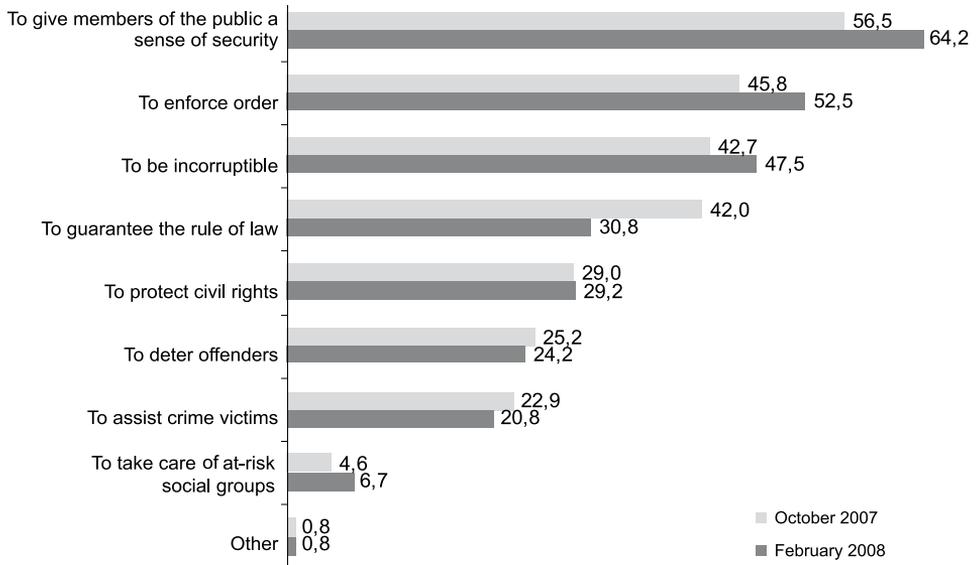
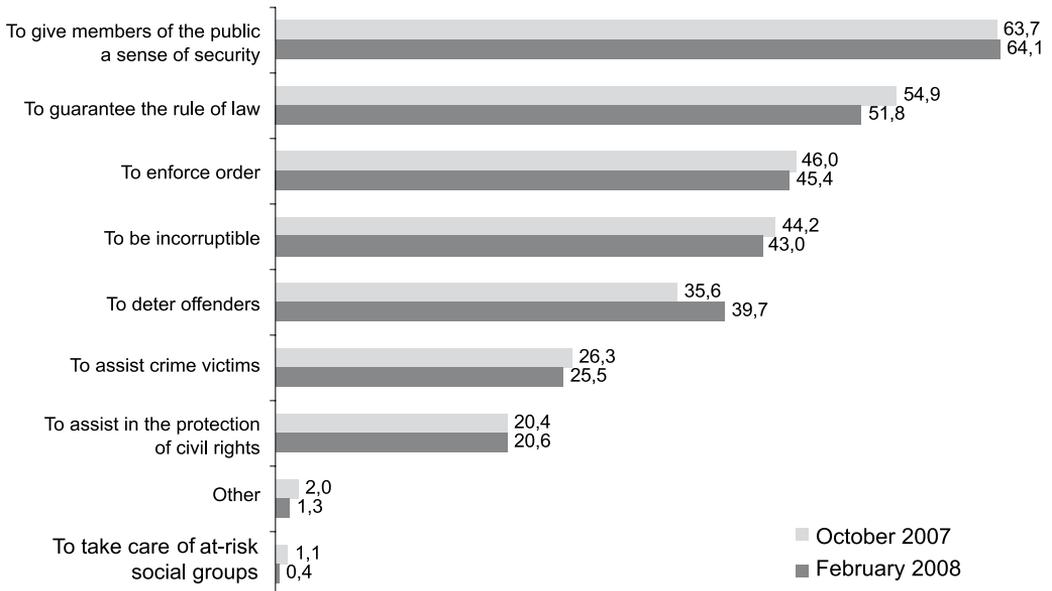


Fig 8. How members of the public expect to be treated by the police – according to police officers (%)



3.3. Expectations from the police

At the start of the project, the independent custody visitors' principal expectation from the police was to protect civil rights (58%), which, in its turn, was directly related to the visitors' motives for joining the project. It is important to note that this expectation declined by over 20% in the second wave of the survey. The other substantial expectations at the start of the project – of a need to increase the number of solved criminal offences (53.4%) and of a need to fight organised crime (45%) – retained their relevance according to the independent custody visitors. Moreover, the fight against organised crime became a key priority (50.8%). The structure of the police officers' attitudes differs almost entirely from the structure of visitors' attitudes, and there are almost no significant differences between the responses in the first and the second wave. The change of attitudes between the two waves brings out a new material point: the need to improve reception for members of the public. Among the independent custody visitors, this attitude increased by 15%, and among the police officers it doubled, albeit still within a narrow range.

Fig. 9. Expectations from the police – according to the independent custody visitors (%)

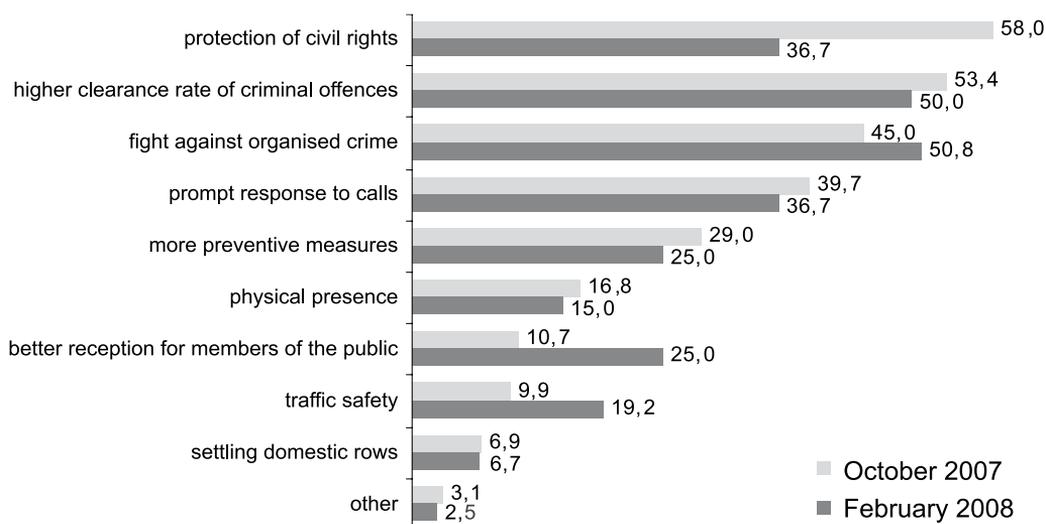
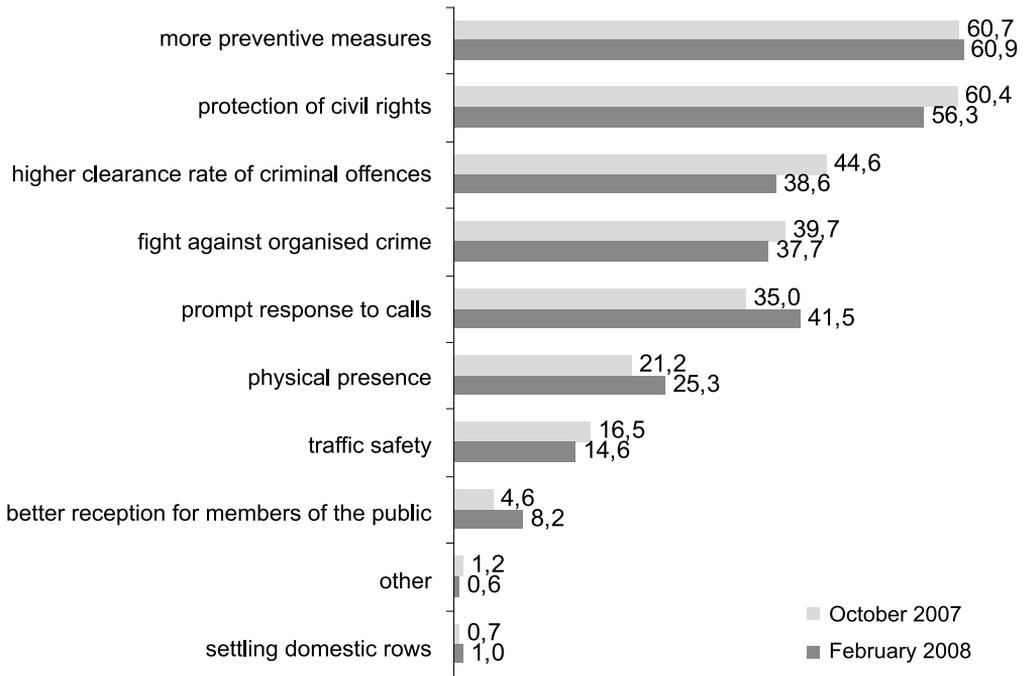


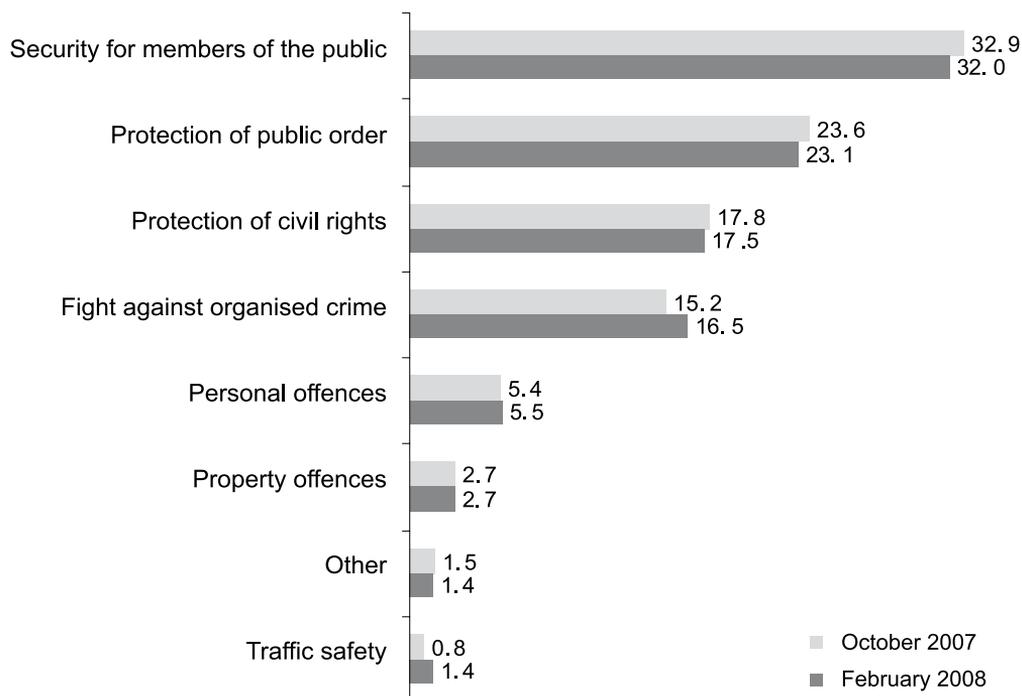
Fig. 10. Expectations from the police – according to the police officers (%)



3.4. Desired police priority

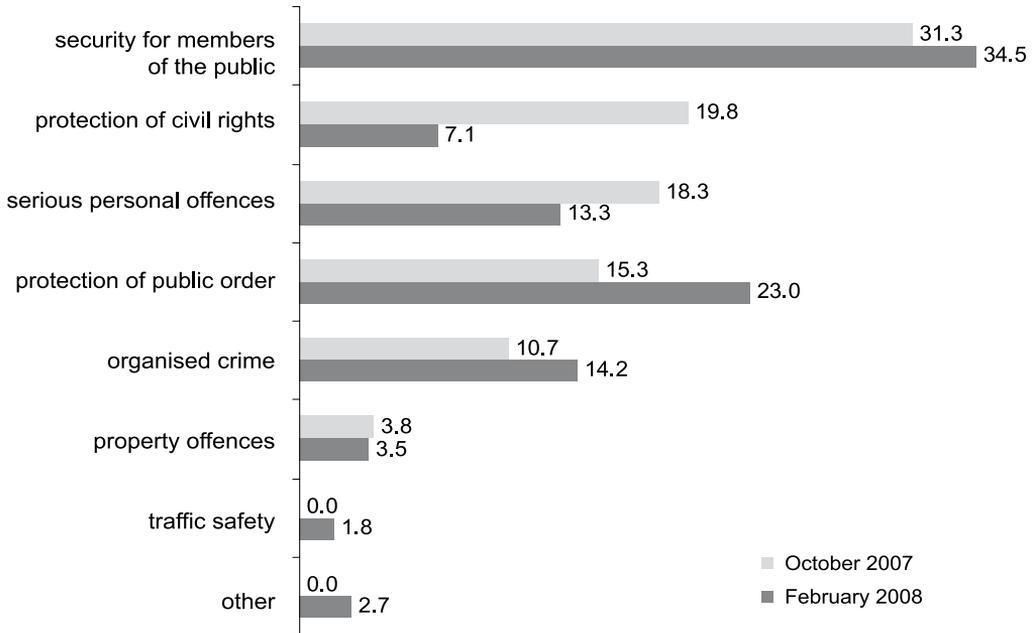
The social notions of the police officers and the social notions of the independent custody visitors also diverge in respect of what the key priority of the police should be. Even though both groups of respondents in both waves singled out enhancing security of members of the public as the most important priority, the ranking of priorities differed to a certain extent in the rest of the researched categories. As regards the police officers, the priorities seem clear and stable, and the results of the second wave completely mirrored the results of the first wave.

Fig. 11. Desired key priority of the police – according to the police officers (%)



From this point of view, there is a striking shift of police priorities according to the independent custody visitors. While in the first wave protection of civil rights was regarded as the second most important priority, the independent custody visitors abruptly changed their attitude and in the second wave singled out protection of public order as the second most important priority. Actually, it could be argued that in the second wave the independent custody visitors' opinion largely converged with the police officers' opinion. This fact could be seen as a reconsideration of the nature of police work and realisation of the position and priorities of the police.

Fig. 12. **Desired key priority of the police – according to the independent custody visitors (%)**



3.5. *What changes are necessary in the police*

The attitudes about the changes necessary in order to improve police performance also diverge relatively widely. Both at the start of the project and six months later, the police officers saw improvement of physical assets and an increase of their pay as the means to improve their work. At the beginning of the project, according to the independent custody visitors, an improvement of police officers' work also depended on three other significant factors: (1) establishment of partnership between the police, local government and the community; (2) upgrading of police officers' professional qualifications; and (3) enhancement of the role of area police inspectors. Notably, though, the independent custody visitors also recognised the need to improve physical assets. Moreover, six months after the start of the project they singled out precisely this as the most important factor for improving police work. In other words, this could be seen as an independent external assessment of the need of extra investment of funds in the police. It is important to emphasise, however, that police officers are not at all aware of the enhancement of the role of area police inspectors as a reform method, even though this would live up to public expectations.

