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2

second edition

## World Encyclopedia of Police Forces and Correctional Systems



*World Encyclopedia of Police Forces  
and Correctional Systems*

SECOND EDITION

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*World Encyclopedia of Police Forces  
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SECOND EDITION

VOLUME I  
**OVERVIEWS**  
**COUNTRIES: A-L**

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World Encyclopedia of Police Forces and Correctional Systems, Second Edition

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LIBRARY OF CONGRESS CATALOGING-IN-PUBLICATION DATA

World encyclopedia of police forces and correctional systems / George Thomas Kurian, editor in chief. — 2nd ed. p. cm.

Rev. ed. of: World encyclopedia of police forces and penal systems / George Thomas Kurian. c1989.

Includes bibliographical references and index. ISBN 0-7876-7736-1 (set hardcover : alk. paper) — ISBN 0-7876-7737-X (vol 1 : alk. paper) — ISBN 0-7876-7738-8 (vol 2 : alk. paper)

1. Police—Encyclopedias. 2. Corrections—Encyclopedias. 3. Criminal law—Encyclopedias. I. Kurian, George Thomas. II. Kurian, George Thomas. World encyclopedia of police forces and penal systems.

HV7901.W63 2007
363.203—dc22

2006011381

This title is also available as an e-book.

ISBN 1-4144-0514-6

Contact your Thomson Gale sales representative for ordering information.

Printed in the United States of America

10 9 8 7 6 5 4 3 2 1

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## *Introduction*

*World Encyclopedia of Police Forces and Correctional Systems* is the second edition of the work published in 1988 as *World Encyclopedia of Police Forces and Penal Systems*. The first edition covered 183 countries in one volume. The present one covers 198 countries in two volumes. In the intervening years between the first and the second editions the world has changed dramatically, and so have law enforcement and corrections. In the first edition, law enforcement was perceived as a local activity limited to nations and localities within nations. With the ever-present threat of terrorism, law enforcement has taken on a global dimension and the globalization of the science and the profession will only continue to grow in the future. When the first edition was published the Soviet Union had pulled down its iron curtain across half the world, permitting little information to leak into the free world. The collapse of Communism meant not only that there were now 21 more nations in the world, but that there was more access to the police systems of those countries that were once closed to the scrutiny of scholars. Since 1988 the information revolution and the resulting quantum jump in technology have changed the once staid and slow-moving profession of law enforcement into a dynamic one where every policeman has access to as much information in the field as his commanders at headquarters. Even in the smallest countries of the world, law enforcement people are seamlessly connected into a vast network that, through Interpol and other organizations, can reach into the farthest corners of the world. In fact not since the birth of the modern police in Robert Peel's Britain in the mid-1840s has there been a greater expansion in police powers and functions than in the last two decades.

These changes are reflected in the second edition and in the scope of the work. Because these global issues and trends needed to be addressed, the encyclopedia is now divided into two parts. The first part deals with critical global themes that affect all nations and that cannot be properly treated in national chapters. Terrorism has emerged as a discrete target of law enforcement activity. Although it can be dealt with only in a quasi-military fashion, most of the first responders are law enforcement officers and fire fighters. The conventional rubrics that governed law enforcement do not apply to terrorism, which is often described as a war. As the police gain new powers in this asymmetric war, questions are raised about the limits to such powers and the human rights that could be impacted as a result. It is not merely terrorism that confronts police forces and corrections throughout the world. The very same technological revolution that helps the police to be more innovative in foiling criminal activity also helps criminals to outsmart the police and devise new forms of crime. As technology has erased borders and shortened distances,

crime in all forms has become global. It is now possible for criminals to commit crimes in any country without necessarily being physically present there. Immigration crime and cybercrime are two examples of the new threats that law enforcement agencies face in the twenty-first century. This has called for an extraordinary degree of transnational cooperation among police agencies at every level. Borderless nations create borderless crimes and they in turn create borderless law enforcement strategies. The increasing use of drugs also contributes to the breakdown of law and order, especially among the youth. Even with technology on their side, few national police agencies have been able to resolve these new problems that beset them.

One indicator of how law enforcement has become one of the top priorities for every government is the fact that during the past 20 years, the ratio of police to the general population has risen in every country. Worldwide there is now one policeman for every 860 persons, compared to one policeman for every 1,300 persons in 1988. Worldwide there are now 7.2 million men and women in police uniforms. Unlike the military, policemen are highly visible and ubiquitous and their presence and profession affect society at every level.

Even though law enforcement and criminal justice studies are now major disciplines in their own right, police and corrections remain among the least studied institutions and ones on which the least information is available to scholars and researchers on a global basis. The reasons are twofold: The first is the instinctive and historical academic distrust of the more forbidding aspects of police and correctional studies, and the second is the uncommunicative nature of police and penal professionals who see little practical benefit in scholarly investigation. This is slowly changing. Movie and television dramas with police and court themes have helped to romanticize the investigative aspects of law enforcement. Secondly, there is now more accountability in law enforcement, especially in democratic countries. Nevertheless, the information currently available in police and corrections is of such poor quality outside of Europe and North America that many decades will pass before it reaches the level currently obtainable in other fields of public activity.

Information on police forces and penal systems is not only meager but also uneven and limited to certain areas of law enforcement to the exclusion of others. The situation is not helped by the fact that Interpol, the major international police organization, does not have a strong publishing or data collection program and has never taken an aggressive initiative in promoting police studies. It depends on the voluntary cooperation of members for input into the irregularly published *International Crime Statistics*. This publication provides only strict crime data and does not deal with law enforcement forces.

The individual country entries in the second edition are broader in scope and provide more information on areas that were not covered in the first edition. The most important of these new sections are the ones on human rights, including police corruption and prison conditions. Police activity is one that easily lends itself to brutality and corruption if left unchecked and if proper accountability procedures are not in place. This is particularly true of non-democratic nations where the police (as well as the military) are used by the powers that be to suppress legitimate dissent under the guise of enforcing the law.

Within each country entry the information is organized under four main headings: Law Enforcement; Human Rights; Crime; and Correctional System. Basic statistics are presented for both police and crime. While every effort has been made to present the information in a uniform and consistent manner, the schema had to be modified for some countries because of the paucity of information. Nevertheless, the encyclopedia represents one of the largest caches of information on law enforcement and correctional systems now available in print.

