

# Costa Rica

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**Official country name:** Republic of Costa Rica

**Capital:** San José

**Geographic description:** A Middle American country bordering both the Caribbean Sea and the North Pacific Ocean

**Population:** 4,016,173 (est. 2005)



## LAW ENFORCEMENT

**History.** Costa Rica is one of the few nations in the world that has renounced a national army. Its security forces are limited to the Town and Village Police Force and to a small well-trained constabulary known as the Guardia Civil (Civil Guard), an organization made up entirely of volunteers. Its elimination of the military establishment and the small size of its police force are explained by a number of factors: the low incidence of crime, the law-abiding nature of the Costa Rican people, a court system respected for its integrity and efficiency, and freedom from political violence, turbulence, and anarchy.

**Structure and Organization.** The structure of the police force is determined by the constitution, which directs the president to maintain “a necessary public force.” The president of the republic is designated the commander in chief of all public forces. Law enforcement responsibilities are dispersed among many agencies as a deterrent against possible misuse. The largest of these agencies is the Ministry of Public Security. There is no top-level supervisory staff, and the operational coordination among the various law enforcement agencies is left to



the local commanders. Four separate ministries are involved with various aspects of public order and security, each with its functional areas. These are the Presidency (Special Intervention and Police Reserve), Ministry of Public Security (Civil Guard, Rural Guard, Border Police, Drug Control Police, and Immigration and Alien Affairs Police), Ministry of Justice (Correctional Police), and Ministry of Public Works and Transportation (Transport Police).

The Civil Guard, which is the senior element of the police forces, has a Presidential Guard, a largely ceremonial unit. It also operates a small air and maritime force, and it may be transformed in the case of a national emergency or external threat into the nucleus of a national army. The Civil Guard performs standard law-enforcement functions: prevention and detection of crime, patrolling streets and highways, and control of traffic. The Civil Guard is under the control of the Ministry of Public Security through its director general.

The minister is concerned primarily with policy and the director general with day-to-day operations. Besides the direct supervision of the Civil Guard, the director general has a number of staff and operational responsibilities, such as plans, operations, and intelligence. In the Operations Section he directs the detective force, traffic force, transport maintenance, communications, and the bands. The minister has a principal assistant, designated an administrative supervisor, whose responsibilities include personnel, supply, budgets, medical services, and immigration control. Two other ministers have jurisdiction over certain Civil Guard activities. The minister of government is in charge of budgetary allocations for supplies and equipment. The minister of the presidency has jurisdiction over the National Police School, which recruits and trains police officers at all levels.

The Civil Guard is responsible for law enforcement in the national capital and six provincial capitals. It is organized along military lines, using military titles and terminology and its equipment is designed primarily for tactical military rather than civil police action. Most of its equipment is of U.S. origin and many of its officers are trained in the United States.

The grade structure for both officers and noncommissioned officers parallels that of the U.S. Army but offers no grade higher than colonel, which is held by the director. His assistant holds the rank of lieutenant colonel. Officers in charge of service units are designated first or second commanders. In the noncommissioned officer category, the grades of senior and chief master sergeants are not established. In 2001, new civilian ranks were introduced into the force.

The Civil Guard is organized into companies that range from 80 to 350 men, generally averaging approximately 100. Normally, about half of the Civil Guard's total personnel are stationed in San José. Two companies, with a complement of 900 people, are assigned to police duties in the city. They are augmented by a radio patrol unit, which is a permanent mobile strike force. Also permanently stationed in San José is the Presidential Guard. This is an elite corps whose sole function is to guard the person and palace of the president. This is a crack company that admits only the cream of the crop and is generally considered to be the best-trained unit in the force.

A third Civil Guard company, stationed in the capital on a rotating basis, performs no standard duties but is engaged in full-time training. At the conclusion of the training cycle, its personnel are assigned to regular duty and replaced by those of another company. The company in training serves as a ready reserve and is considered to be on call for use in case of an emergency or for dispatch to any threatened area. It is also charged with the store of

arms and ammunition of the entire Civil Guard. This involves repair, storage, and issue of weapons.