Fig. 13. What changes are necessary in the police – according to the independent custody visitors (%)

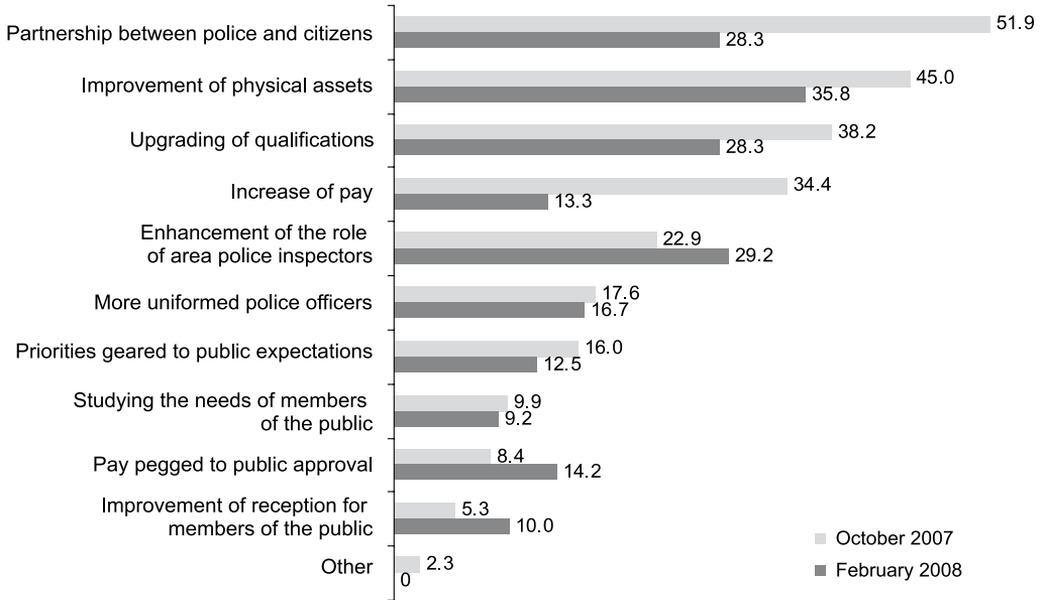
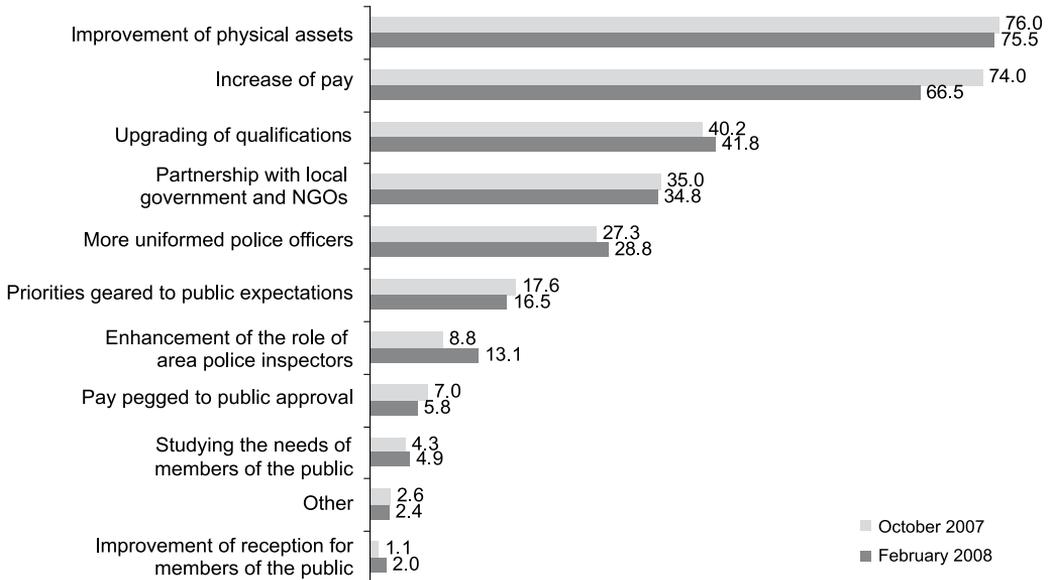


Fig. 14. What changes are necessary in the police – according to the police officers (%)



4. CO-OPERATION BETWEEN POLICE AND THE PUBLIC

4.1. Reporting and testifying to a criminal offence

In the first wave of the survey, the preparedness of members of the public to report a criminal offence as well as to testify was assessed as very low by the police officers. According to their notions, approximately 29.6% would report a criminal offence, 21.9% would testify before the police, and just 6.7% of the members of the public would testify in court. Curiously, even the extremely negative assessment declined and gave way to an inability to make an assessment, especially as to the third situation, which lies outside the competences of the police.

Fig. 15. Preparedness to report a criminal offence – according to the police officers, October 2007 (%)

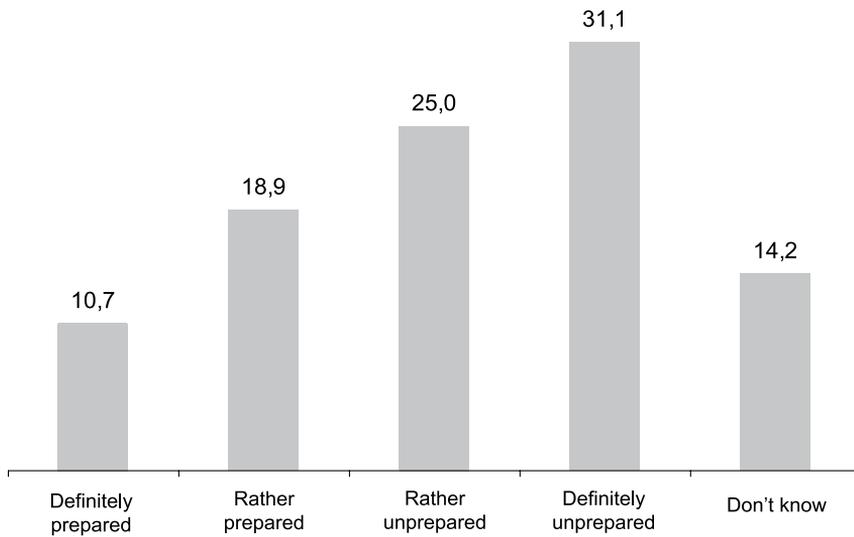


Fig. 16. Preparedness to testify before the police – according to the police officers, October 2007 (%)

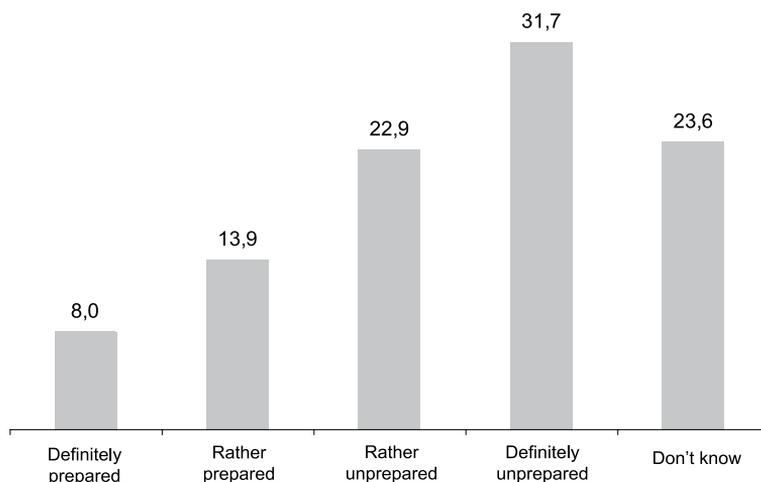
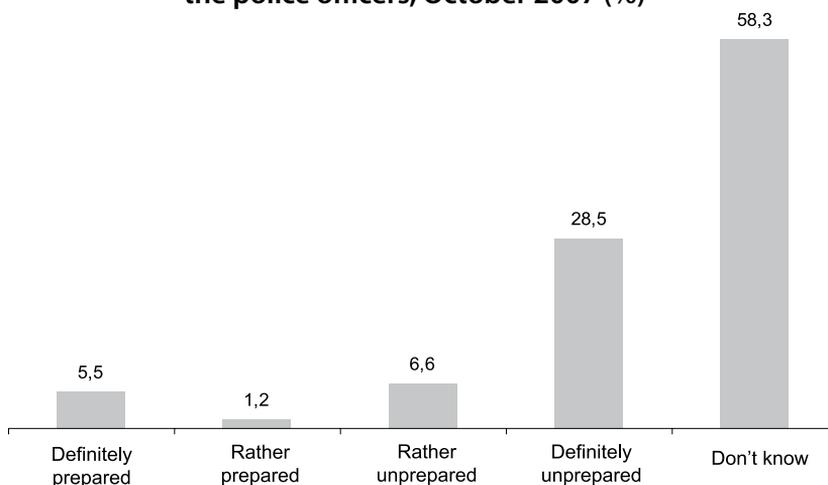


Fig. 17. Preparedness to testify in court – according to the police officers, October 2007 (%)



A comparison of these results with the independent custody visitors' responses confirms the main trend: people are most prepared to report a criminal offence (68%), fewer people would testify before the police (62.3%), and the fewest respondents would give evidence in court (52.7%). We are paying particular attention to the main trend rather than to the size of the shares because the independent custody visitors – if only because of their participation in the project – are presumed to be more public-minded and the indicators of their notions are comparatively higher than the average indicators for the country. Nevertheless, it is important to emphasise that the

difference between the police officers' notions and the independent custody visitors' attitudes in all categories exceeds 50%, which is a clear indication that the police officers substantially underestimate the preparedness of members of the public to co-operate with the authorities by reporting a criminal offence or by testifying before the police and in court.

Fig. 18. Preparedness to report a criminal offence – according to the independent custody visitors

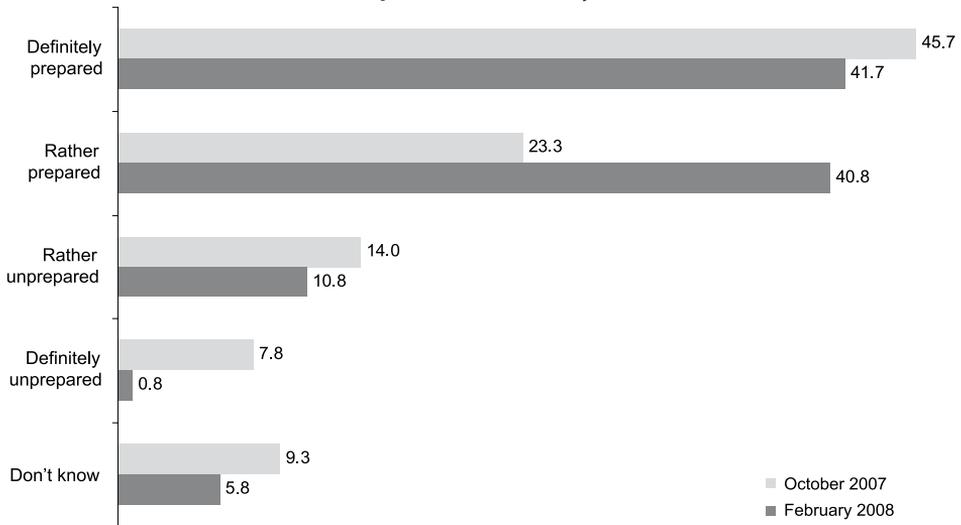


Fig. 19. Preparedness to testify before the police – according to the independent custody visitors, October 2007 (%)

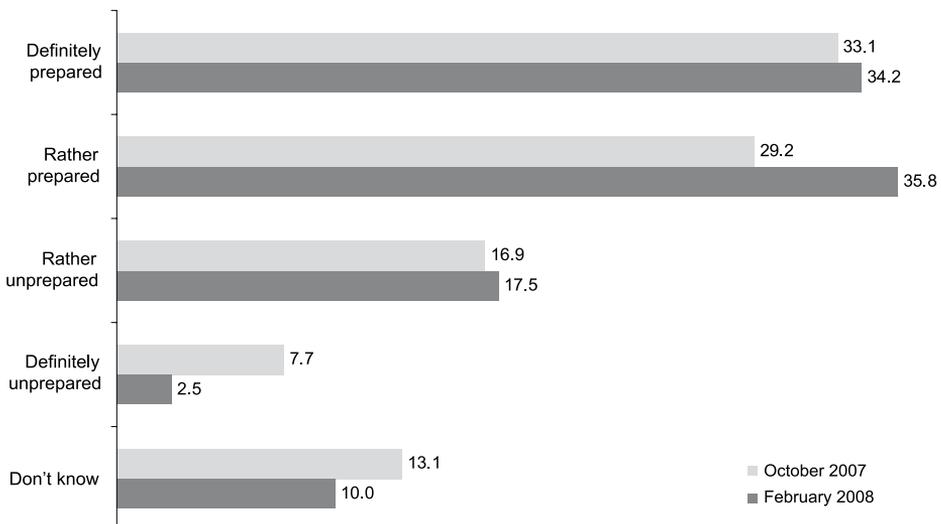
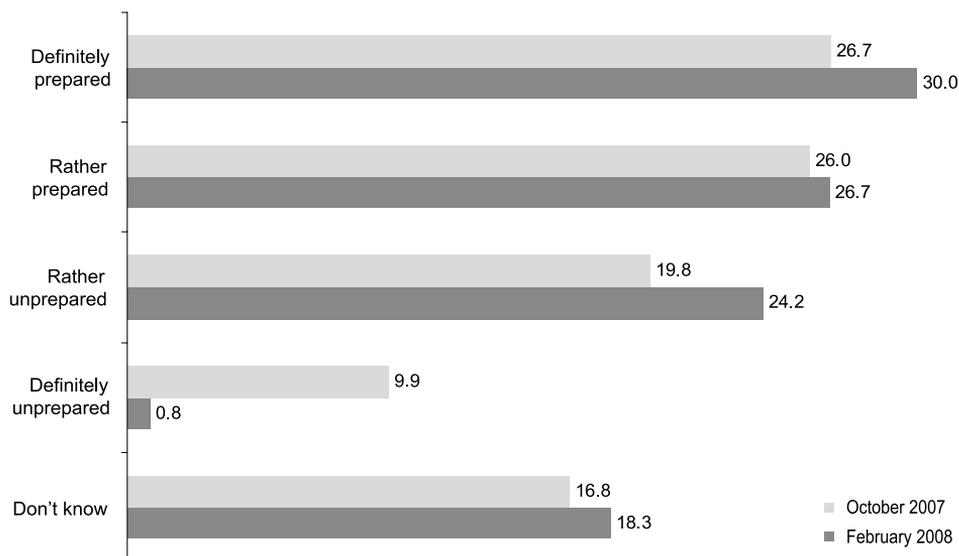


Fig. 20. Preparedness to testify in court – according to the independent custody visitors, October 2007 (%)



Because of the large share of “don’t know” responses, the survey team abandoned the forced choice method and opted for a standard Likert scale, allowing a middle option. This approach led to a redistribution of the “don’t know” responses mainly to the “neither willing nor unwilling” category and relatively proportionately to the rest of the categories.