*George Thomas Kurian*



## *Acknowledgments*

The compilation of an international encyclopedia is the result of teamwork that extends across continents. Much help was received from countless scholars, librarians, and consultants in every country, and many national police agencies provided information. In the United States, the dean and members of the Criminal Justice Department at Sam Houston States University in Texas were closely associated with the project from the beginning. Particularly worthy of mention are Richard Ward, the director, who served as a member of the editorial board, and Adam Dulin, Joseph D. Serio, and Mitch P. Roth, all of whom have contributed to the encyclopedia and served as consultants. Their participation was an asset to the encyclopedia. I wish also to acknowledge the strong professional support and cooperation of the project team at Thomson Gale, led by Kristin Hart, Jan Klisz, and Dan Marowski.

I wish to add a personal note of gratitude to my wife, Annie Kurian, for her unfailing support and encouragement.

*George Thomas Kurian*

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## *Chronology of International Policing*

**1851** On 9 April, police officials from Austria, Prussia, Sachsen, and Hannover gather to create an international police organization for political purposes. Within a year, they are joined by police from Bavaria, Wurttemberg, and Baden to form the Police Union of German States.

At least thirty-five foreign police officials, including several city police officers from the United States, attend the International Industrial Exhibition in London to investigate the activities of communists and liberals.

**1851–1866** Members of the Police Union hold twenty meetings and establish direct police communications and systems of information exchange until the outbreak of the Austro-Prussian War (June 15 to August 23 1866).

**1871** In October, a three-day National Police Convention is held in St. Louis, Missouri. Despite the fact that several European police were invited to attend the meeting, the convention remains an exclusively American affair.

**1898** From 24 November to 2 December, the International Conference of Rome for the Social Defence Against Anarchists is held. The Conference is attended by fifty-four delegates from twenty-one European states. Police officials hold separate meetings at the Conference and agree to cooperate on selected matters of policing techniques.

**1901** To broaden the scope of the National Police Chiefs' Union, the organization is renamed the International Association of Chiefs of Police.

At the Second Latin-American Scientific Congress in Montevideo, Uruguay, Juan Vucetich, Police Chief in La Plata, Argentina, proposes the establishment of an

interconnected system of Intercontinental Offices of Identification in Europe, South America, and North America.

**1902** On 15 July, the French government organizes an international conference in Paris to coordinate the suppression of prostitution and establish extradition procedures.

**1903** As a follow-up to the Rome Conference of 1898, a second anti-anarchist meeting is organized by the Russian government in St. Petersburg, where ten governments agree upon a Secret Protocol for the International War on Anarchism.

As a follow-up to the conference of 1902, a second anti-prostitution meeting is held in Paris, where twelve European governments sign an International Agreement for the Suppression of White Slave Traffic.

**1905** At a meeting in Hamburg, the International Union of Criminal Law (Internationale Kriminalistische Vereinigung) advocates the creation of interrelated central intelligence bureau across nations.

Following a proposal at the third Latin-American Scientific Congress in July in Rio de Janeiro, Brazil, an international police meeting is held in October in Buenos Aires, Argentina. The meeting leads to the signing of an International Police Convention by police from Buenos Aires, La Plata, Montevideo, Rio de Janeiro, and Santiago de Chile.

**1909** An international police meeting is held in Madrid, Spain.

The governments of thirteen states convene at the International Opium Commission in Shanghai.



**1910** In May, the International Convention for the Suppression of the White Slave Traffic is signed by the governments from thirteen nations at a meeting in Paris.

The creation of a Universal Police Union is proposed at the International American Scientific Congress in Buenos Aires.

**1911** The International Esperanto Society of Police Officials meets at an international meeting in Antwerp.

**1912** Following the International Police Convention of Buenos Aires in 1905, an international meeting of Latin-American police is held in São Paulo, Brazil.

Following the Shanghai meeting of 1909, a second Opium Conference in The Hague leads to the signing of a Convention for the Suppression of the Abuse of Opium and Other Drugs by the governments of fifty-seven countries.

**1913** At the initiative of Albert I of Monaco, the “Premier Congrès de Police Judiciaire Internationale” is held in the Monegasque principality. The congress is attended by 300 delegates from twenty-four countries.

**1917** The Bureau of Investigation in the U.S. Justice Department is granted police powers against espionage and sabotage and the control of enemy aliens.

Police institutions in Europe and the United States start engaging in transnational activities and limit multilateral arrangements to curb the communist threat following the revolution in Russia.

**1919** The Versailles Treaty places formal restrictions on the number, functions, and military character of Germany’s police.

On December 10, Captain M. C. van Houten of the Dutch criminal police sends out letters to police leaders of various countries to propose the establishment of an international police organization in the League of Nations.

**1920** As a follow-up to the Latin American police meeting of 1912, the “Conferencia Internacional Sudamericana da Policia” (International South-American Conference of Police) is held in Buenos Aires from February 20 to 27.

On December 10, 1920, German police officials convene a secret meeting titled “The International Struggle Against Bolshevism: An International Trouble” in Munich, Bavaria. Attended by twenty-four police officials from six European countries, methods of information exchange and mutual support against the communist threat are discussed.

On January 2 and 6, police raids across the United States lead to the arrest of some 10,000 people charged with violations of the Alien Act of 1918.

**1922** Under direction of Richard Enright, the Commissioner of the New York City Police Department, a meeting of police in New York leads to the creation of the International Police Conference.

**1923** From September 3 to 7, the International Police Congress is held in Vienna. Attended by over 100 police officials from various countries, the Congress establishes the International Criminal Police Commission (ICPC).

**1924–1938** The International Criminal Police Commission holds fourteen annual meetings in various capital cities across Europe.

**1924** In July, the Police-Technical Exhibition in Zoppot, Poland, attracts police representatives from Germany, Hungary, and Warsaw.

**1925** In June, the International Police-Technical Exhibition in Karlsruhe is attended by police from various European countries and the United States.

**1926** German authorities organize the Great Police Exhibition in Berlin to promote international understanding among the police.

**1931** In September, a joint meeting of the International Police Conference and the International Criminal Police Commission is held in Paris.

**1932** The Bureau of Investigation formally establishes an international exchange service of fingerprints.

**1934** In May, U.S. President Roosevelt secretly charges the Bureau of Investigation to investigate the American Nazi movement.

The International Criminal Police Commission accepts the proposal of the Italian Federal Police that the ICPC Presidency should reside permanently with the Viennese Police Directorate.

**1937** Nazi police officials organize an anti-communist police meeting in Berlin, attended by representatives from fifteen countries. In the following years, Nazi authorities organize several similar international police meetings.

**1938** In April, a few weeks after the German annexation of Austria, the Nazi-appointed Police President of Vienna, Otto Steinhausl, takes over as President of the International Criminal Police Commission.

At the ICPC meeting in June in Bucharest, Romania, the head of the Nazi criminal police successfully introduces the motion that the next ordinary meeting will be held in Berlin in 1939.

On June 10, President Roosevelt enacts a bill which authorizes the Attorney General to arrange U.S. membership in the International Criminal Police Commission, effectively securing FBI membership in the ICPC.