Each of the six provincial companies constitutes the police force of the capital of its respective province. These companies are loosely supervised on a national level by the director general but distance from the capital and dearth of supervisory personnel result in considerable degree of autonomy and independence in action. Companies are rotated periodically between mountain and coastal provinces and each gets its turn to participate in the concerted training program.

The staff element of the Civil Guard is directly under the director general in San José. It determines policy and directs operations, and its services are available not only to the Civil Guard but to all police agencies throughout the nation through the Plans and Operations Section and the Intelligence Section. The Civil Guard also operates police auxiliary services, such as communications, detection and investigation, traffic control, motor maintenance, and bands. Another staff responsibility is the Air and Sea Force, which operates a few coastal patrol boats and light aircraft. Communications are handled by the Department of Radio Communications, which operates all police radio networks linking the headquarters with each of the six provincial companies. The Detective Force is a plainclothes detective organization that is responsible for all criminal investigation on a nationwide basis. The Traffic Force regulates and controls traffic on all roads and highways, licenses vehicles and operators, and enforces traffic laws. The Central Traffic Court handles all traffic violations. The Civil Guard's bands provide music for ceremonies and official concerts. It is in charge of the School of Police Music, a sixty-piece band in San José, and a thirty-piece band in each of the provincial capitals.

Besides the regular Civil Guard, there is a voluntary reserve, made up mostly of teenagers who meet weekly for drill and instruction by the regular forces. They are furnished a uniform with a special insignia, a shoulder patch showing a black panther in an orange circle. Sometimes, Civil Guard members participate in civic and development projects.

**Special Police.** Besides the Civil Guard, there are three other police forces: the Town and Village Police, the Fiscal Guard comprising the Treasury Police and the Customs Police, and the Judicial Police.

The Town and Village Police is the law enforcement agency in the rural and smaller urban communities. It operates under the Ministry of Government. Besides regular police duties, it is assigned judicial authority, in which it conducts summary trials for violations of the Police Code and carries out any sentences imposed. In many outlying communities the police are the only



**Red Cross workers and Costa Rican police prepare to search for the bodies of two U.S. children after a seaplane crash 180 miles northwest of San Jose, July 18, 2005.** The crash occurred near the Flamingo Beach Marina on the Pacific coast and the children's mother was also killed in accident. AP/WORLD WIDE PHOTOS

representatives of the government, and people turn to them for public services of all kinds. A police agent becomes the arbiter of local disputes and the focal point for the dissemination of government information and mail and telegraph delivery. In some small communities with high illegitimacy rates, the police are often called on to determine paternity and care for abandoned children.

The administration of the Town and Village Police is along political and administrative lines. Each of the seven provinces are divided into two or more cantons, which in turn consist of two or more districts. Overall, police supervision is exercised by an inspector general appointed by the Minister of Government and six locally appointed provincial inspectors, but operational authority lies with the provincial governor. However, the governor has no police authority within his own capital where the power rests with the Civil Guard controlled by San José.

The police chief (*jefe politico*) at the canton level and the principal police agent (*agente principal de policia*) in

the district constitute the police executives in their respective areas. They act as a combination mayor, magistrate, and police chief rolled into one. In some districts the principal police agent also serves as the postmaster. In addition, there are 1,500 auxiliary agents (*agentes auxiliares*) who perform basic police duties at the canton or district level or who are scattered in one or more smaller villages or hamlets.

The Fiscal Guard comprises two units: the Treasury Police and the Customs Guard. It functions under the Ministry of Economy and Finance. The Treasury Police is the only law enforcement agency with legal authority to investigate political matters and to enter and search buildings. Its responsibilities include control of narcotics, intoxicants, countersubversion, cattle inspection, contraband activities, and protection and conservation of natural resources. It maintains detachments in fifty-five locations throughout the country, and its members patrol their areas by foot, animal transport, and motor vehicle. The Customs Police monitors the collection of customs fees and enforces regulations on imports and exports.

The Judicial Police is a small force under the control of the Supreme Court. It is administratively part of the Ministry of Justice.