Fig. 21. Willingness to report breaches of public order – according to the police officers, February 2008 (%)

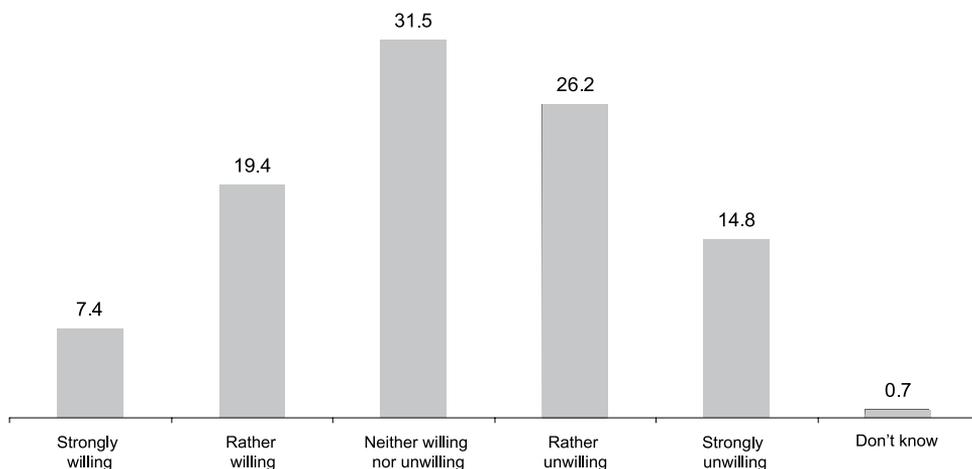


Fig. 22. Willingness to testify before the police – according to the police officers, February 2008 (%)

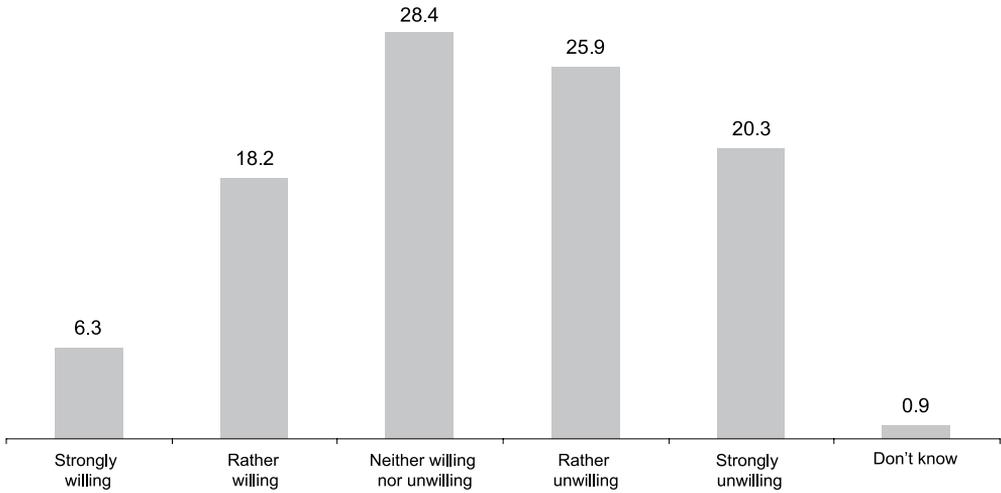
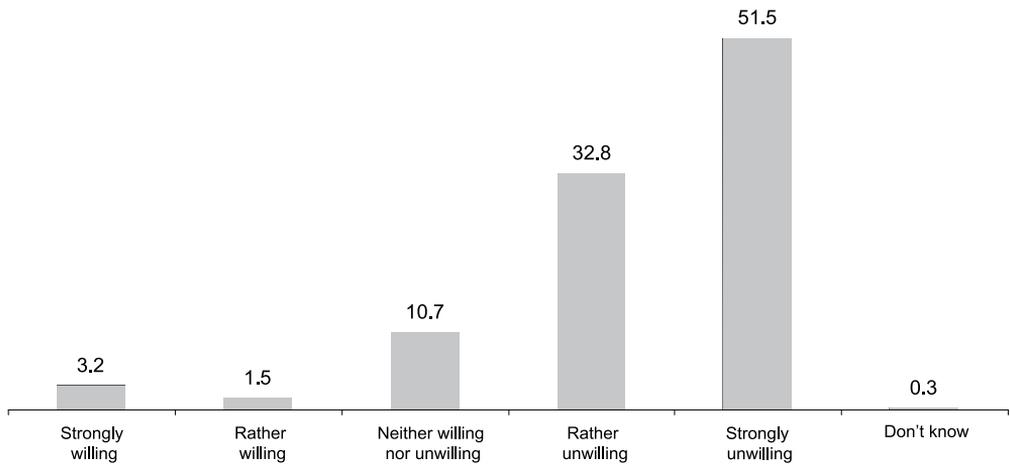


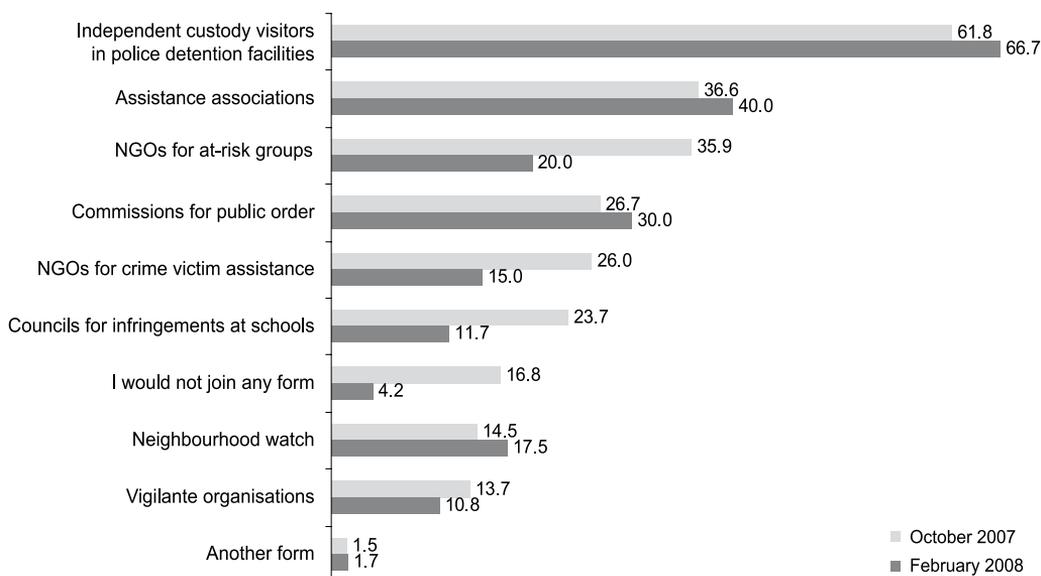
Fig. 23. Willingness to testify in court – according to the police officers, February 2008 (%)



4.2. Forms of co-operation

The police officers' negative notion is justified to a certain extent, considering that at the start of the project approximately 17% of the independent custody visitors stated that they would not join any form of co-operation with the police, and this figure may be expected to be even higher than the national average. Such a position in itself refers to the problem about the independent custody visitors' motivation and points to the fact that part of them do not perceive independent custody visiting as a form of co-operation. Six months later, however, the share of independent custody visitors who do not wish to join any form of co-operation with the police declined steeply to 4.2%. The problem may be related to the regional specificity of the observation because the negative responses are confined to the City of Varna and to the Region of Burgas. The rest of the responses show a relatively even distribution of preferences among the forms of co-operation which tend to have a supporting function, with a slight preference for non-governmental organisations.

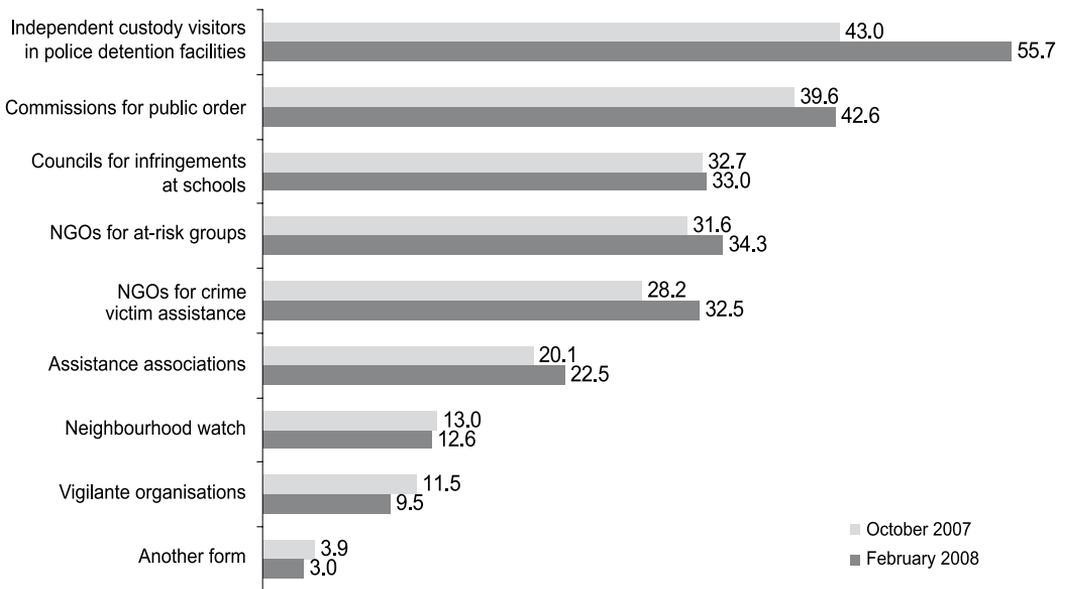
Fig. 24. Readiness to join forms of co-operation – independent custody visitors (%)



Regarding the experience that police officers have with various forms of co-operation, about three quarters proved to have some experience with at least one form of co-operation with the police. Of these, at the start of the project just 43% were aware of the independent custody visitors, whereas six months later 55.7% knew

about the implementation of the project. Still, this share is quite low if we expected that independent custody visiting would have an impact on police attitudes and practices. If we exclude the independent custody visiting from the analysis, because the survey was carried out with the help of the regional co-ordinators and this influenced the end result, an important fact that stands out is that the police officers have experience above all with the State-administered local commissions for public order and the public councils for the prevention of infringements at schools. Experience with outreach organisations for at-risk population groups ranks immediately after that – probably because of the heightened activity of Roma organisations in recent years.

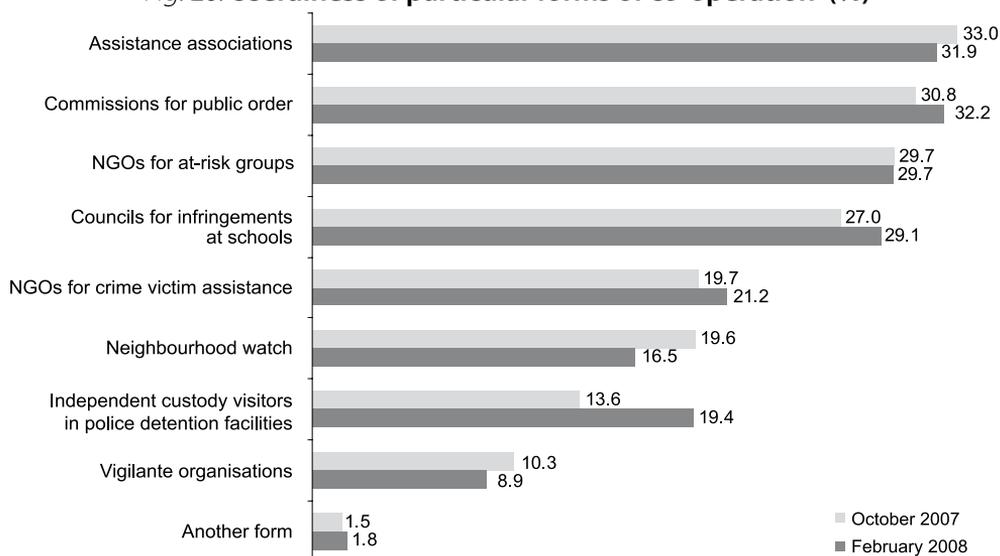
Fig. 25. Experience with forms of co-operation – police officers (%)



Even though the share of the police officers who have experience in working with associations for assistance to the police is not very large, the assessment of such associations' usefulness is the highest. Local commissions for public order and security, outreach organisations for at-risk groups and public councils for prevention of infringements at schools also receive a high assessment of their usefulness. The usefulness of the "Independent Custody Visiting in Police Detention Facilities" Project receives a very low assessment. Six months after the start of the project, the assessment of its usefulness increased by approximately 6%, which can be described as a significant improvement because, in general terms, almost all police attitudes identified in the first wave remained unchanged in the second wave. It is important to

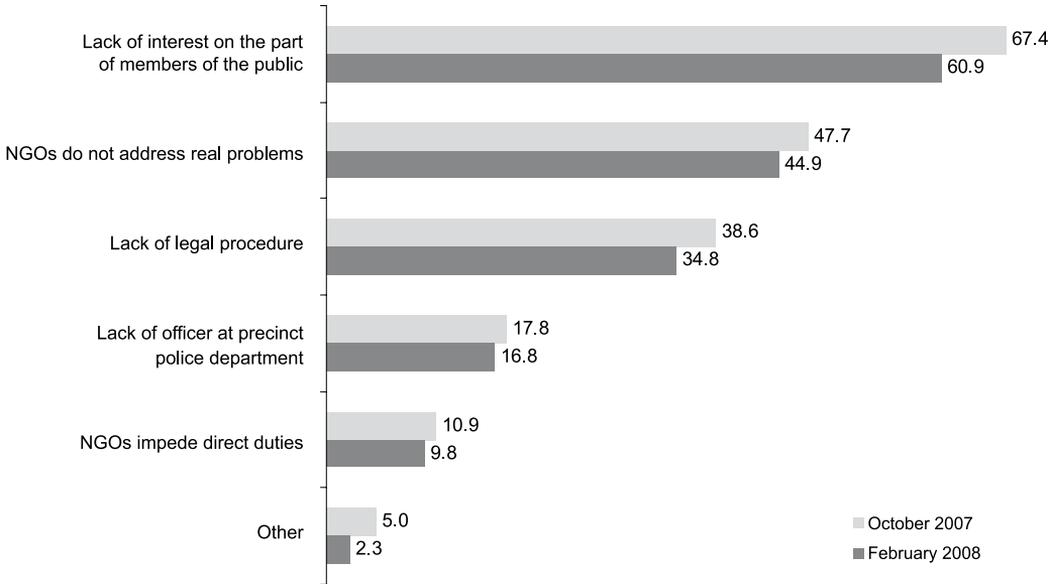
emphasise that both the police officers and the independent custody visitors assess the success of co-operation between the police and non-governmental organisations in purely utilitarian terms, above all from the perspective of the immediate priorities of police work, i.e. whether such co-operation contributes or not to the detection and prevention of criminal offences. The police officers themselves do not at all perceive themselves as potential perpetrators of criminal offences, which the abuse of force and the violation of detainees' fundamental rights constitute in practice.

Fig. 26. Usefulness of particular forms of co-operation (%)



In the first wave of the survey, even though just 27.2% of the police officers did not have experience with some form of co-operation, 91.5% of all respondents answered the question about the main reasons for lacking experience with forms of co-operation. Thus, the result presented below registers a notion of the behaviour of the professional community rather than a personal attitude. The police officers blamed above all the lack of interest on the part of members of the public: 67.4%. Just 38.6% noted the lack of a legal procedure as a possible obstacle. Notably, though, almost half of the respondent police officers said that NGO projects do not address real problems in the police, and approximately 11% stated that NGO projects impede the discharge of their direct duties. In the second wave of the survey, the ranking was unchanged, but all shares decreased relatively proportionally, which can be seen as a positive development.

Fig. 27. Reasons for lack of experience with forms of co-operation – police officers (%)



5. EFFECTIVENESS OF THE INDEPENDENT CUSTODY VISITING

5.1. Impact on police work in general

At the start of the project, the visitors' expectations of the impact of the independent custody visiting on police work were entirely positive. The independent custody visiting was expected to have the greatest effect on the protection of civil rights and the culture of communication with members of the public. The speed, effectiveness and competence of assistance or intervention were expected to improve tangibly, along with an enhancement of empathy with people's problems. Six months after the start of the project, the share of "don't know" responses increased substantially, and in this case this can be presumed to imply "did not impact". The notion regarding the protection of civil rights and the culture of communication with members of the public seems to have been confirmed.