- 1939** On September 6, the FBI is formally assigned investigative duties related to espionage, sabotage, and subversive activities.
- 1940** In June, Reinhard Heydrich, the Chief of the Nazi office of the German Security Police, assumes the Presidency of the ICPC. In August, he decides to relocate ICPC headquarters from Vienna.
- 1941** On December 4, FBI Director J. Edgar Hoover decides to terminate all Bureau communications with the International Criminal Police Commission.
- 1943** In May, Ernst Kaltenbrunner succeeds Heydrich who had been assassinated a year earlier, as ICPC President.
- 1946** In June, the International Criminal Police Commission is re-founded at an international meeting in Brussels, Belgium.
- 1950** In July, Director Hoover decides that FBI membership in the ICPC will be terminated effective December 31 that year.

## *Overviews*

# General History of Policing

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In our own century it was the revolutionary romantic, not the professional policeman, who glorified the omnipotence of Lenin's security chief Feliks Dzerzhinsky; the layman, not the specialist, who dreamt of government so meticulously engineered that its police could monitor the conversations of all passengers on every express train criss-crossing the continent at any hour. (Liang 1992)

In this brief historical examination of the history of policing since the eighteenth century it has been necessary to make a number of generalizations. This is particularly true when discussing the secret police forces that were central to many totalitarian regimes in the twentieth century. There is a tendency in police literature to associate countries with one or two manifestations of policing. John D. Brewer noted in his investigation of South African policing that the greatest focus is placed on the South African Police, thus ignoring "other functionally compatible forces, such as the old South African Mounted Riflemen, railway police, mines police, the location police employed by the Native Affairs Commission, and latterly, Black forces in the homelands and townships" (Brewer 1994). Similar conclusions can also be applied to a number of police systems surveyed in this short overview. The intentions of this essay are to portray the complexities and experiments that have forged modern policing and to present a jumping-off point for anyone wanting to explore individual police forces in more detail.

It is beyond the scope of this introductory essay to offer the complete history of policing throughout the world. Rather, this essay is an attempt to trace the origins and major developments in police institutions since

around 1700. Due to the expansion of the British Empire during this period, common law developments take up much of this examination, since British police institutions influenced the development of police institutions in countries as far-flung as South Africa, India, Australia, and Canada. Other important developments came out of continental Europe and Asia—these will be noted as well.

A perusal of police systems around the world demonstrates a remarkable diversity of police organizations. Some are religious in nature, or at least inspired by religion, such as Saudi Arabia's religious police, the *mutawwian*, and the Ottoman Empire's police system. Others are based on legal traditions or are heavily influenced by ideology and political theory, such as the former Soviet KGB and the secret police networks in Cuba, North Korea, and China. The common law legal system has exerted its influence on police systems around the world, bringing common law policing to Singapore, Kenya, Australia, New Zealand, and Canada, while also indirectly influencing developments in policing in postwar Japan and many other countries.

Any comparison between city police in Tokyo, Moscow, Los Angeles, and London results in probably more similarities than differences. Regardless of the nature of policing around the world in the twenty-first century, police organizations share more common traits than ever. With the advent of sophisticated crime and terrorist networks, police battle the enemies of social order on a number of fronts, in many cases sharing a common enemy while thousands of miles apart. Police organizations also share many of the same frustrations, whether in Africa, Asia, or the Americas; jurisdictional disputes and

turf squabbles continue to plague police organizations, large or small, coordinated or uncoordinated, centralized or decentralized.

Any meaningful examination into the origins and history of policing is shackled by the almost universal emphasis on 1829 and the establishment of the London Metropolitan Police. But, speaking for a number of scholars, police historian Philip Rawlings suggests that “the history of the police that is emerging” is much more complex than that, demonstrating that the history of policing “is one of diversity, both before and after 1829, and of slow evolutionary change” (Rawlings 2002). While Rawlings’s work focuses on Great Britain, his statement can also be applied to the wider world of police.

The term *police* can be traced back to the Greek *politeia*, which alluded to all the affairs that affected the survival and order of the state. By the 1700s, European states used *la police* (French) and *die Polizei* (German) to refer to the internal administration, safety, protection, and surveillance of a territory. While the English eschewed the word *police* because of its absolutist connotations, the term gained increasing currency in France during the Napoleonic era. The term *police* was probably imported into England from France at the beginning of the eighteenth century and initially referred to good government through the introduction of sanitation, street lighting, and the like.

Any definition of policing prior to the modern era is problematic, due in part to the broad range of duties expected of so-called police in previous centuries. Regardless of their tasks, police duties were typically performed through mutual obligation by community members. Even in preliterate societies, individuals were often expected to act in a police capacity, whether bringing to justice a malefactor who threatened a community, or exercising personal vengeance prior to judicial institutions.

The tithing system was an early example of community law enforcement in Anglo-Saxon England. From the era of King Alfred (849–899), the main responsibility for keeping the peace fell upon each community through a well-understood principle of social obligation. Each tithing was essentially a collection of ten families, with each member inextricably linked by a pledge to be answerable to the lawful behavior of the other members of the tithing group. A world away in ancient China, a system similar developed in which order and security was maintained through clansmen. One deeply ingrained notion that persisted in China was that everyone should participate in the creation of order. As early as the 1100s, one Chinese writer described mutual responsibility as “when one family has a robber and cannot seize him themselves, then the group of neighbors is to arrest him.” Similar developments heralded the evolution of law enforcement throughout the world

prior to the Industrial Revolution of the early nineteenth century.

Until the eighteenth century, military and paramilitary police forces were the rule rather than the exception. In 1285 England’s Statute of Winchester codified a variety of time-tested notions about early law enforcement. Many of these had been developing for decades but had not yet been formally introduced by statute. Among the most noteworthy in terms of policing was the system of watch and ward, which introduced the town watchman, a fixture in urban life until the birth of modern policing some six centuries later. According to the Statute of Winchester, most English towns were required to maintain a watch of up to sixteen men. Watchmen were to be stationed at the walled gates of town between the hours of sunset and sunrise and all strangers within their jurisdiction (city limits) were to be confined during the hours of darkness. An unpaid, unprofessional position, all ambulatory men were required to participate as volunteers.

## EUROPEAN TRADITIONS

The origins of policing in continental Europe can be traced back to the Middle Ages, but major developments took place in the eighteenth and nineteenth centuries that laid the foundations for modern state police systems. By the middle of the eighteenth century, Europe’s absolutist rulers, seeking a modern police force, looked to France, where Paris was considered the best policed city in Europe. European continental innovations stemming from Napoleonic France have had a dramatic impact on the development of centralized state policing throughout the world. Police historian Clive Emsley reported an exchange in which one lieutenant of the Paris police boasted that “when three persons gathered for a conversation, one of them was sure to be his agent.”