**Education and Training.** All police positions are appointive and there is no assured tenure for personnel. This means that there is at least a 40 percent turnover with every incoming administration. The 1994 Police Code is designed to depoliticize and professionalize the police force. The Law for Strengthening the Civilian Police replaces military ranks with civilian titles and establishes a promotion system linked to the officer's educational attainment. The Civil Guard is considered to be one of the best-trained police forces in Latin America. The National Police Academy in San José trains all officers and noncommissioned officers. Every year a group of Guardsmen receive training in the United States. The Federal Bureau of Investigation runs one of its Law Enforcement Training Academies in San José.

**Uniforms and Weapons.** The uniforms and insignia of the police forces are virtually indistinguishable from those of their U.S. counterparts. The garrison uniform is olive-green wool in winter and khaki cotton in summer. There are blue dress and white dress uniforms for officers and a short white jacket for enlisted men for ceremonial occasions. All ranks are supplied with battle dress and fatigues. Headgear ranges from the peaked service cap to a fatigue hat or steel helmet. The various police units wear the same uniforms with minor changes in insignia, and the Traffic Police add a seasonal uniform consisting of a white shirt and green trousers.

Both officers and noncommissioned officers use U.S. Army grade insignia. Insignia are worn as in the U.S. practice, one exception being the officer's dress blue, where the emblem of rank is worn on the sleeve cuff instead of the shoulder strap. Officers and men also display their insignia of rank in front of their headgear. Special units, such as signal, medical, and ordnance, have their own insignia.

#### **Police Statistics.**

- Total Police Personnel: 8,250
- Population per Police Officer: 486

#### **CRIME**

**Crime Statistics.** Offenses reported to the police per 100,000 population: 868. Of which:

- Murder: 5.3
- Assault: 11.1
- Burglary: 232.4
- Automobile Theft: 263.0

#### **CORRECTIONAL SYSTEM**

The prison system is composed of two national penitentiaries and a number of prisons and detention facilities distributed throughout the country. The penitentiaries are run by the Ministry of Social Welfare, while the subordinate facilities are operated by the local authorities. The Central Penitentiary is in San José and is used as a detention facility for persons awaiting trial and as a maximum-security prison for dangerous criminals. The San Lucas penitentiary, on an island in the Gulf of Nicoya, southwest of Puntarenas, is a model institution and a minimum-security prison for less serious offenders. Surrounded by shark-infested waters, it was initially believed to be escape-proof until a series of successful escapes in the early 1960s led to its conversion to a prison-farm type of facility emphasizing rehabilitation rather than punishment. Families are permitted to visit inmates each week, and conjugal visits for husbands and wives are authorized.

Outside these two penitentiaries, the prison system is loosely organized with little centralized direction or control. Local authorities have a free hand in methods and procedures. There are jails and detention facilities in most communities down to the canton level, and these range from simple enclosures with little security and few amenities to well-constructed buildings with sound protection and adequate accommodations.

The Civil Guard maintains a jail in each of the provincial capitals, and the political chief is responsible for facilities at the cantonal level. The size and character of these facilities is determined by the size of the community and its crime rate.

**Prison Conditions.** In all prisons the rising crime rate has created problems of overcrowding, unsanitary conditions, and insecurity. The National Criminology Institute reported a total prison population of 11,858 in 2002, an overpopulation of 839. There is severe overcrowding in the smaller jails. The most overcrowded prisons are Liberia with 90 percent and Heredia with 87 percent. Five additional facilities have been opened and three have been renovated since 1996 as part of a plan to reduce overcrowding. New facilities have been opened in Guacimo and existing facilities have been expanded in San Carlos and Cartago.

Under the Penal Code's Organic Judicial Law magistrates are required to visit jails in their jurisdictional area at least once a week to hear complaints and confer with the wardens. Prison conditions are considered generally fair and meet international standards. Prisoners are separated by sex and by level of security, and convicted prisoners are kept apart from most pretrial detainees. An ombudsman investigates complaints of prisoner abuse and refers serious cases to the public prosecutor. Illegal

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narcotics are readily available in prisons, and drug use is common.

### **Prison Statistics.**

- Total Prison Population: 7,619
- Prison Population Rate: 177
- Pretrial Detainees: 39.5%

- Female Prisoners: 6.8
- Juvenile Prisoners: 0.7%
- Number of Prisons: 26
- Official Capacity of the Prison System: 6,996
- Occupancy Level: 108.9%

*George Thomas Kurian*