Fig. 28. Expected impact of independent custody visiting on police work – according to the independent custody visitors, October 2007 (%)

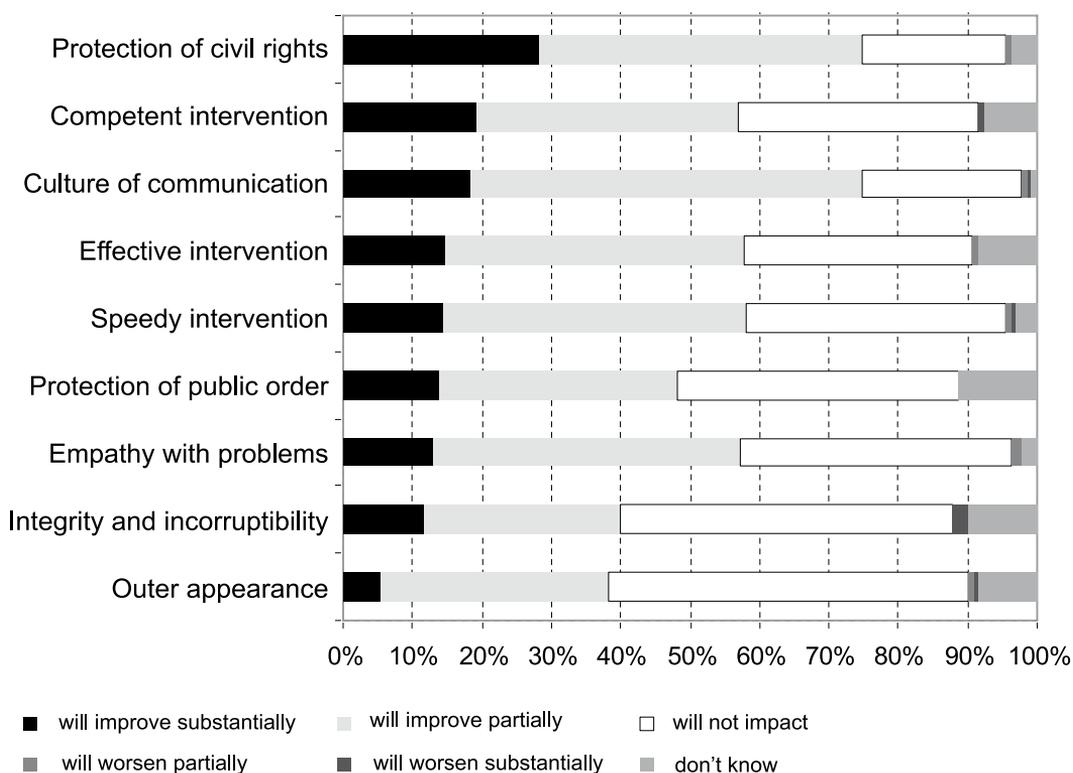
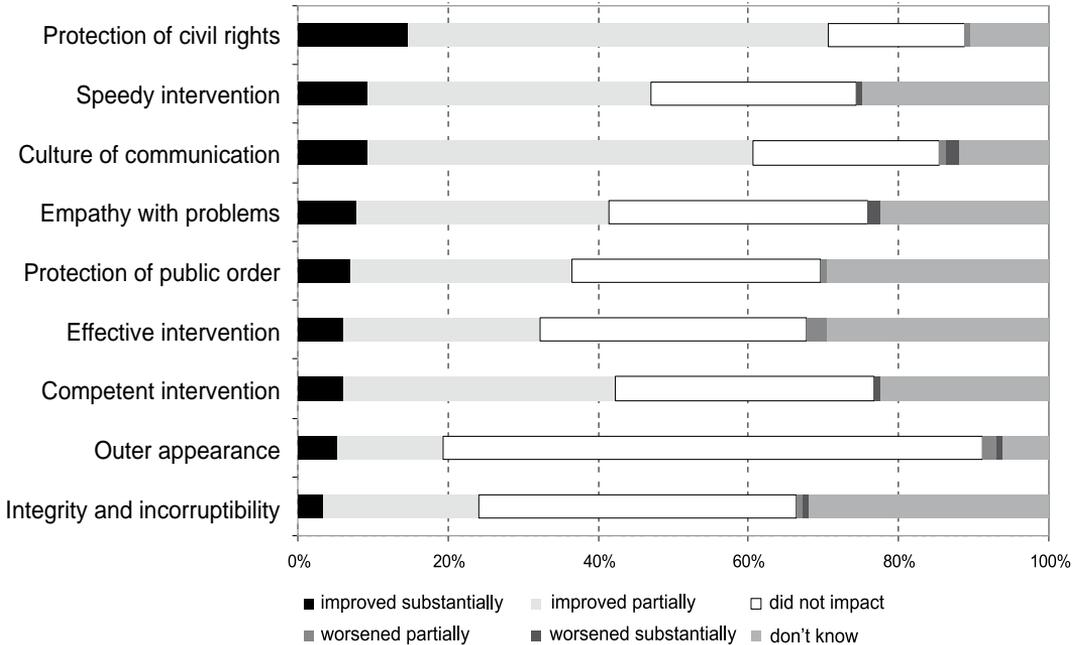


Fig. 29. Impact of independent custody visiting on police work – according to the independent custody visitors, February 2008 (%)



Similarly to the independent custody visitors, the police officers expected that the implementation of the project would have a very positive impact on their culture of communication: 69.5%. A relatively positive impact was also expected on outer appearance, empathy with people’s problems and protection of civil rights. The police officers’ assessment was rather positive regarding the speed, effectiveness and competence of assistance or intervention. However, 7-8% of the respondents gave negative assessments about the speed, effectiveness and competence of intervention and protection of public order.

Fig. 30. Expected impact of independent custody visiting on police work – according to the police officers (%)

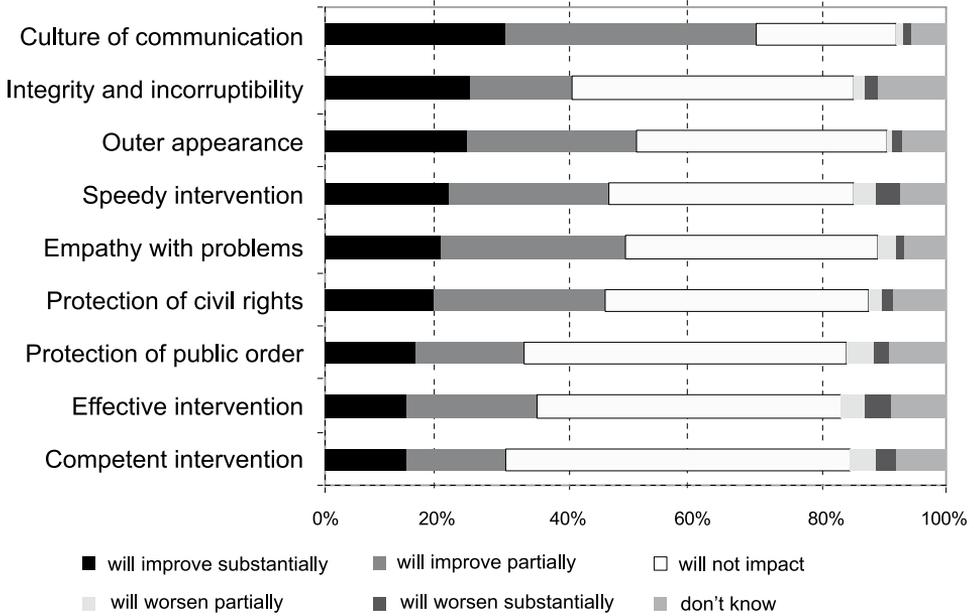
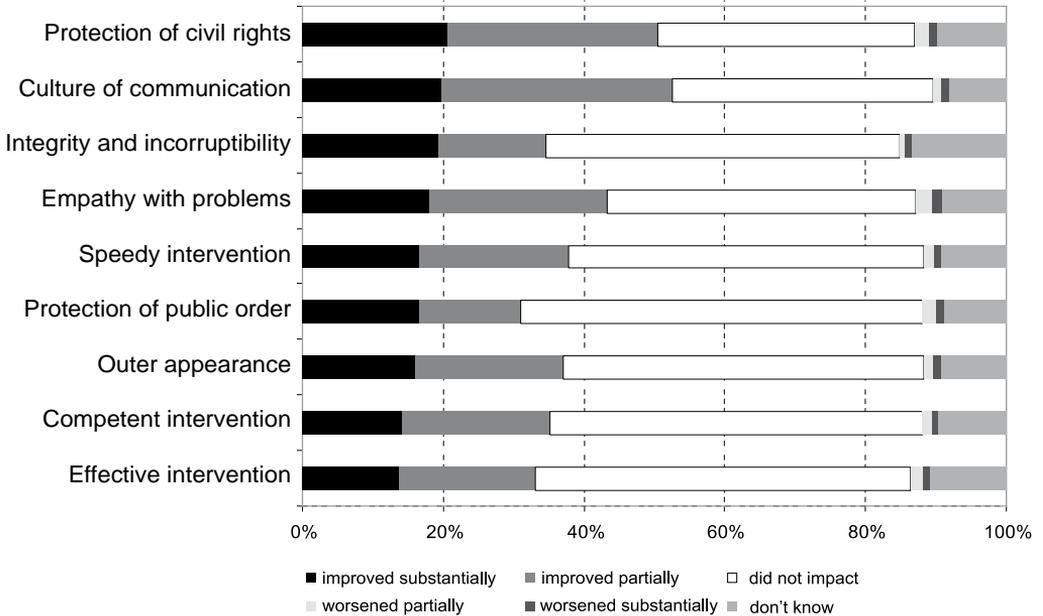


Fig. 31. Impact of independent custody visiting on police work – according to the police officers (%)



5.2. Impact on police detention

The independent custody visitors' assessments of the impact of the implementation of the project on various elements of police detention are even more positive. According to them, the independent custody visiting has had a very positive effect on the proper keeping of record books and registers (86.7%), on informing detainees of their rights (85.3%), and on detainees' access to legal aid (82.3%). The least effect is expected on the logistical conditions at precinct police departments, on the interrogation rooms and the rooms for meetings with a lawyer, as well as on the conduct of interrogations: in the 58-63% range.

Fig. 32. Expected impact of independent custody visiting on police detention – according to the independent custody visitors (%)

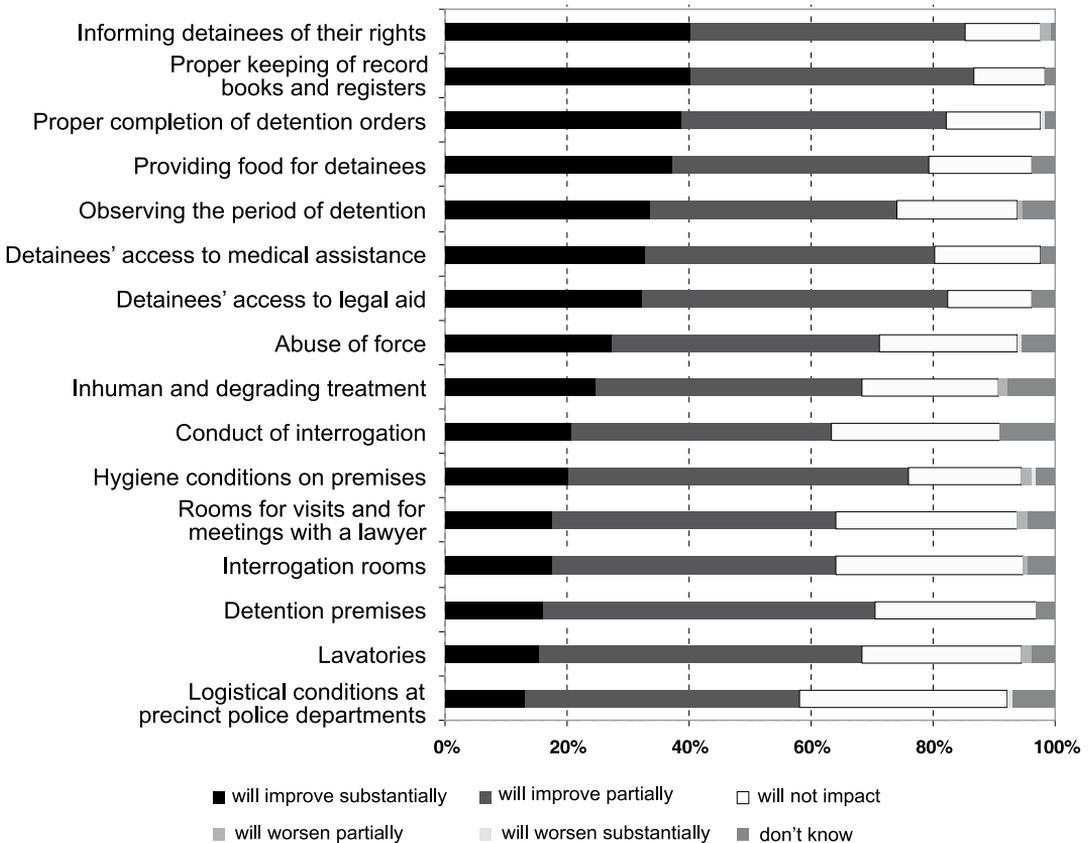
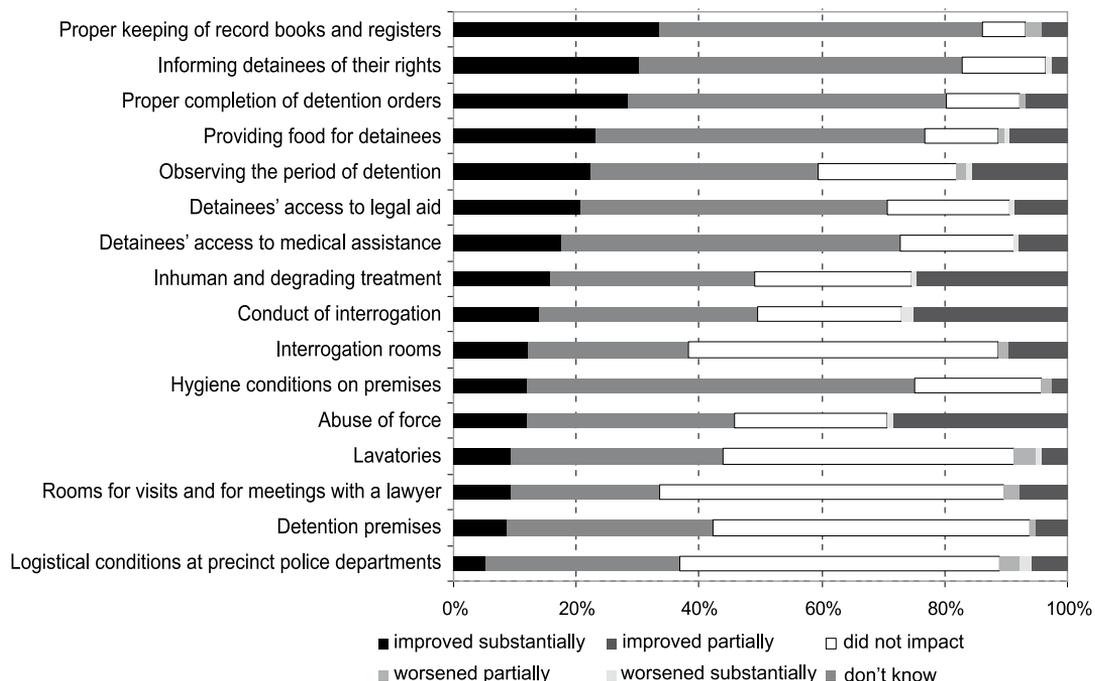


Fig. 33. Impact of independent custody visiting on police detention – according to the independent custody visitors (%)



At the start of the project, the police officers' assessments of the effect of the independent custody visiting on police detention differed substantially from the independent custody visitors' assessments not only in terms of the extent of positive assessment but also in their structure. On the one hand, the police officers were not that positive and most of them expected that the independent custody visiting would not change anything. On the other hand, they expected the independent custody visiting to have an impact above all on the physical assets, the hygiene conditions and the lavatories – the opposite to the independent custody visitors' notion. Moreover, the police officers expected a negative impact on the conduct of interrogations, on degrading treatment and on abuse of force and auxiliary means.⁸ In this respect, the second wave registered two very positive trends. On the one hand, the police officers' assessment was very positive and it could be argued that their negative expectations did not come true. On the other hand, the police officers' notion of the effect of the

⁸ "Auxiliary means" refers to handcuffs, straitjackets, rubber, plastic, assault and electric shock batons and devices; chemical substances approved by the Minister of Health; police dogs and horses; blank cartridges; rubber, plastic and stun cartridges; road-block applications; devices for forced entry of premises; diverting flash and sound devices; water cannon and air jet machines; armoured vehicles and helicopters (Ministry of Interior Act, Article 72 [2]).

independent custody visiting overlapped with the independent custody visitors' notion, which can be taken as a verification of the positive assessment of the effect of the independent custody visiting on police detention.