By the 1790s, police states in Europe that were characterized by secret and oppressive police strategies flourished in the Hapsburg police system, which was considered the most centralized in Europe. At the Congress of Vienna (1814–1815), Czar Alexander I (1777–1825) of Russia was so impressed by the Austrian police (both civil and military) that he arranged for members of the Russian embassy staff in Vienna to draw up recommendations for the formation of gendarme regiments in Russia based on the Austrian model. It was not long before Russian gendarmes (often referred to as *mounted police*) were operating alongside the army under the direction of police commanders in Moscow and Saint Petersburg.

In the eighteenth century, continental police functions transcended the traditional duties conducted by common law police. When police specialist Raymond Fosdick (1915) surveyed European police systems in the early 1900s, he noted that Prussia even had special forces

devoted to individual tasks, including Insurance Police, Mining Police, Water and Dike Police, Field and Forest Police, Cattle Disease Police, Hunting Police, Fisheries Police, Building Police, and so forth. All of these forces represented state functions and were responsible to state oversight, with nary a governmental activity unregulated by the police.

City police functions were no less comprehensive in Prussia. In Berlin, for example, the police president issued ordinances regulating the color of automobiles, the length of hatpins, and methods of purchasing fish and fowl. In both Germany and Austria, police had the power to frame rules and ordinances regulating the conduct of citizens, as well as limited powers to punish individuals.

The three classical European police states that preceded what would become the most famous police state in Russia were located in Prussia, France, and Austria. Their legal systems were mainly established to furnish order and stability. By the 1840s, most police states came under liberal attack and were gradually reformed into justice states or law states featuring a separation of powers—an independent judiciary and a commitment to rule of law.

#### FRENCH POLICING

As early as the 1890s, the French writer Anatole Leroy-Beaulieu (1842–1912) noted that “in no country has the police presence been more powerful than Russia under the Tsars” (Leroy-Beaulieu 1894). By the twentieth century, Russia was probably the most policed nation on earth. The word *police* was used for the first time in Russian legislation by Peter the Great (1672–1725) when he set up a police administration for Saint Petersburg in 1718. This force was not a separately organized force, nor was it similar to contemporary police systems in Europe. The greatest influence on the force stemmed from the Paris police model founded by Louis XIV (1638–1715) in the 1660s. By 1666, the police position of lieutenant-general of police for Paris had been established. The fourteen men who would hold this position between 1666 and 1789 were responsible for a variety of administrative and judicial tasks, including controlling prices, weights, and measures; inspecting markets; apprehending criminals; and conducting surveillance of suspected traitors.

French police origins can be traced back to the sixteenth century. Three hundred years later, mounted *gens d’armes* and archers consolidated to form the nucleus of what eventually became known as the *gendarmie* (which became slang for police officers on the Continent). Referring to the more recent nineteenth-century creation of British policing, police historian Philip Stead (1957) noted that what set apart French policing from the British model was its “long continuity.” A second important variation was the more administrative nature of French

policing that brought it more into the realm of civil life. But perhaps the most glaring difference between British policing and the French was that British policing was considered an expression of the community as opposed to being derived from the king. During the French Revolution (1789–1799), a national gendarmie was entrusted with maintaining internal and external security. During the Napoleonic Wars of the early 1800s, many countries within the French orbit adopted similar police units.

The gendarmie model of policing influenced France’s neighbors Italy and Spain—most notably in Italy’s Carabinieri and in Spain’s Guardia Civil. Clive Emsley explained that the reason England did not adopt this model was because England’s insular nature led to less involvement in conflicts with its neighbors during the sixteenth and seventeenth centuries.

In 1799 Napoléon I (1769–1821) appointed Joseph Fouché (1759–1820) as the minister of the general police of the Republic of France. His ministry was considered mostly political in nature and he was reportedly unconcerned with such ordinary police matters as vice and street lighting. From the start, Fouché demonstrated a remarkable acumen well suited to police work. Considered the “father of police intelligence operations,” during his tenure he reorganized the Paris police, initiating the prefecture system that exists to this day. Fouché is credited with establishing a centralized police force that was responsible to the national government. His administrative innovations included setting up police departments that were proportional to the populations of various urban units. Over time, he became a proponent of preventive policing, anticipating by three decades some of the principles of British statesman Robert Peel (1788–1850).

#### ENGLISH ANTECEDENTS

By the end of the eighteenth century, policing in London was for the most part still the domain of the parish constables, watchmen, and other amateurs. Most visitors to Europe would consider London more disorderly and less safe than Paris, or even Munich, which one historian described as “well policed” as early as the late 1780s. Despite the relative effectiveness of police in Paris and Munich, most English residents would favor the rampant disorder of London and other English environs rather than give up their cherished freedoms and make the transition to a more oppressive regime.

In the eighteenth century, English reformers visualized a police system that would be more preventive in nature. Much of the early groundwork for the London Metropolitan Police was laid by the Fielding brothers. Henry Fielding (1707–1754), best-known for his picaresque novel *Tom Jones* (1749), left the literary world

because of censorship restrictions and began work as a magistrate in 1748. During his six-year tenure at this post, he implemented several policies that led to increased safety on the streets of London. He introduced the Bow Street Runners (initially “Mr. Fielding’s People”), a specially formed group of six to eighty constables who ran to the aid of crime victims and pursued malefactors (in order to earn rewards for their capture). Fielding demonstrated remarkable foresight in police matters in his 1751 essay, *An Enquiry into the Causes of the Late Increase of Robbers*, which called for a professional, full-time police force. One of his first goals as police magistrate was to stem the corruption emanating from the Bow Street office. Fielding funded the publication of *The Covent-Garden Journal*, a precursor to the *Scotland Yard Police Gazette*, which was dedicated to educating the public about the rising crime problem. But he still faced reluctance on the part of the public to welcome a professional police force.

Following the death of Henry Fielding in 1754, his campaign for professional policing was taken up by his half-brother John Fielding (1721–1780). Blinded at age 19, John succeeded Henry as magistrate and head of the Bow Street Runners in 1754. His 1755 pamphlet, *Plan for Preventing Robberies within Twenty Miles of London*, explained his strategy for breaking up organized gangs of criminals, which had plagued the periphery of London for decades. Three years later, he oversaw the publication of a similar pamphlet, *An Account of the Origin and Effects of a Police Set on Foot by the Duke of Newcastle on a Plan Suggested by the Late Henry Fielding*. An astonishing detective despite his visual impairment, Fielding, sometimes referred to as the “Blind Beak,” reportedly could identify hundreds of criminals by voice alone. During his tenure with Bow Street, he made this office the official police headquarters with two officers always posted at the ready to pursue highwaymen. Despite the entreaties of the Fielding brothers, their vision for policing was ahead of its time by almost a half century.

In 1792 English justice of the peace Patrick Colquhoun (1745–1820) became interested in police reform through the work of the Fielding brothers and after detailed conversations with English philosopher Jeremy Bentham (1748–1832). Colquhoun’s investigations led him to write a *Treatise on the Police of the Metropolis*, published in 1797. Among the more important police concepts laid out in the book was the idea of crime prevention, a radical departure for the traditionally reactive police establishment of Europe. Colquhoun was perhaps one of the greatest influences on Sir Robert Peel, credited with creating the first modern police force in 1829. Colquhoun was also credited with the creation of the Thames River Police in 1789. In 1800 his *Treatise on the Commerce and Police of the River Thames* saw

publication. His writings led to improved police professionalism and the first systematic examination of crime costs and origins. An advocate of paid professional policing and of recruitment and management under a central authority free of political interference, he spurred police reform and introduced new solutions to maintaining public order in an era of urbanization and industrialization.

## THE LONDON METROPOLITAN MODEL

Although Robert Peel has received most of the credit for developing modern policing, some scholars subscribe to the belief that he deserves credit more for introducing the bill that inaugurated the London Metropolitan Police experiment and for his selection of Sir Charles Rowan (1783–1852) and Sir Richard Mayne (d. 1868), who actually organized and planned the new police force following Parliament’s passage of the Metropolitan Police Act of 1829. Regardless of who deserves the credit, the establishment of the London Metropolitan Police replaced the age-old system of the night watch with regularly paid, full-time officers. Under the direction of Rowan and Mayne, the force overcame the trepidation of the public about a strong police force by improving community relations and reinforcing its image as a civilian police force.

## ASIAN DEVELOPMENTS

While it is almost impossible to find a comprehensive translation for the term *police* in Chinese, there are at least two different translations. Public security organs, or *gong’an jiguan*, is the formal term for all police organizations from the high ministerial to the lowest local level, while *jingcha* refers to the substantive duties of vigilance and investigation. Chinese police traditions predate Robert Peel’s model by more than two thousand years, originating in the Shang era (1700–1100 B.C.E.), a millennium before China became a single state. During this preimperial period, clans formed the most important social structure, and, like the Anglo-Saxon tithing system, clansmen maintained order and security through self-policing. The Chinese system of mutual responsibility can be traced back to legalist reformer Shang Yang (d. 338 B.C.E.). His advice was taken to heart when the people of the rapidly expanding Qin kingdom (third century B.C.E.) were organized into groups of fives and tens mutually to control one another and share one another’s punishments. By mandating this system of mutual trust the seeds were sown for the mutual mistrust of neighbors and associates that became a hallmark of China’s twentieth-century police state.

In the thirteenth century, rising crime led to a demand for more social control. Much in the way that

modern peace officers claim that more police means less crime, the Chinese also believed this unproven axiom. But, from a medieval perspective, Chinese prescience is striking, particularly when increased emphasis was placed on employing a better quality of officer. China historian Brian McKnight noted the high esteem of the Italian traveler Marco Polo (1254–ca. 1324) for Chinese order when he visited there in the thirteenth century. Polo noted that Beijing “was so safe that the doors of houses and shops and stores full with expensive merchandise, remained unlocked day and night, and yet nothing was missed. One could freely travel throughout the empire by day and night and never be harassed” (McKnight 1992).

In the 1600s, a northeastern tribe known as the Manchu invaded China with the support of a formidable number of civil servants who had been disenfranchised during the previous Ming dynasty (1368–1644). The Manzu have been credited with reforming and strengthening the peasant civilian police system—and for the first time in Chinese history, the country had a nationwide police system complemented by a network of plain-clothes policemen who kept tabs on the lives of Chinese citizens. By the early eighteenth century, this system was used in a number of capacities, including such official tasks as census reporting, surveillance, and registration activities. Like czarist Russia, public places such as hotels, temples, and shrines were expected to keep tabs on guests. As the century wore on, rapid mobility and population growth pushed this system into obsolescence.

In 1901 a proclamation was issued ordering the establishment of police brigades in every province. At the same time, Chinese police reformers concluded that the creation of a modern police force based on Western and Japanese models could go a long way toward counterbalancing the power of elites and local gentry. In 1902 a 500-man police force was established southwest of Beijing and provided with its own training academy.

Japanese and Western policing would exert tremendous influence on the development of Chinese policing. The Japanese were so influential that the Chinese word for police—*jingcha*—originated from the Japanese *keisatsu*. The Japanese influence indirectly brought European traditions into China in the early 1900s as well.

In 1871, following the Meiji Restoration in Japan, Tokyo made the transition from a system of constables to a metropolitan police force. The following year, Toshiyoshi Kawaji was sent to Europe to study contemporary police systems. He returned in 1873 with a program of reorganization based on German and French police systems. What he learned strongly influenced the Tokyo Police Academy, and during its first six years more than one thousand sergeants and inspectors matriculated

through the program. The Japanese police system would serve as a model for the Chinese until the late 1920s, after which German police advisers would play an increasingly important role. But the first efforts at police modernization in China at the turn of twentieth century were quite different from advances that would be made under the Nationalist regime two decades later.

The 1930s saw the new Nationalist government set up its own police corps. President Jiang Jieshi (Chiang Kai-shek, 1887–1975) was reportedly an admirer of Prussian and Austrian policing. In fact, the Chinese word for public security, *gong'an*, is rooted in the German translation *öffentliche Sicherheit*. The Nationalist Penal Code described the duties and powers of the police. Harking back to medieval Chinese self-policing, police control under Jiang Jieshi was exercised at the neighborhood level through a network of small-scale precinct stations.

Influenced by centralized police activities in Japan and Europe, efforts were soon in place to standardize Chinese practices, increase the number of officers and police budgets, and introduce a uniform fingerprinting system. There is a bit of historical irony here, in that a system of fingerprint identification had been used in China centuries earlier as a way for illiterate individuals to sign contracts. So while the Chinese had been acquainted with the types of patterns in fingerprints for hundreds of years, they did not take the lead in developing a system of classification.

As Adolf Hitler (1889–1945) consolidated his power in Germany in the 1930s, Jiang cultivated contacts with German advisers and in 1933 sent a delegation to Berlin to study German military organization. At the same time, Jiang allowed Prussian police experts who had fallen out of Hitler's favor to teach at military and police academies in China. Over the next five years, a number of Nationalist police officers were sent to Berlin and Vienna to study German policing. However, most of these students were barred from courses outside basic instruction on crime detection and precinct duty. Chafing at these restrictions, Jiang intervened to allow three of his subordinates to train with Heinrich Himmler's (1900–1945) security squads (Schutzstaffel, or SS) and the secret police in 1936. As recently as the 1970s, some of these former trainees, then living in Taiwan, looked back wistfully to this period, exalting German “efficiency and lawfulness.”