Fig. 34. Expected impact of independent custody visiting on police detention – according to the police officers, October 2007 (%)

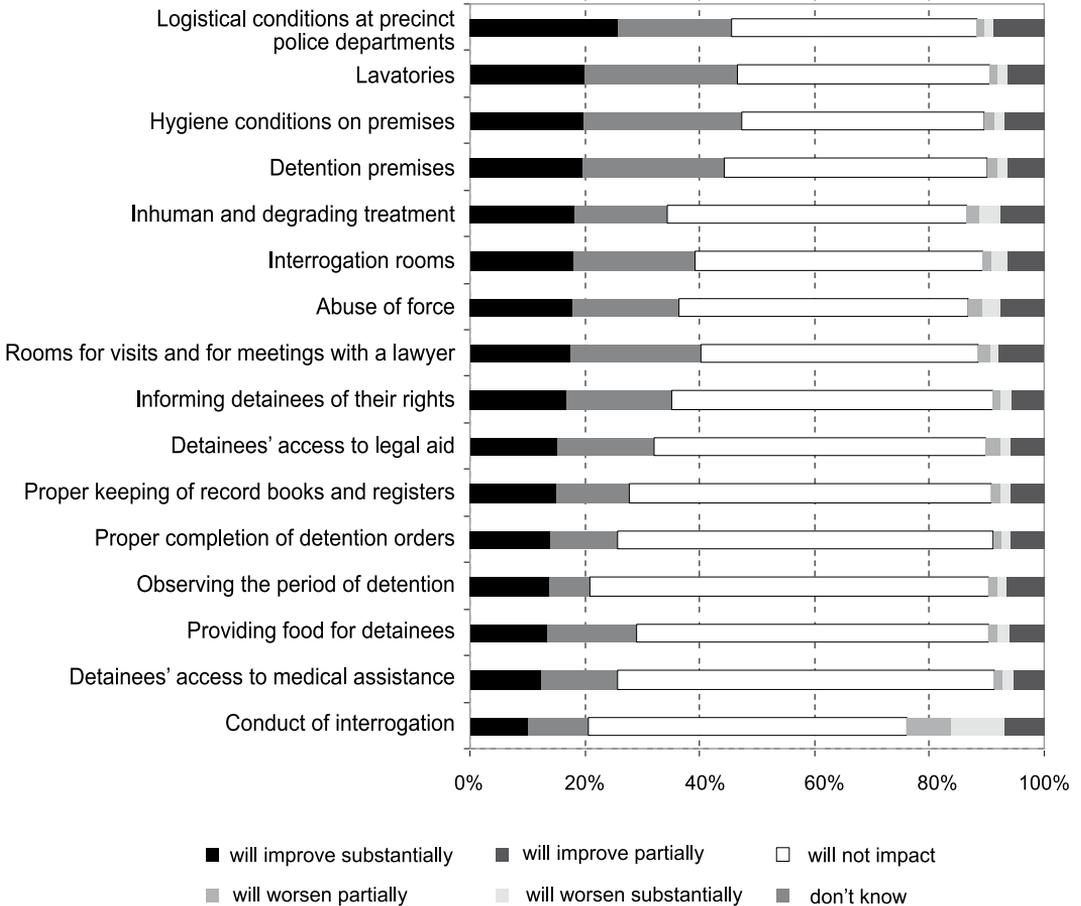
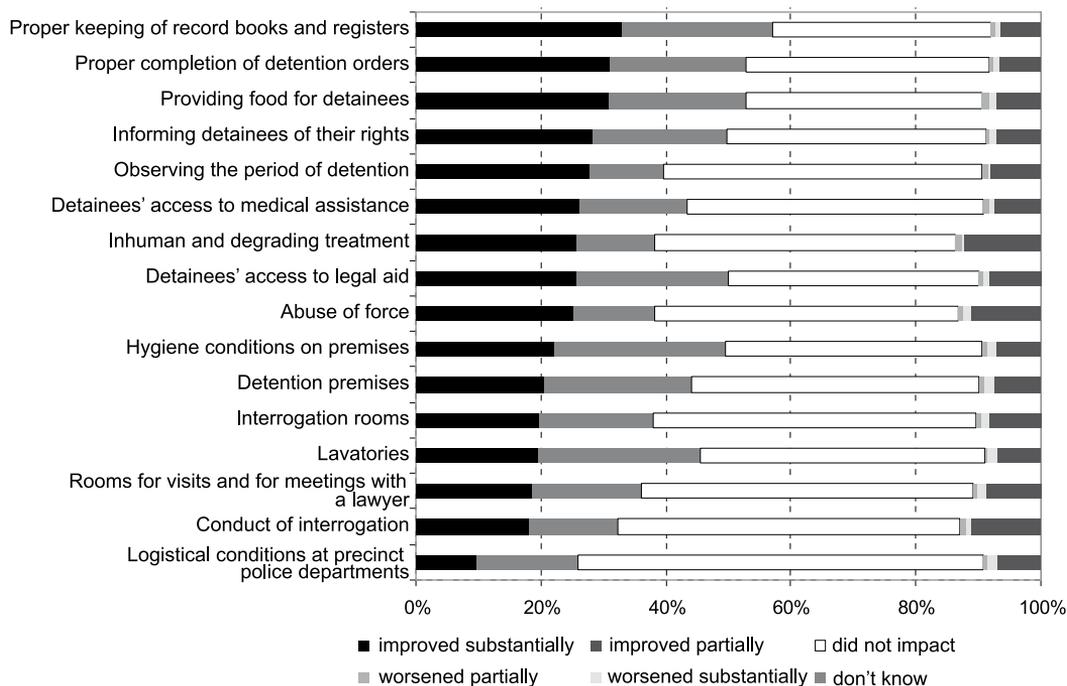


Fig. 35. Impact of independent custody visiting on police detention – according to the police officers, February 2008 (%)



5.3. Net effect of the independent custody visiting

The assessment of the net effect of the independent custody visiting was registered through the question, “To what extent has the independent custody visiting guaranteed...?” In both the first and the second wave of the survey, the independent custody visitors’ notion is that the implementation of the project guarantees above all accountability of police work and respect for detainees’ rights. The police officers’ assessment of the net effect of the independent custody visiting shows very a positive trend. In the first wave, this effect was associated above all with an improvement of the credibility and public image of the police. In the second wave, the police officers indicated that the independent custody visiting had the greatest positive effect on the transparency of police work, respect for detainees’ rights, and police accountability. The appearance of the notion among both the independent custody visitors and the police officers that the independent custody visiting will rather worsen physical assets is apparently surprising. The appearance of such an assessment can be attributed to the high levels of expectations that the independent custody visiting would improve physical assets at precinct police departments – an attitude that was registered at the start of the project.

Fig. 36. Independent custody visitors' assessments of the effect of independent custody visiting, October 2007 (%)



Fig. 37. Independent custody visitors' assessments of the effect of independent custody visiting, February 2008 (%)

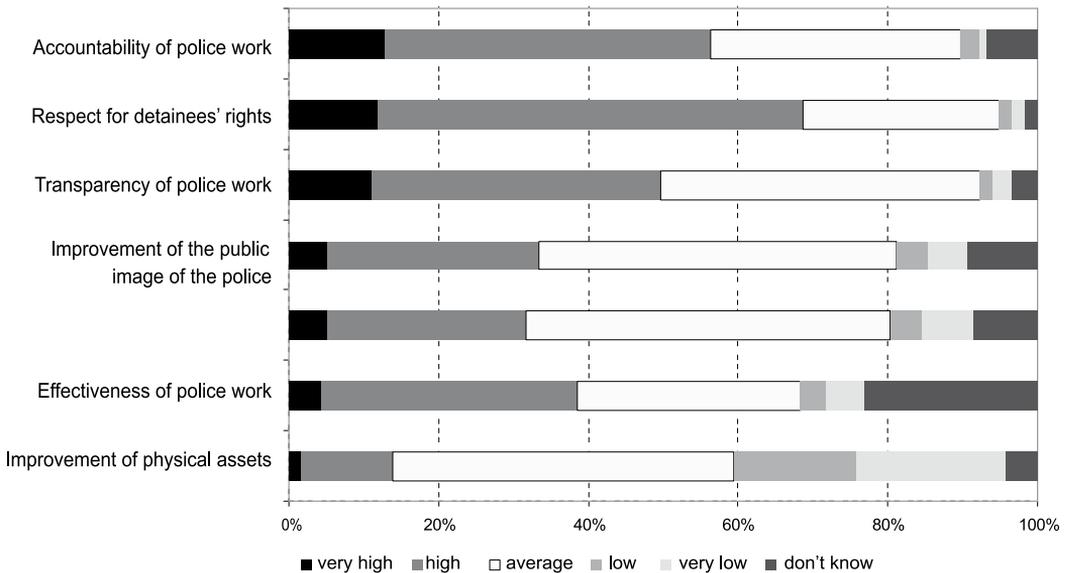


Fig. 38. Police officers' assessments of the effect of independent custody visiting, October 2007 (%)

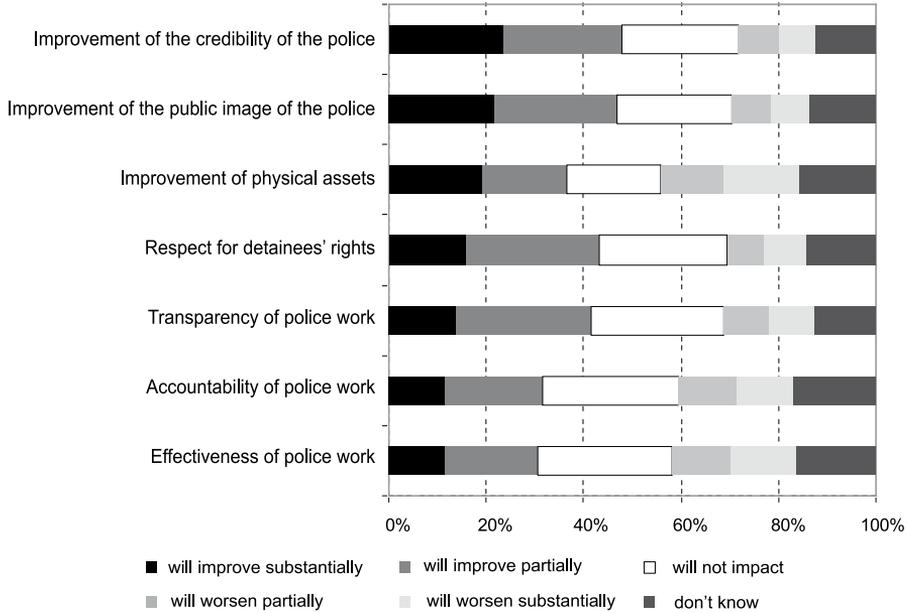
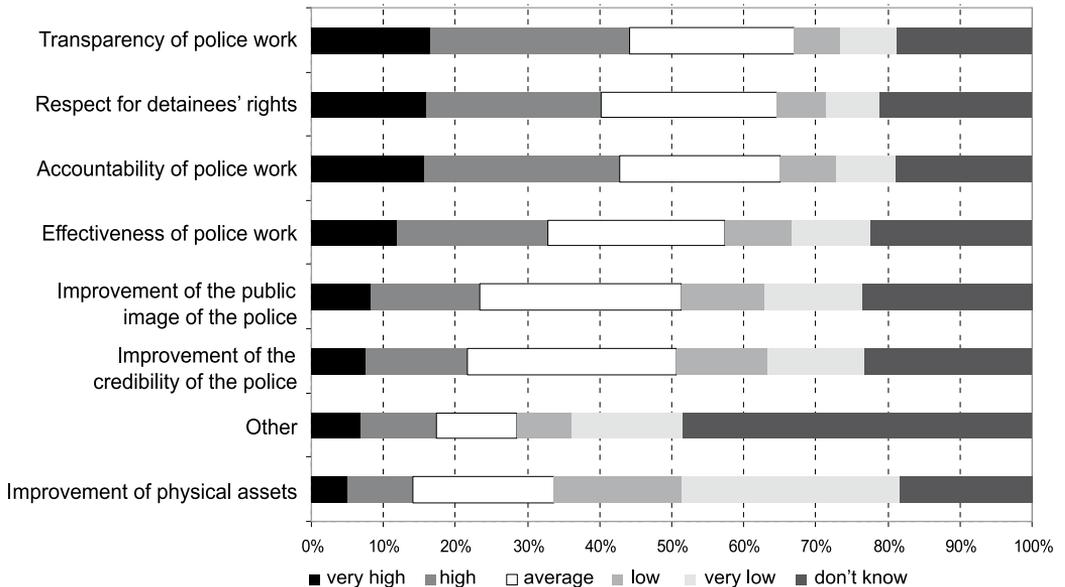


Fig. 39. Police officers' assessments of the effect of independent custody visiting, February 2007 (%)



Appendices to Part One

Appendix 1

CRITERIA/CHANGE FOUND	NO CHANGE	PARTIAL IMPROVEMENT	IMPROVEMENT	CHANGE IN PROGRESS
1. SEPARATE PREMISES FOR JUVENILES/WOMEN/MEN/ CONTAGIOUSLY ILL		X		
2. EXPRESSLY DESIGNATED SERVICE PREMISES		X		
3. FURNISHING OF DETENTION FACILITIES		X		
4. PHYSICAL CONDITION OF DETENTION FACILITIES		X		
5. POLICE OFFICERS' WORKING CONDITIONS	X			
6. HYGIENE			X	
7. INFORMING DETAINEES OF THEIR RIGHTS			X	
8. ACCESS TO LEGAL AID		X		
9. PROVIDING MEDICAL ASSISTANCE	X			
10. PROVIDING AN INTERPRETER	X			
11. PROVIDING FOOD FOR DETAINEES			X	
12. KEEPING THE DETENTION DOCUMENTATION			X	
13. TREATMENT OF DETAINEES BY POLICE OFFICERS			X	
14. COMPLAINTS ALLEGING ABUSE OF FORCE		X		

Statistics of visits conducted
in the June 2007 – August 2008 period⁹

	NUMBER OF VISITED PRECINCT POLICE DEPARTMENTS	TOTAL NUMBER OF VISITS	VISITS BETWEEN 7:00 AM AND 7:00 PM	VISITS BETWEEN 7:00 PM AND 7:00 AM	VISITS ON WEEKDAYS	VISITS ON WEEKENDS	DETAINEES INTERVIEWED
Varna	8	190	143	47	154	36	51
Burgas	16	254	204	50	191	63	29
Sofia	9	136	84	52	97	39	97
Plovdiv	6	139	79	60	29	110	40
Pleven	2	81	77	4	73	8	32
Total	41	800	587	213	544	256	249

⁹ A total of 191 visits were paid to precinct police departments in the City of Burgas, and 63 to precinct police departments in Burgas Region.

Record Book of Detainees
Content of main body

1	2	3	4	5	6	7	8	9	10	11	12
No.	Date and time of detention	Date and time of release of the detainee	Detention order No. and time of arrival of the detainee	Officer who detained the person	Forename, patronymic and surname of the detainee and Standard Public Registry Personal Number/identity document No. of the alien	Grounds for detention	Forename and surname of officer handling the person	Medical examinations conducted and time of performance	Name of doctor who conducted examination/hospital facility	Health status of the person upon release	Notes and signature of chief

1. No.
2. Date and time of detention
3. Date and time of release of the detainee
4. Detention order No. and time of arrival
5. Officer who detained the person
6. Forename, patronymic and surname of the detainee and Standard Public Registry Personal Number/identity document No. of the alien
7. Grounds for detention
8. Forename and surname of the officer handling the person
9. Medical examinations conducted and time of performance (to be completed by the medical practitioner)
10. Name of doctor who conducted examination/hospital facility (to be completed by the medical practitioner)
11. Health status of the person upon release
12. Remarks (signature of chief)

The record book is to be in the format of the existing Record Book of Detainees, i.e. two bodies.