Despite the influence of Japanese and German advisers, the Chinese regarded the Americans as the authority when it came to professional organization and training. Apparently, there was mutual admiration being traded between the two cultures, since according to one of the biographers of Berkeley, California, police reformer August Vollmer (1876–1955), Vollmer was inspired in his quest for better-educated “college cops” by the writings of Confucius (ca. 551–479 B.C.E.). Accorded the sobriquet of “father of



police professionalism,” Vollmer placed great faith in the Confucian adage: “The successful administration of any government depends entirely on the selection of proper men.” In the early 1930s, one Vollmer protégé even served a stint as adviser to the Nanking Ministry of Interior.

Prior to the overthrow of Jiang’s Nationalist government in 1949, the police force, including officers in Taiwan (Formosa) and mainland China, numbered almost one million. Little is known as to how many Nationalist police made the transition to Communist rule. Many officers took a wait-and-see approach. By most accounts, the remnants of the Nationalist Public Safety Bureau were successful in making the leap. There is enough evidence to suggest that the Communist police made impressive strides in clearing the streets of peddlers, restoring traffic control, suppressing robbery and prostitution, and ending opium addiction. In the end, it would take the transfer of power to the Communists to achieve most of the goals promised by the Nationalists. It can only be assumed that similar developments took place in other countries that made the transition to Communist rule in the twentieth century. Secret policing became the hallmark of policing in totalitarian and autocratic countries during the twentieth century.

#### THE DECENTRALIZED MODEL: AMERICAN POLICING

With close to twenty thousand different police forces, the United States exemplifies decentralization in policing, in stark contrast to the centralized model that dominates most of the world’s forces. British, French, Spanish, and Dutch colonies left their imprints on the American criminal justice system, but none was more influential in determining the course of policing as the British.

Like its precursors in Europe, early American law enforcement was the bailiwick of unskilled amateurs. There was little innovation in the early colonies, with most preferring what they were familiar with: some incarnation of the English constable and the county sheriff. Between 1608 and the end of the American Revolution, most American sheriffs and constables were appointed by colonial governors and performed the same tasks as their English counterparts.

Law enforcement figured little in the discussions of the Founding Fathers. The only mention of law enforcement in the U.S. Constitution is the power of the president during times of national emergencies. Historian David R. Johnson suggested that “there was no debate . . . as to whether the new nation should have a national police force, because such an idea did not occur to them” (Johnson 1981). This had important ramifications for future developments in American policing, which became increasingly decentralized over the next two

centuries. As the nation struggled with the forces of urbanization and industrialization during the early nineteenth century, communities created civil police forces, making the transition from amateur unpaid watchmen to more formal arrangements. In the first years of the new century, Boston became the first city to require by statute a permanent night watch.

In 1844 New York City’s traditional night watch was legislated out of existence and replaced with a new system comprised of separate day and night police forces, making New York the first city to merge its day and night forces into a uniformed police department along the lines of the Peel model. Between 1870 and 1900, most large American cities established professional police forces.

During the first half of the nineteenth century, federal policing was mainly the domain of the U.S. Marshal’s Service. In 1865 this organization was joined by the U.S. Secret Service at the federal level to fight a growing counterfeiting problem. Throughout most of the nineteenth century, there was little support for state policing. Americans favored decentralization of policing in an era that placed considerable value on a republican ideology that espoused local control of policing—hence, the development of municipal, county, and state law enforcement entities.

At the turn of the twentieth century, urban governments increasingly came to grips with the partisan manipulation of police agencies. An effort to replace partisan police boards with professional police chiefs was an important step toward police professionalism during the first decades of the twentieth century. Police chiefs such as Berkeley’s August Vollmer and Cleveland, Ohio’s Fred Kohler (1869–1933) rose to prominence after introducing a number of progressive reforms. Vollmer is considered the originator of the modern American police organization. Among his achievements was establishing a departmental code of ethics, introducing requirements that police officers attend college, and instituting the use of lie detectors and motorcycle and automobile patrols.

State policing gained increased support due to the ineffectiveness of county law enforcement and the rise in labor conflicts between 1910 and 1915. Between 1915 and 1923, twenty-seven states created some type of state police force. Although some created highway patrols in response to the growing popularity of the automobile by citizens and criminals, others adhered to the Pennsylvania paramilitary model of policing. The onset of the Great Depression stimulated the state police movement, leading to the creation of fifteen state police units between 1929 and 1941. Of these, twelve followed the highway patrol model. A new pattern also developed in which earlier state police forces were reorganized into larger forces. Managing to stay above the political fray and

maintaining good relations with the public was important; according to police historian David R. Johnson, “until the 1940s, at least, the state police were America’s elite lawmen” (Johnson 1981).

Perhaps the greatest development in policing in the 1920s and 1930s was the growing involvement of the federal government in law enforcement, as witnessed by the expansion of the Federal Bureau of Investigation, the Internal Revenue Service, the Customs Service, and the precursor agencies of the Bureau of Alcohol, Tobacco, and Firearms.

The 1940s and 1950s saw police departments across the nation continue the trend toward professionalization. Police reformers such as William H. Parker (1902–1966) in Los Angeles and Orlando W. Wilson (1900–1972) in Chicago personified the model of professional, impartial law enforcement. By 2001 most major police departments had adopted the “community-based” policing philosophy, demonstrating a dramatic shift from traditional reactive policing to a more proactive approach. No police strategy was more influential than the “broken windows” thesis espoused by the criminal justice and public policy experts James Q. Wilson and George L. Kelling. But, despite a movement from reactive to proactive policing, there is little evidence that the new policy was responsible for the drop in crime in the 1990s. In addition, civil libertarians and police critics cite the emergence of paramilitary SWAT teams in police departments across the nation as an alarming departure from the community policing model.

### MOUNTED POLICE TRADITION

One of the oldest police traditions still in use is the horse-mounted police patrol. Despite the introduction of police automobiles and motorcycles, mounted police still thrive. But, unlike earlier years when they were required to patrol hundreds of miles of sparsely populated terrain, they have found new life in urban areas of the greatest population density. While it is unknown when the first horse was used in a police action, most historians trace the utilization of mounted forces in law enforcement to the *Articles of War* of King Charles I (1600–1649) of England, published in 1629, which ordered that the provost be allowed a horse, “for he must be riding from one garrison to another correcting many, lest the soldiers scathe the country and frighten the people” (Carfield 1995). Although Australia and Texas established mounted patrol units in the 1820s, credit should probably be given to London’s 1805 Horse Patrol as the earliest formal mounted police force.

Beginning in 1758, the London Bow Street police established the Mounted Branch of the Metropolitan Police in Great Britain with the introduction of “two Pursuit [*sic*] horses and proper Pursuers.” Over the next

few years, John Fielding implemented his *Plan for Preventing Robberies* within Twenty Miles of London, which included a regular force of mounted men charged with crime prevention and criminal apprehension along the turnpikes leading into London proper.

By 1805 the Bow Street Horse Patrol consisted of fifty-two men and animals charged with patrolling main roads up to twenty miles outside London. Like most twentieth-century incarnations of the mounted police, officers came from the military, typically the cavalry (until 1939). They were housed in cottages near the patrol routes. Each man was equipped with a saber, pistol, handcuffs, and a truncheon, and with their scarlet waistcoats, white leather coats, and steel-spurred Wellingtons, they were a sight to behold and were not surprisingly referred to with the monikers “Redbreasts” and “Robin Red Breasts.” But the Bow Street Horse Patrol diverged from its modern counterparts in one important area: It was not initially involved in dealing with crowds and riots, but was employed mainly in patrolling roads.

By the 1820s, the Bow Street Horse Patrol proved such a success that its numbers were increased and in 1836 it was incorporated into Robert Peel’s new disciplined unarmed police force. Before the end of the decade, the Horse Patrol had become an integral cog of the Metropolitan Police.

As rioting and civil disorder increased during the nineteenth century, the mounted police played a crucial role in crowd control. The mounted branch was frequently involved in policing the militant suffragette movement beginning in 1903. By the next decade their duties included controlling other horsemen, holding down strike-breaking violence, patrolling common lands, and escorting members of the monarchy.

In addition to the London mounted police, numerous other communities in England used this type of unit as well. For instance, Newcastle upon Tyne began using horse police in 1836 and, despite the preponderance of cars, still employs a mounted branch of six. They are used primarily for patrolling the parks and woodlands that surround the city. Liverpool employs twenty-seven horses, while Edinburgh still maintains six. While the tendency has been for the mounted forces to decline in numbers since the introduction of motor vehicles, the city of Bristol has actually increased the size of its mounted unit.

The British brought their methods of policing to the far-flung edges of the British Empire as it expanded to the various corners of the world. Australia’s New South Wales Mounted Police Division claims to be the oldest continuous mounted police unit in the world. In 1825 the governor of the colony created the unit to suppress the growing bushranging threat and to apprehend runaway convicts in the rural districts. Like most mounted forces, it followed a military model, as well as Robert

Peel's London model. Most of the subsequent Australian colonies adopted the mounted patrol model because it was so well adapted to the terrain. Frontier conditions clearly influenced the development of law enforcement in the land down under. Conflict with the indigenous population required the creation of specialized and highly mobile police. The most specialized response to the "Aboriginal problem" in Australia was the formation of the Native Police Forces, which were staffed by native troopers and European officers, a common arrangement in the British Empire. This innovation was initially proposed by penal reformer Alexander Maconochie (1787–1860) in 1837 and combined the advantages of European firepower and horses with aboriginal bush and tracking skills.

Less known were the formidable Native American mounted forces in America's Indian Territory. Each of the Five Civilized Tribes (Cherokee, Chickasaw, Choctaw, Creek, and Seminole) referred to its "Lighthorse" units in their tribal law books. Lighthorsemen were authorized to not only enforce court decisions, but also to use their own discretion in upholding the law. The most prominent of the Lighthorse units included the Cherokee Lighthorse, Choctaw Lighthorse, Creek Lighthorse, and Seminole Lighthorse.

As early as 1808, the Cherokee nation passed a resolution creating a mounted regulator force to suppress horse stealing, robbery, and other criminal activities. A precursor to the Lighthorse units of the Indian Territory, the Cherokee Lighthorse was first authorized in November 1844. Composed of a captain, lieutenant, and twenty-four mounted officers, the force was charged with pursuing lawbreakers. However, it had little impact until after the American Civil War (1861–1865) because, in the years leading up to the conflict, law enforcement was typically handled by federal sheriffs and their deputies. The other tribes of the Indian Territory would eventually use the Cherokee Lighthorse as a model for creating their own units. The Indian mounted forces were often at odds with U.S. law enforcement agencies because of jurisdictional conflicts during the nineteenth century.

Like most colonial forces of the British Empire, in the rural areas of the British African colonies the Cape Mounted Police, Cape Mounted Riflemen, Natal Mounted Police, and the Zululand Mounted Police were inspired by the early Royal Irish Constabulary model, based on military discipline and command structure. Divorced from the local population and staffed by British officers, these rural-based forces were paramilitary in nature, allowing them to be easily transformed into military units in time of war, something that occurred often during nineteenth-century colonial expansion. The policeman-soldier tradition can be readily discerned in both the British and Afrikaner models of policing.

Formed in 1822, the Cape Mounted Police were the earliest example of the mounted police tradition in South Africa. At their zenith, they numbered eight hundred, two-thirds of whom were Hottentots; they were equipped with smooth-bore double-barreled shotguns, easily loaded on horseback. In 1857 they were disbanded and reconstituted as the frontier Armed and Mounted Police before returning to their original name in 1878.

Following the British victory in the Anglo-Boer War (1899–1902), Major General Robert Baden-Powell (1857–1941) recruited ten thousand men to police South Africa in order to guard against the same social tensions and disintegration that accompanied the Union victory in the American Civil War. Initially, their main task was to gain the confidence of their former adversaries. Police were encouraged to learn the Boer language, Afrikaans. The South African Constabulary was organized into three divisions, and after the succession of hostilities in South Africa was the largest mounted police force in the world with 10,500 members.

Jordan implemented a very different rendition of the mounted police force. Its creation can be traced to the Arab army that emerged victorious from the dominance of the Turks during World War I (1914–1918). Initial attempts were unsuccessful in creating a force that policed the lawless Bedouin people as well as the provincial towns. By the 1930s, several British officers arrived to help bring law and order to the Transjordan region. Chief among them was Lieutenant General Sir John Glubb (1897–1986), who would organize the original Desert Patrol. Unlike other mounted forces that rely on the horse, this one used camels, patrolling the borders for smugglers, opium dealers, and terrorists attempting to gain illegal passage into Jordan. The Camel Corps were scattered in outposts at intervals through the desert. Each patrol was composed of four men and camels. They were typically equipped with crossed bandoliers, a Colt revolver, a rifle, and a curved dagger. In addition to the Camel Corps, there were also gendarmie posts in the countryside that relied on horses. During range patrols they took census of livestock and handled public security.