Endorsed by:

CHIEF

..... PRECINCT POLICE DEPARTMENT-SPD

(.....)

SOFIA, 20.....

STATEMENT OF FOOD DISPENSED TO DETAINED MINORS

The undersigned received from Precinct Police Department, Sofia Police Directorate, Ministry of Interior, City of Sofia, one food package (for adults) at the value of BGN, each of which contains:

Breakfast: 1. croissant 1 pc. x BGN 0.31 = BGN 0.31
 2. mineral water 0.5 l x BGN 0.30
 3. bag 1 pc. x BGN 0.04

Lunch: 1. croissant 2 pcs. x BGN 0.31 = BGN 0.62
 2. mineral water 0.5 l x BGN 0.30
 3. bag 1 pc. x BGN 0.04
 4. Moreni wafer 1 pc. x BGN 0.38

Dinner: 1. croissant 2 pcs. x BGN 0.31 = BGN 0.62
 2. mineral water 0.5 l x BGN 0.28
 3. bag 1 pc. x BGN 0.02

Total BGN 4.02

Date	Detention order No.	Standard Public Registry Personal Number	Breakfast 8:30 am Delivered to Delivered by	Lunch 3:30 pm Delivered to Delivered by	Dinner 9:00 pm Delivered to Delivered by	Remark

Endorsed by:

CHIEF

..... PRECINCT POLICE DEPARTMENT-SPD

(.....)

SOFIA, 20.....

STATEMENT OF FOOD DISPENSED TO DETAINED ADULTS

The undersigned received from Precinct Police Department, Sofia Police Directorate, Ministry of Interior, City of Sofia, one food package (for adults) at the value of BGN, each of which contains:

Breakfast: 1. croissant 1 pc. x BGN 0.31 = BGN 0.31
 2. mineral water 0.5 l x BGN 0.30
 3. bag 1 pc. x BGN 0.04

Lunch: 1. croissant 2 pcs. x BGN 0.31 = BGN 0.62
 2. mineral water 0.5 l x BGN 0.30
 3. bag 1 pc. x BGN 0.04
 4. Moreni wafer 1 pc. x BGN 0.38

Dinner: 1. croissant 2 pcs. x BGN 0.31 = BGN 0.62
 2. mineral water 0.5 l x BGN 0.28
 3. bag 1 pc. x BGN 0.02

Total BGN 4.02

Date	Detention order No.	Standard Public Registry Personal Number	Breakfast 8:30 am Delivered to Delivered by	Lunch 3:30 pm Delivered to Delivered by	Dinner 9:00 pm Delivered to Delivered by	Remark

Record Book on Taking Detainees out of Detention Facilities
renamed

Record Book on Removal of Detainees

Content of main body

No.	Detention order No.	Forename and surname of the removing/escorting police officer	Purpose and time of removal of the detainee	Date and time of return of the detainee	Meeting of the detainee with a lawyer	Need of interpreter

Appendices to Part Two

QUESTIONNAIRES

1. MINISTRY OF INTERIOR PERSONNEL'S ATTITUDES ABOUT POLICE WORK – Sofia, July 2007

1. How must the police treat members of the public?

(Please select up to three options that come closest to your opinion)

1. Must assist crime victims
2. Must be incorruptible
3. Must deter offenders
4. Must give people a sense of security
5. Must help members of the public in the protection of their rights
6. Must take care of at-risk social groups
7. Must enforce order
8. Must guarantee the rule of law
9. Other (please specify).....

2. What must be the key priority of the police?

(Please mark one)

1. Fight against organised crime
2. Detection of serious personal offences
3. Improvement of security for members of the public
4. Traffic safety
5. Detection of property offences
6. Protection of public order
7. Protection of civil rights
8. Other (please specify)

3. What must be expected from the police?

(Please select up to three options that come closest to your opinion)

1. To detect a larger number of criminal offences
2. To apply more preventive measures
3. To project a physical presence in public places
4. To fight organised crime
5. To improve the reception of, and the handling of complaints from, members of the public
6. To get more actively involved in settling domestic rows
7. To respond promptly to calls about criminal offences
8. To ensure traffic safety
9. To protect civil rights
10. Other (please specify)

4. What changes must be made in order to improve police work?

(Please select up to three options that come closest to your opinion)

1. Enhancement of the role of area police inspectors
2. More uniformed police officers in public places
3. Improvement of reception for members of the public
4. Establishment of partnership between the police, local government and the community
5. Public approval should be decisive in police officers' pay and promotion
6. Studying people's needs of police services
7. Setting police priorities according to public expectations
8. Improvement of physical assets in the police
9. Increase of police officers' pay
10. Upgrading of police officers' professional qualifications
11. Other (please specify).....

5. In your opinion, what is the determining factor of the attitude of members of the public about the police?

(Please select up to three options that come closest to your opinion)

1. Police officers's outer appearance
2. Culture of communication with members of the public
3. Empathy with people's problems
4. Integrity and incorruptibility
5. Speed of assistance
6. Professionalism of assistance
7. Effectiveness of assistance
8. Other (please specify).....

6. Do you have any direct experience with the forms of co-operation with the police listed below?

(Please mark an option for each row)

1. YES 2. NO

6.1. Citizens' voluntary associations for assistance to the police	1	2
6.2. Local vigilante organisations	1	2
6.3. Neighbourhood watch	1	2
6.4. Local commissions for public order and security	1	2
6.5. Non-governmental organisations for crime victim assistance	1	2
6.6. Independent custody visitors at precinct police departments	1	2
6.7. Public councils for prevention of infringements at schools	1	2
6.8. Outreach organisations for at-risk population groups (women, ethnic minorities, drug addicts, elderly people and others)	1	2
6.9. Other (please specify).....	1	2

6a. If "YES", which of them are most useful for your work?

(Please select up to three options that come closest to your opinion)

1. Citizens' voluntary associations for assistance to the police
2. Local vigilante organisations
3. Neighbourhood watch
4. Local commissions for public order and security
5. Non-governmental organisations for crime victim assistance
6. Independent custody visitors at precinct police departments
7. Public councils for prevention of infringements at schools
8. Outreach organisations for at-risk population groups
9. Other form (please specify).....

6b. If “NO”, what are the main reasons for this?

(Please mark all that apply)

1. Lack of interest on the part of members of the public
2. Lack of an established legal procedure for such co-operation
3. Lack of an officer at precinct police departments who is responsible for work with members of the public and their organisations
4. The projects of non-governmental organisations impede the discharge of my direct duties
5. The projects of non-governmental organisations do not address real problems in the police
6. Other (please specify).....

7. To what extent can the presence of outsiders in the precinct police departments, who observe the activities there, impact the following elements of police work:

(Please mark an option for each row)

- | | | |
|-------------------------------|-----------------------------|--------------------|
| 1. will improve substantially | 2. will improve partially | 3. will not impact |
| 4. will worsen partially | 5. will worsen considerably | 6. don't know |

7.1. Police officers' outer appearance	1	2	3	4	5	6
7.2. Police officers' culture of communication with members of the public	1	2	3	4	5	6
7.3. Police officers' empathy with people's problems	1	2	3	4	5	6
7.4. Police officers' integrity and incorruptibility	1	2	3	4	5	6
7.5. Speed of assistance or intervention	1	2	3	4	5	6
7.6. Competence of assistance or intervention	1	2	3	4	5	6
7.7. Effectiveness of assistance or intervention	1	2	3	4	5	6
7.8. Protection of public order	1	2	3	4	5	6
7.9. Protection of fundamental civil rights	1	2	3	4	5	6
7.10. Other (please specify)	1	2	3	4	5	6

8. To what extent can the presence of outsiders in the precinct police departments, who observe the activities there, impact the following elements of police detention:

(Please mark an option for each row)

- | | | |
|-------------------------------|-----------------------------|--------------------|
| 1. will improve substantially | 2. will improve partially | 3. will not impact |
| 4. will worsen partially | 5. will worsen considerably | 6. don't know |

8.1. Detainees' access to legal aid	1	2	3	4	5	6
8.2. Detainees' access to medical assistance	1	2	3	4	5	6
8.3. Abuse of force and auxiliary means	1	2	3	4	5	6
8.4. Inhuman and degrading treatment	1	2	3	4	5	6
8.5. Informing detainees of their rights	1	2	3	4	5	6
8.6. Conduct of interrogation	1	2	3	4	5	6
8.7. Observing the period of detention	1	2	3	4	5	6
8.8. Providing food for detainees	1	2	3	4	5	6
8.9. Interrogation rooms	1	2	3	4	5	6
8.10. Rooms for visits and for meetings with a lawyer	1	2	3	4	5	6
8.11. Lavatories	1	2	3	4	5	6
8.12. Detention premises	1	2	3	4	5	6
8.13. Proper completion of detention orders	1	2	3	4	5	6
8.14. Proper keeping of record books and registers	1	2	3	4	5	6
8.15. Hygiene conditions on premises	1	2	3	4	5	6
8.16. Logistical conditions at precinct police departments	1	2	3	4	5	6

9. To what extent could the presence of outsiders in the precinct police departments, who observe the activities there, guarantee:

(Please mark an option for each row)

1. very high 2. high 3. average 4. low 5. very low 6. don't know

9.1. Respect for detainees' rights	1	2	3	4	5	6
9.2. Transparency of police work upon detention	1	2	3	4	5	6
9.3. Accountability of police work	1	2	3	4	5	6
9.4. Effectiveness of police work	1	2	3	4	5	6
9.5. Improvement of physical assets at precinct police departments	1	2	3	4	5	6
9.6. Improvement of the public image of the police	1	2	3	4	5	6
9.7. Improvement of the public credibility of the police	1	2	3	4	5	6
9.8. Other.....	1	2	3	4	5	6

10. How do you assess the willingness of members of the public to report breaches of public order

1. Strongly willing
2. Rather willing
3. Neither willing nor unwilling
4. Rather unwilling
5. Strongly unwilling
6. Don't know

11. How do you assess the willingness of members of the public to report the perpetration of criminal offences

1. Strongly willing
2. Rather willing
3. Neither willing nor unwilling
4. Rather unwilling
5. Strongly unwilling
6. Don't know

12. How do you assess the willingness of members of the public to co-operate by testifying

1. Strongly willing
2. Rather willing
3. Neither willing nor unwilling
4. Rather unwilling
5. Strongly unwilling
6. Don't know

13. Who is responsible for: *(Please mark an option for each row)*

1. people themselves 2. uniformed police officers 3. the respective chiefs at the precinct police departments 4. the respective specialised units within the Ministry of Interior system

13.1. Respect for detainees' rights	1	2	3	4
13.2. Transparency of police work upon detention	1	2	3	4
13.3. Accountability of police work	1	2	3	4
13.4. Effectiveness of police work	1	2	3	4
13.5. Improvement of physical assets at precinct police departments	1	2	3	4
13.6. Improvement of the public image of the police	1	2	3	4
13.7. Improvement of the public credibility of the police	1	2	3	4

14. To what extent does your personal participation ensure:

(Please mark an option for each row)

1. very high 2. high 3. average 4. low 5. very low 6. it doesn't depend on me

14.1. Respect for detainees' rights	1	2	3	4	5	6
14.2. Transparency of police work upon detention	1	2	3	4	5	6
14.3. Accountability of police work	1	2	3	4	5	6
14.4. Effectiveness of police work	1	2	3	4	5	6
14.5. Improvement of physical assets at precinct police departments	1	2	3	4	5	6
14.6. Improvement of the public image of the police	1	2	3	4	5	6
14.7. Improvement of the public credibility of the police	1	2	3	4	5	6
14.8. Other.....	1	2	3	4	5	6

15. Have you made any suggestions and recommendations for improvement of the police detention procedure in connection with:

(Please mark an option for each row)

1. YES 2. NO

15.1. Respect for detainees' rights	1	2
15.2. Transparency of police work upon detention	1	2
15.3. Accountability of police work	1	2
15.4. Effectiveness of police work	1	2
15.5. Improvement of physical assets at precinct police departments	1	2
15.6. Improvement of the public image of the police	1	2
15.7. Improvement of the public credibility of the police	1	2
15.8. Other.....	1	2

16. How would you describe the relationship between members of the public and the police if

you have to choose from among the following categories: *(please mark an option by an "X" on the scale for each row)*

Respect	..... 0	Disrespect
Security	..... 0	Insecurity
Co-operation	..... 0	Conflict
Confidence	..... 0	Fear
Trust	..... 0	Mistrust
Competence	..... 0	Incompetence
Effectiveness	..... 0	Ineffectiveness
Transparency	..... 0	Non-transparency
Accountability	..... 0	Unaccountability
Responsiveness	..... 0	Unresponsiveness
Courteousness	..... 0	Rudeness
Concern	..... 0	Indifference
Liking	..... 0	Hate

17. Please state your gender

1. Male
2. Female

18. Please state your age (*years completed*)**19. Please state your ethnic group**

1. Bulgarian
2. Roma
3. Turkish
4. Other (please specify).....

20. Please state your education (*last level completed*)

1. Higher – doctor
2. Higher – master
3. Higher – bachelor
4. Higher unfinished
5. Junior college
6. Secondary
7. Secondary unfinished
8. Basic
9. Lower than basic

21. Please state your grade

1. Grade A: chief commissioner
2. Grade B: commissioner
3. Grade C: chief inspector
4. Grade D: inspector
5. Grade E: chief police officer
6. Grade F: police officer

22. Please state your position**23. Please state the total length of your employment service**

(*in years*)

24. Please state the length of your employment service in the Ministry of Interior system

(*in years*)

25. Residence

1. Sofia
2. Regional capital
3. City (other than regional capital)
4. Village

2. SOCIAL ATTITUDES ABOUT POLICE WORK – Sofia, July 2007

1. What was your initial source of information about the “Independent Custody Visiting in Police Detention Facilities” Project?

(Please mark all that apply)

1. a national daily
2. a regional daily
3. TV show
4. Internet portal
5. the Open Society Institute – Sofia Internet site
6. the Ministry of Interior Internet site
7. a print publication of the Open Society Institute – Sofia
8. a colleague
9. a friend
10. a relative
11. another source (please specify).....

2. Why did you decide to join as an independent custody visitor?

(Please select up to three options that come closest to your opinion)

1. I will gain practical experience in the non-governmental sector
2. I will gain practical experience as a researcher
3. I will gain experience in the field of law
4. I am curious to see police work up close
5. I will establish interesting social contacts
6. I will establish useful social contacts
7. I want to assist in the maintenance of public order
8. I want to assist in the fight against crime
9. I want to assist in protection of human rights
10. I want to satisfy myself that police work is transparent
11. I want to satisfy myself that police work is accountable
12. I want to satisfy myself that police work is professional
13. Other.....

3. Have you participated in other initiatives of non-governmental organisations?

1. Yes
2. No

3a) If “Yes”, what initiatives:

(please elaborate)

4. What is your perception of police work?

(Please mark only one)

1. As a service paid for by taxpayers’ money
2. As an unavoidable evil
3. As a fundamental right
4. As a means to fight crime
5. As a means to protect public order
6. As a means to defend the law
7. Other (please specify).....

5. Do you approve of police performance at this point?

(Please mark only one)

1. I strongly approve
2. I rather approve
3. I rather disapprove
4. I strongly disapprove

5a) If you rather or strongly APPROVE, why?

(Please mark only one)

1. Because they solve a large proportion of criminal offences
2. Because they promptly respond to calls
3. Because they always respond to calls
4. Because police officers are courteous and responsive
5. Other (please specify).....

5b) If you rather or strongly DISAPPROVE, why?

(Please mark only one)

1. Because they solve a small proportion of criminal offences
2. Because they do not respond to calls promptly
3. Because they do not always respond to calls
4. Because police officers are rude and unresponsive
5. Other (please specify)

6. How do you expect the police to treat members of the public?

(Please select up to three options that come closest to your opinion)

1. To assist crime victims
2. To be incorruptible
3. To deter offenders
4. To give people a sense of security
5. To assist members of the public in the protection of their rights
6. To take care of at-risk social groups
7. To enforce order
8. To guarantee the rule of law
9. Other (please specify).....

7. What do you expect from the police?

(Please select up to three options that come closest to your opinion)

1. To detect a larger number of criminal offences
2. To apply more preventive measures
3. To project a physical presence in public places
4. To fight organised crime
5. To improve the reception of, and the handling of complaints from, members of the public
6. To get more actively involved in settling domestic rows
7. To respond promptly to calls about criminal offences
8. To ensure traffic safety
9. To protect civil rights
10. Other (please specify)

8. What must be the key priority of the police?

(Please mark only one)

1. Fight against organised crime
2. Detection of serious personal offences (homicide, rape, bodily injury)
3. Improvement of security for members of the public
4. Traffic safety
5. Detection of property offences (theft, robbery, fraud)
6. Protection of public order
7. Protection of civil rights
8. Other (please specify)

9. What changes must be made in order to improve police work?

(Please select up to three options that come closest to your opinion)

1. Enhancement of the role of area police inspectors
2. More uniformed police officers in public places
3. Improvement of reception for members of the public
4. Establishment of partnership between the police, local government and the community
5. Public approval should be decisive in police officers' pay and promotion
6. Studying people's needs of police services
7. Setting police priorities according to public expectations
8. Improvement of physical assets in the police
9. Increase of police officers' pay
10. Upgrading of police officers' professional qualifications
11. Other (please specify).....

10. If you witness a criminal offence, would you report it?

(Please mark only one)

1. Definitely yes
2. Rather yes
3. Rather not
4. Definitely not
5. Don't know

11. If you witness a criminal offence, would you testify before the police?

(Please mark only one)

1. Definitely yes
2. Rather yes
3. Rather not
4. Definitely not
5. Don't know

12. If you witness a criminal offence, would you testify in court?

(Please mark only one)

1. Definitely yes
2. Rather yes
3. Rather not
4. Definitely not
5. Don't know

13. Which of the forms of co-operation listed below would you join?

(Please mark all that apply)

1. Citizens' voluntary associations for assistance to the police
2. Local vigilante organisations
3. Neighbourhood watch
4. Local commissions for public order and security
5. Non-governmental organisations for crime victim assistance
6. Independent custody visitors at precinct police departments
7. Public councils for prevention of infringements at schools
8. Outreach organisations for at-risk population groups (women, ethnic minorities, drug addicts, elderly people and others)
9. I would not join any form
10. Other form (please specify).....

14. What sources help you form your opinion about the police?

(Please select up to three options that come closest to your opinion)

1. Personal contacts with police officers
2. Observing police officers' behaviour
3. Information from friends and relatives
4. Information from local newspapers, radio and television
5. Information from national newspapers, radio and television
6. Information reported by the police
7. Other (please specify).....

15. Which most strongly determines your attitude about police officers?

(Please select up to three options that come closest to your opinion)

1. Their outer appearance
2. Their culture of communication with members of the public
3. Their empathy with people's problems
4. Their integrity and incorruptibility
5. The speed of their assistance or intervention
6. The competence of their assistance or intervention
7. The effectiveness of their assistance or intervention
8. Other (please specify)

16. To what extent can the independent custody visiting impact the following elements of police work: *(Please mark an option for each row)*

1. will improve substantially 2. will improve partially 3. will not impact
 4. will worsen partially 5. will worsen considerably 6. don't know

16.1. Police officers' outer appearance	1	2	3	4	5	6
16.2. Police officers' culture of communication with members of the public	1	2	3	4	5	6
16.3. Police officers' empathy with people's problems	1	2	3	4	5	6
16.4. Police officers' integrity and incorruptibility	1	2	3	4	5	6
16.5. Speed of assistance or intervention	1	2	3	4	5	6
16.6. Competence of police officers' assistance or intervention	1	2	3	4	5	6
16.7. Effectiveness of assistance or intervention	1	2	3	4	5	6
16.8. Protection of public order	1	2	3	4	5	6
16.9. Protection of fundamental civil rights	1	2	3	4	5	6
16.10. Other (please specify)	1	2	3	4	5	6

17. To what extent can the independent custody visiting impact the following elements of police detention: *(Please mark an option for each row)*

1. will improve substantially 2. will improve partially 3. will not impact
 4. will worsen partially 5. will worsen considerably 6. don't know

17.1. Detainees' access to legal aid	1	2	3	4	5	6
17.2. Detainees' access to medical assistance	1	2	3	4	5	6
17.3. Abuse of force and auxiliary means	1	2	3	4	5	6
17.4. Inhuman and degrading treatment	1	2	3	4	5	6
17.5. Informing detainees of their rights	1	2	3	4	5	6
17.6. Conduct of interrogation	1	2	3	4	5	6
17.7. Observing the period of detention	1	2	3	4	5	6
17.8. Providing food for detainees	1	2	3	4	5	6
17.9. Interrogation rooms	1	2	3	4	5	6
17.10. Rooms for visits and for meetings with a lawyer	1	2	3	4	5	6
17.11. Lavatories	1	2	3	4	5	6
17.12. Detention premises	1	2	3	4	5	6
17.13. Proper completion of detention orders	1	2	3	4	5	6
17.14. Proper keeping of record books and registers	1	2	3	4	5	6
17.15. Hygiene conditions on premises	1	2	3	4	5	6
17.16. Logistical conditions at precinct police departments	1	2	3	4	5	6

18. To what extent does the independent custody visiting guarantee:

(Please mark an option for each row)

1. very high 2. high 3. average 4. low 5. very low 6. don't know

18.1. Respect for detainees' rights	1	2	3	4	5	6
18.2. Transparency of police work upon detention	1	2	3	4	5	6
18.3. Accountability of police work	1	2	3	4	5	6
18.4. Effectiveness of police work	1	2	3	4	5	6
18.5. Improvement of physical assets at precinct police departments	1	2	3	4	5	6
18.6. Improvement of the public image of the police	1	2	3	4	5	6
18.7. Improvement of the public credibility of the police	1	2	3	4	5	6
18.7. Other.....	1	2	3	4	5	6

19. Who is responsible for: *(Please mark an option for each row)*

1. people themselves 2. uniformed police officers
 3. the respective chiefs at precinct police departments
 4. the respective specialised units within the Ministry of Interior system

19.1. Respect for detainees' rights	1	2	3	4
19.2. Transparency of police work upon detention	1	2	3	4
19.3. Accountability of police work	1	2	3	4
19.4. Effectiveness of police work	1	2	3	4
19.5. Improvement of physical assets at precinct police departments	1	2	3	4
19.6. Improvement of the public image of the police	1	2	3	4
19.7. Improvement of the public credibility of the police	1	2	3	4

20. How would you describe the relationship between members of the public and the police if you have to choose from among the following categories: *(Please mark an option by an "X" on the scale for each row)*

Respect	..... 0	Disrespect
Security	..... 0	Insecurity
Co-operation	..... 0	Conflict
Confidence	..... 0	Fear
Trust	..... 0	Mistrust
Competence	..... 0	Incompetence
Effectiveness	..... 0	Ineffectiveness
Transparency	..... 0	Non-transparency
Accountability	..... 0	Unaccountability
Responsiveness	..... 0	Unresponsiveness
Courteousness	..... 0	Rudeness
Concern	..... 0	Indifference
Liking	..... 0	Hate

20. Please state your gender

- 1 Male
- 2 Female

21. Please state your age *(years completed)*

22. Please state your ethnic group

- 1 Bulgarian
- 2 Roma
- 3 Turkish
- 4 Other (please specify).....

23. Please state your education *(last level completed)*

- 1 Higher – doctor
- 2 Higher – master
- 3 Higher – bachelor
- 4 Higher unfinished
- 5 Junior college
- 6 Secondary
- 7 Secondary unfinished
- 8 Basic
- 9 Lower than basic

23a. (applicable to junior college graduates and holders of higher education) Please state the specialty (specialties) you have attained:

24. Please specify your social group: (you may mark more than one!)

- 1 Full-time employee
- 2 Part-time employee
- 3 Student
- 4 Pupil
- 5 Housewife
- 6 Short-term unemployed (less than six months)
- 7 Unemployed for six months and longer
- 8 Pensioner
- 9 Other (please specify).....

25. (applicable to employed respondents!) What is your occupational status?

- 1 Worker (unskilled manual work)
- 2 Skilled worker
- 3 Agricultural labourer (fisherman)
- 4 Office worker: expert with higher education
- 5 Office worker: with secondary and lower education
- 6 Director/Manager
- 7 Owner of company without hired personnel (sole trader, craftsman)
- 8 Owner of company with hired personnel
- 9 Liberal profession/Freelancer with higher education
- 10 Other (please specify).....

26. Residence

- 1. Sofia
- 2. Regional capital
- 3. City (other than regional capital)
- 4. Village

3. MINISTRY OF INTERIOR PERSONNEL'S ATTITUDES ABOUT POLICE WORK –***Sofia, January 2008*****1. How must the police treat members of the public?***(Please select up to three options that come closest to your opinion)*

1. Must assist crime victims
2. Must be incorruptible
3. Must deter offenders
4. Must give people a sense of security
5. Must help members of the public in the protection of their rights
6. Must take care of at-risk social groups
7. Must enforce order
8. Must guarantee the rule of law
9. Other (please specify).....

2. What must be the key priority of the police?*(Please mark only one)*

1. Fight against organised crime
2. Detection of serious personal offences
3. Improvement of security for members of the public
4. Traffic safety
5. Detection of property offences
6. Protection of public order
7. Protection of civil rights
8. Other (please specify)

3. What must be expected from the police?*(Please select up to three options that come closest to your opinion)*

1. To detect a larger number of criminal offences
2. To apply more preventive measures
3. To project a physical presence in public places
4. To fight organised crime
5. To improve the reception of, and the handling of complaints from, members of the public
6. To get more actively involved in settling domestic rows
7. To respond promptly to calls about criminal offences
8. To ensure traffic safety
9. To protect civil rights
10. Other (please specify)

4. What changes must be made in order to improve police work?*(Please select up to three options that come closest to your opinion)*

1. Enhancement of the role of area police inspectors
2. More uniformed police officers in public places
3. Improvement of reception for members of the public
4. Establishment of partnership between the police, local government and the community
5. Public approval should be decisive in police officers' pay and promotion
6. Studying people's needs of police services
7. Setting police priorities according to public expectations
8. Improvement of physical assets in the police
9. Increase of police officers' pay
10. Upgrading of police officers' professional qualifications
11. Other (please specify).....

5. In your opinion, what is the determining factor of the attitude of members of the public about the police?

(Please select up to three options that come closest to your opinion)

1. Police officers’s outer appearance
2. Culture of communication with members of the public
3. Empathy with people’s problems
4. Integrity and incorruptibility
5. Speed of assistance
6. Professionalism of assistance
7. Effectiveness of assistance
8. Other (please specify).....

6. Do you have any direct experience with the forms of co-operation with the police listed below?

(Please mark an option for each row)

- 1. YES 2. NO**

6.1. Citizens’ voluntary associations for assistance to the police	1	2
6.2. Local vigilante organisations	1	2
6.3. Neighbourhood watch	1	2
6.4. Local commissions for public order and security	1	2
6.5. Non-governmental organisations for crime victim assistance	1	2
6.6. Independent custody visitors at precinct police departments	1	2
6.7. Public councils for prevention of infringements at schools	1	2
6.8. Outreach organisations for at-risk population groups (women, ethnic minorities, drug addicts, elderly people and others)	1	2
6.9. Other (please specify).....	1	2

6a. If “YES”, which of them are most useful for your work?

(Please select up to three options that come closest to your opinion)

1. Citizens’ voluntary associations for assistance to the police
2. Local vigilante organisations
3. Neighbourhood watch
4. Local commissions for public order and security
5. Non-governmental organisations for crime victim assistance
6. Independent custody visitors at precinct police departments
7. Public councils for prevention of infringements at schools
8. Outreach organisations for at-risk population groups
9. Other form (please specify).....

6b. If “NO”, what are the main reasons for this?

(Please mark all that apply)

1. Lack of interest on the part of members of the public
2. Lack of an established legal procedure for such co-operation
3. Lack of an officer at precinct police departments who is responsible for work with members of the public and their organisations
4. The projects of non-governmental organisations impede the discharge of my direct duties
5. The projects of non-governmental organisations do not address real problems in the police
6. Other (please specify).....

7.a. Do you know that the “Independent Custody Visiting” initiative took place at your precinct police department?

1. YES (please answer questions 7-9) 2. NO (please proceed to question 10)

7. If YES, to what extent has the independent custody visiting impacted the following elements of police work:

(Please mark an option for each row)

1. improved substantially 2. improved partially 3. did not impact
 4. worsened partially 5. worsened substantially 6. don't know

7.1. Police officers' outer appearance	1	2	3	4	5	6
7.2. Police officers' culture of communication with members of the public	1	2	3	4	5	6
7.3. Police officers' empathy with people's problems	1	2	3	4	5	6
7.4. Police officers' integrity and incorruptibility	1	2	3	4	5	6
7.5. Speed of assistance or intervention	1	2	3	4	5	6
7.6. Competence of assistance or intervention	1	2	3	4	5	6
7.7. Effectiveness of assistance or intervention	1	2	3	4	5	6
7.8. Protection of public order	1	2	3	4	5	6
7.9. Protection of fundamental civil rights	1	2	3	4	5	6
7.10. Other (please specify)	1	2	3	4	5	6

8. To what extent has the independent custody visiting impacted the following elements of police detention:

(Please mark an option for each row)

1. improved substantially 2. improved partially 3. did not impact
 4. worsened partially 5. worsened considerably 6. don't know

8.1. Detainees' access to legal aid	1	2	3	4	5	6
8.2. Detainees' access to medical assistance	1	2	3	4	5	6
8.3. Abuse of force and auxiliary means	1	2	3	4	5	6
8.4. Inhuman and degrading treatment	1	2	3	4	5	6
8.5. Informing detainees of their rights	1	2	3	4	5	6
8.6. Conduct of interrogation	1	2	3	4	5	6
8.7. Observing the period of detention	1	2	3	4	5	6
8.8. Providing food for detainees	1	2	3	4	5	6
8.9. Interrogation rooms	1	2	3	4	5	6
8.10. Rooms for visits and for meetings with a lawyer	1	2	3	4	5	6
8.11. Lavatories	1	2	3	4	5	6
8.12. Detention premises	1	2	3	4	5	6
8.13. Proper completion of detention orders	1	2	3	4	5	6
8.14. Proper keeping of record books and registers	1	2	3	4	5	6
8.15. Hygiene conditions on premises	1	2	3	4	5	6
8.16. Logistical conditions at precinct police departments	1	2	3	4	5	6

9. To what extent has the presence of independent custody visitors in precinct police departments during the last six months succeeded in guaranteeing:

(Please mark an option for each row)

1. very high 2. high 3. average 4. low 5. very low 6. don't know

9.1. Respect for detainees' rights	1	2	3	4	5	6
9.2. Transparency of police work upon detention	1	2	3	4	5	6
9.3. Accountability of police work	1	2	3	4	5	6
9.4. Effectiveness of police work	1	2	3	4	5	6
9.5. Improvement of physical assets at precinct police departments	1	2	3	4	5	6
9.6. Improvement of the public image of the police	1	2	3	4	5	6
9.7. Improvement of the public credibility of the police	1	2	3	4	5	6
9.8. Other.....	1	2	3	4	5	6

10. How do you assess the willingness of members of the public to report breaches of public order

1. Strongly willing
2. Rather willing
3. Neither willing nor unwilling
4. Rather unwilling
5. Strongly unwilling
6. Don't know

11. How do you assess the willingness of members of the public to report the perpetration of criminal offences

1. Strongly willing
2. Rather willing
3. Neither willing nor unwilling
4. Rather unwilling
5. Strongly unwilling
6. Don't know

12. How do you assess the willingness of members of the public to co-operate by testifying

1. Strongly willing
2. Rather willing
3. Neither willing nor unwilling
4. Rather unwilling
5. Strongly unwilling
6. Don't know

13. Who is responsible for: *(Please mark an option for each row)*

1. people themselves 2. uniformed police officers 3. the respective chiefs at precinct police departments 4. the respective specialised units within the Ministry of Interior system

13.1. Respect for detainees' rights	1	2	3	4
13.2. Transparency of police work upon detention	1	2	3	4
13.3. Accountability of police work	1	2	3	4
13.4. Effectiveness of police work	1	2	3	4
13.5. Improvement of physical assets at the precinct police departments	1	2	3	4
13.6. Improvement of the public image of the police	1	2	3	4
14.7. Improvement of the public credibility of the police	1	2	3	4

14. To what extent does your personal participation ensure:

(Please mark an option for each row)

1. very high 2. high 3. average 4. low 5. very low 6. it doesn't depend on me

14.1. Respect for detainees' rights	1	2	3	4	5	6
14.2. Transparency of police work upon detention	1	2	3	4	5	6
14.3. Accountability of police work	1	2	3	4	5	6
14.4. Effectiveness of police work	1	2	3	4	5	6
14.5. Improvement of physical assets at precinct police departments	1	2	3	4	5	6
14.6. Improvement of the public image of the police	1	2	3	4	5	6
14.7. Improvement of the public credibility of the police	1	2	3	4	5	6
14.8. Other.....	1	2	3	4	5	6

15. Have you made any suggestions and recommendations for improvement of the police detention procedure in connection with:

(Please mark an option for each row)

1. YES 2. NO

15.1. Respect for detainees' rights	1	2
15.2. Transparency of police work upon detention	1	2
15.3. Accountability of police work	1	2
15.4. Effectiveness of police work	1	2
15.5. Improvement of physical assets at precinct police departments	1	2
15.6. Improvement of the public image of the police	1	2
15.7. Improvement of the public credibility of the police	1	2
15.8. Other.....	1	2

16. How would you describe the relationship between members of the public and the police if you have to choose from among the following categories:

Imagine the scale as a thermometer, with above-zero temperatures to the left and below-zero temperatures to the right. Please mark only one option by an "X" on the scale for each row!

Respect	..... 0	Disrespect
Security	..... 0	Insecurity
Co-operation	..... 0	Conflict
Confidence	..... 0	Fear
Trust	..... 0	Mistrust
Competence	..... 0	Incompetence
Effectiveness	..... 0	Ineffectiveness
Transparency	..... 0	Non-transparency
Accountability	..... 0	Unaccountability
Responsiveness	..... 0	Unresponsiveness
Courteousness	..... 0	Rudeness
Concern	..... 0	Indifference
Liking	..... 0	Hate

17. Please state your gender

- 1. Male
- 2. Female

18. Please state your age (years completed)

19. Please state your ethnic group

- 1. Bulgarian
- 2. Roma
- 3. Turkish
- 4. Other (please specify).....

20. Please state your education (last level completed)

- 1. Higher – doctor
- 2. Higher – master
- 3. Higher – bachelor
- 4. Higher unfinished
- 5. Junior college
- 6. Secondary
- 7. Secondary unfinished
- 8. Basic
- 9. Lower than basic

21. Please state your grade

- 1. Grade A: chief commissioner
- 2. Grade B: commissioner
- 3. Grade C: chief inspector
- 4. Grade D: inspector
- 5. Grade E: chief police officer
- 6. Grade F: police officer

22. Please state your position

23. Please state the total length of your employment service (in years)

24. Please state the length of your employment service in the Ministry of Interior system (in years)

25. Residence

- 1. Sofia
- 2. Regional capital
- 3. City (other than regional capital)
- 4. Village

4. SOCIAL ATTITUDES ABOUT POLICE WORK –**Sofia, January 2008****1. Are you satisfied with your participation as an independent custody visitor?***(Please mark only one)*

1. Definitely yes
2. Rather yes
3. Rather not
4. Definitely not
5. Don't know

2. What did you gain from your participation in the project?*(Please select up to three options that come closest to your opinion)*

1. I gained practical experience in the non-governmental sector
2. I gained practical experience as a researcher
3. I gained experience in the field of law
4. I saw police work up close
5. I established interesting social contacts
6. I established useful social contacts
7. I think I assisted in the maintenance of public order
8. I think I assisted in the fight against crime
9. I think I assisted in protection of human rights
10. I checked the transparency of police work
11. I checked the accountability of police work
12. I checked the professionalism of police work
13. Other (please specify)
14. I gained nothing

3. What did you lose by participating in the project?*(Please mark all that apply)*

1. I don't feel I have lost anything
2. I wasted too much time
3. I spent too much money of my own
4. I found the experience frustrating
5. Other (please specify)

4. What is your perception of police work?*(Please mark only one)*

1. As a service paid for by taxpayers' money
2. As an unavoidable evil
3. As a fundamental right
4. As a means to fight crime
5. As a means to protect public order
6. As a means to defend the law
7. Other (please specify).....

5. Do you approve of police performance at this point?*(Please mark only one)*

1. I strongly approve
2. I rather approve
3. I rather disapprove
4. I strongly disapprove

5a) If you rather or strongly APPROVE, why?

(Please mark only one)

1. Because they solve a large proportion of criminal offences
2. Because they promptly respond to calls
3. Because they always respond to calls
4. Because police officers are courteous and responsive
5. Other (please specify)

5b) If you rather or strongly DISAPPROVE, why?

(Please mark only one)

1. Because they solve a small proportion of criminal offences
2. Because they do not respond to calls promptly
3. Because they do not always respond to calls
4. Because police officers are rude and unresponsive
5. Other (please specify)

6. How do you expect the police to treat members of the public?

(Please select up to three options that come closest to your opinion)

1. To assist crime victims
2. To be incorruptible
3. To deter offenders
4. To give people a sense of security
5. To assist members of the public in the protection of their rights
6. To take care of at-risk social groups
7. To enforce order
8. To guarantee the rule of law
9. Other (please specify).....

7. What do you expect from the police?

(Please select up to three options that come closest to your opinion)

1. To detect a larger number of criminal offences
2. To apply more preventive measures
3. To project a physical presence in public places
4. To fight organised crime
5. To improve the reception of, and the handling of complaints from, members of the public
6. To get more actively involved in settling domestic rows
7. To respond promptly to calls about criminal offences
8. To ensure traffic safety
9. To protect civil rights
10. Other (please specify)

8. What must be the key priority of the police?*(Please mark only one)*

1. Fight against organised crime
2. Detection of serious personal offences (homicide, rape, bodily injury)
3. Improvement of security for members of the public
4. Traffic safety
5. Detection of property offences (theft, robbery, fraud)
6. Protection of public order
7. Protection of civil rights
8. Other (please specify)

9. What changes must be made in order to improve police work?*(Please select up to three options that come closest to your opinion)*

1. Enhancement of the role of area police inspectors
2. More uniformed police officers in public places
3. Improvement of reception for members of the public
4. Establishment of partnership between the police, local government and the community
5. Public approval should be decisive in police officers' pay and promotion
6. Studying people's needs of police services
7. Setting police priorities according to public expectations
8. Improvement of physical assets in the police
9. Increase of police officers' pay
10. Upgrading of police officers' professional qualifications
11. Other (please specify).....

10. If you witness a criminal offence, would you report it?*(Please mark only one)*

1. Definitely yes
2. Rather yes
3. Rather not
4. Definitely not
5. Don't know

11. If you witness a criminal offence, would you testify before the police?*(Please mark only one)*

1. Definitely yes
2. Rather yes
3. Rather not
4. Definitely not
5. Don't know

12. If you witness a criminal offence, would you testify in court?*(Please mark only one)*

1. Definitely yes
2. Rather yes
3. Rather not
4. Definitely not
5. Don't know

13. Which of the forms of co-operation listed below would you join at this point?

(Please mark all that apply)

1. Citizens' voluntary associations for assistance to the police
2. Local vigilante organisations
3. Neighbourhood watch
4. Local commissions for public order and security
5. Non-governmental organisations for crime victim assistance
6. Independent custody visitors at precinct police departments
7. Public councils for prevention of infringements at schools
8. Outreach organisations for at-risk population groups (women, ethnic minorities, drug addicts, elderly people and others)
9. I would not join any form
10. Other form (please specify).....

14. What sources help you form your opinion about the police?

((Please select up to three options that come closest to your opinion)

1. Personal contacts with police officers
2. Observing police officers' behaviour
3. Information from friends and relatives
4. Information from local newspapers, radio and television
5. Information from national newspapers, radio and television
6. Information reported by the police
7. Other (please specify).....

15. Which most strongly determines your attitude about police officers?

(Please select up to three options that come closest to your opinion)

1. Their outer appearance
2. Their culture of communication with members of the public
3. Their empathy with people's problems
4. Their integrity and incorruptibility
5. The speed of their assistance or intervention
6. The competence of their assistance or intervention
7. The effectiveness of their assistance or intervention
8. Other (please specify)

16. To what extent can the independent custody visiting impact the following elements of police work: *(Please mark an option for each row)*

1. improved substantially 2. improved partially 3. did not impact
 4. worsened partially 5. worsened substantially 6. don't know

16.1. Police officers' outer appearance	1	2	3	4	5	6
16.2. Police officers' culture of communication with members of the public	1	2	3	4	5	6
16.3. Police officers' empathy with people's problems	1	2	3	4	5	6
16.4. Police officers' integrity and incorruptibility	1	2	3	4	5	6
16.5. Speed of assistance or intervention	1	2	3	4	5	6
16.6. Competence of assistance or intervention	1	2	3	4	5	6
16.7. Effectiveness of assistance or intervention	1	2	3	4	5	6
16.8. Protection of public order	1	2	3	4	5	6
16.9. Protection of fundamental civil rights	1	2	3	4	5	6
16.10. Other (please specify)	1	2	3	4	5	6

17. To what extent can the independent custody visiting impact the following elements of police detention: *(Please mark an option for each row)*

1. improved substantially 2. Improved partially 3. did not impact
4. worsened partially 5. Worsened considerably 6. don't know

17.1. Detainees' access to legal aid	1	2	3	4	5	6
17.2. Detainees' access to medical assistance	1	2	3	4	5	6
17.3. Abuse of force and auxiliary means	1	2	3	4	5	6
17.4. Inhuman and degrading treatment	1	2	3	4	5	6
17.5. Informing detainees of their rights	1	2	3	4	5	6
17.6. Conduct of interrogation	1	2	3	4	5	6
17.7. Observing the period of detention	1	2	3	4	5	6
17.8. Providing food for detainees	1	2	3	4	5	6
17.9. Interrogation rooms	1	2	3	4	5	6
17.10. Rooms for visits and for meetings with a lawyer	1	2	3	4	5	6
17.11. Lavatories	1	2	3	4	5	6
17.12. Detention premises	1	2	3	4	5	6
17.13. Proper completion of detention orders	1	2	3	4	5	6
17.14. Proper keeping of record books and registers	1	2	3	4	5	6
17.15. Hygiene conditions on premises	1	2	3	4	5	6
17.16. Logistical conditions at precinct police departments	1	2	3	4	5	6

18. To what extent has the independent custody visiting during the last six months succeeded in guaranteeing: *(Please mark an option for each row)*

1. very high 2. high 3. average 4. low 5. very low 6. don't know

18.1. Respect for detainees' rights	1	2	3	4	5	6
18.2. Transparency of police work upon detention	1	2	3	4	5	6
18.3. Accountability of police work	1	2	3	4	5	6
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18.5. Improvement of physical assets at precinct police departments	1	2	3	4	5	6
18.6. Improvement of the public image of the police	1	2	3	4	5	6
18.7. Improvement of the public credibility of the police	1	2	3	4	5	6
18.7. Other.....	1	2	3	4	5	6

19. Who is responsible for: *(Please mark an option for each row)*

1. people themselves 2. uniformed police officers
3. the respective chiefs at precinct police departments
4. the respective specialised units within the Ministry of Interior system

19.1. Respect for detainees' rights	1	2	3	4
19.2. Transparency of police work upon detention	1	2	3	4
19.3. Accountability of police work	1	2	3	4
19.4. Effectiveness of police work	1	2	3	4
19.5. Improvement of physical assets at precinct police departments	1	2	3	4
19.6. Improvement of the public image of the police	1	2	3	4
19.7. Improvement of the public credibility of the police	1	2	3	4

20. How would you describe the relationship between members of the public and the police if you have to choose from among the following categories:

*Imagine the scale as a thermometer, with **above-zero temperatures to the left and below-zero temperatures to the right**. Please mark **only one option** by an “X” on the scale for each row!*

Respect 0	Disrespect
Security 0	Insecurity
Co-operation 0	Conflict
Confidence 0	Fear
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Competence 0	Incompetence
Effectiveness 0	Ineffectiveness
Transparency 0	Non-transparency
Accountability	..... 0	Unaccountability
Responsiveness	..... 0	Unresponsiveness
Courteousness	..... 0	Rudeness
Concern	..... 0	Indifference
Liking	..... 0	Hate

21. Please state your gender

1. Male
2. Female

22. Please state your age (years completed)

23. Please state your ethnic group

1. Bulgarian
2. Roma
3. Turkish
4. Other (please specify).....

24. Please state your education (last level completed)

1. Higher – doctor
2. Higher – master
3. Higher – bachelor
4. Higher unfinished
5. Junior college
6. Secondary
7. Secondary unfinished
8. Basic
9. Lower than basic

24a. (applicable to junior college graduates and holders of higher education) **Please state the specialty (specialties) you have attained:**

25. Please specify your social group: (you may mark more than one!)

1. Full-time employee
2. Part-time employee
3. Student
4. Pupil
5. Housewife
6. Short-term unemployed (less than six months)
7. Unemployed for six months and longer
8. Pensioner
9. Other (please specify).....

26. (applicable to employed respondents!) **What is your occupational status?**

1. Worker (unskilled manual work)
2. Skilled worker
3. Agricultural labourer (fisherman)
4. Office worker: expert with higher education
5. Office worker: with secondary and lower education
6. Director/Manager
7. Owner of company without hired personnel (sole trader, craftsman)
8. Owner of company with hired personnel
9. Liberal profession/Freelancer with higher education
10. Other (please specify).....

27. Residence

1. Sofia
2. Regional capital
3. City (other than regional capital)
4. Village

**INDEPENDENT CUSTODY VISITING
IN POLICE DETENTION FACILITIES
2007 - 2008**

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Since 1999, the Legal Programme of the Open Society Institute – Sofia has been committed to upholding the principles of the rule of law and human rights protection in Bulgaria. The Programme supports the implementation of the judicial reform in areas that are directly relevant to modernisation of criminal procedure, facilitation of Bulgarian citizens' access to justice, and adoption of the *acquis communautaire*.

Now that Bulgaria is already an EU member state, the Legal Programme aims to guarantee the continuation and irreversibility of reforms in the judicial system and emphasizes on improving transparency and accountability in the work of the judicial and law-enforcement institutions. The Programme is conducting surveys, civil-society monitoring of the operation of institutions, evaluation of the effectiveness of the application of newly adopted legislative amendments, and promotion and adaptation of successful foreign practices for effective management in the judiciary and law enforcement.

The Legal Programme has established successful partnerships with a wide network of national non-governmental organisations specialised in providing legal aid to vulnerable social groups and in protecting fundamental human rights, as well as with a number of institutions, such as Bulgaria's Ministry of Interior, Ministry of Justice and Supreme Judicial Council.