In the wide expanses of frontier Texas, the ranging tradition of policing in the United States developed in the form of the Texas Rangers. New Mexico and Arizona took similar steps in the early 1900s. In the tradition of the rangers and other frontier mounted police, Mexican president Benito Juárez (1806–1872) founded the Mexican Rural Police Force, or Rurales, in 1861. The Americas were also the home of the world's best-known mounted police—the North-West Mounted Police, founded in 1873 by the Canadian government to police vast areas of western Canada. Renamed the Royal Canadian Mounted Police in 1920, this force consisted of more

than sixteen thousand peace officers and functioned as the municipal police in about two hundred towns and cities by the beginning of the twenty-first century. Although the Arizona Rangers and the New Mexico Mounted were short-lived units, the Texas Rangers moved into the modern era with less autonomy as part of the reorganized Texas Department of Public Safety in 1935.

## CONCLUSIONS

The colonial empires of Europe played an influential role in shaping police practices around the world. Beginning in the sixteenth and seventeenth centuries, nations as diverse as Great Britain, France, the Netherlands, and Spain expanded their spheres of influence beyond continental Europe, and in the process introduced a number of police practices to the far corners of the globe. It would be natural then that yesterday's colonies made the transition to today's nations with police forces that reflect the historical process in each country. Likewise, many powerful nations influenced their neighboring countries as well—witness the carabinieri in Italy, Spain, and France, or the state mounted police forces in Texas, Arizona, and New Mexico in the early twentieth century.

Some of the earliest efforts at international police cooperation emanated from Europe. Largely the brainchild of Vienna, Austria, police chief Johann Schober (1874–1932), the International Criminal Police Organization, or Interpol, was envisioned as a panacea for the international crime problem in the aftermath of World War I. Schober believed that if the world's police forces cooperated with each other, they would be more effective in deterring crime within their respective borders and apprehending offenders as the crimes occurred. In 1923 Schober sponsored a world conference of law enforcement officers in Vienna. Initially headquartered in Vienna, the ascendance of Nazi Germany in the 1930s led to an early disbandment of Interpol. But following World War II (1939–1945), Interpol was resurrected and in the following years relocated its central offices to Paris and Lyons, France. Demonstrating the transnational complexion of modern police cooperation, between 1984 and 1989 John Simpson, an American and chief of the U.S. Secret Service, presided as Interpol president.

In many respects, Interpol's efforts at international police cooperation were a harbinger to the Schengen Agreement of the 1980s in which Belgium, France, Germany, Luxembourg, and the Netherlands agreed to ensure cooperation in the ever-widening war against transnational crime and terrorism. Among the most important issues addressed by this agreement were the jurisdictional matters related to policing, particularly the sharing of information and how far police could pursue criminals across borders.

Technological advances are poised to take police weaponry into the twenty-first century. Law enforcement has recently emerged as one of the fastest-growing markets for high-tech gadgetry, particularly in the realm of less-than-lethal weapons and tools. The equipment on the drawing board for the twenty-first century includes the snare net, the smart gun, strobe goggles, rear-seat air bags to control arrestees, millimeter wave cameras to detect concealed weapons, and backscatter x-ray scanners for detecting drug shipments. However, what the September 11, 2001, terrorist attacks in the United States have taught law enforcement is that no matter what weapons are developed, policing is still the purview of police officers and police systems. No matter what technological innovations materialize in the twenty-first century, policing remains adamantly reliant on many of the time-tested traditions of the past. Witness the return of mounted police patrols. Almost forced out of existence by the automobile, since the 1980s mounted units have become a familiar presence in many cities around the world and are considered advantageous for riot control and community relations, as well as for their high visibility. Also demonstrating the cyclical nature of law enforcement innovation is the reinvigorated emphasis on community-oriented policing, which has taken officers from behind the wheel of an automobile and placed them once more on foot in the communities they serve.

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***Mitchel P. Roth***

# Colonial Policing

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In at least seventy-six countries of the world, the earliest police forces were established by colonial powers. This was done not for altruistic purposes, but for reasons associated with maintaining imperial authority in occupied countries. The principal European colonial powers were Britain and France in the first tier, and also the Netherlands, Spain, Portugal, Belgium, Germany, and Italy in the second tier. Together, these powers ruled more than one hundred countries that are now independent states. Most of them were in Africa. In fact, not a single country in Africa escaped imperial domination. Most countries in Asia, with the exception of China, Nepal, and Thailand, also experienced colonial rule some time during their history. In Latin America, all countries were under the control of Spain and Portugal until the early decades of the nineteenth century, and some, such as Guyana and Suriname and all Caribbean countries, remained colonies well into the middle of the twentieth century.

Colonialism had a major formative influence on the history of policing. The colonial powers did not merely establish the first law enforcement forces in colonized countries, they also provided the constitutional and legal mechanisms that undergird them. For example, most Francophone countries still have such law enforcement bodies as the *gendarmerie* and *sûreté* built into their organizational structure, whereas Anglophone countries are modeled on the London Metropolitan Police, the mother of all police forces in the Anglo-Saxon world. Effective law enforcement is one of the great legacies of colonialism in the modern world.

Colonialism is essentially a form of military occupation in which the ruling powers use the army to maintain

law and order, repress any liberation movement, and generally suppress localized armed opposition. The function of the army is to inspire fear. Policing and law enforcement are afterthoughts that come into play only after an entire country has been pacified and brought under the authority of the sovereign colonial power. At this stage, the rulers become more benign and assume what the French call *mission civilisatrice*, or the “civilizing mission,” part of which involves “winning the hearts and minds of the natives.” Law and order are essential to achieving such a civilizing mission. Law enforcement is not merely critical to the suppression of criminal elements but also to restoring a sense of normalcy to the general population. A society in which anarchy prevails works against the long-term interests of the colonial power.

There is the further need to establish a court system that is perceived as impartial and unbiased and an administrative structure that is respected, even if the natives have no access to it. Colonial powers introduce a patron-client relationship vis-à-vis the ruled whereby the benign administration is able to provide basic services that will make up for the lack of autonomy and self-government. Many ethnic groups came to believe that they were better off under colonial powers than they could ever possibly be under the rule of fellow ethnic groups. The system worked well in all colonies well into the middle of the twentieth century.

In most colonies, the colonial powers never used the military to conduct law enforcement operations. This was a crucial distinction that has lasted until this day. But, in almost every case, the original police force was paramilitary in nature. They adopted military nomenclature and

techniques, but these were civilianized in an effort to hide the fact that the regime was nevertheless a military occupation. The colonial powers also succeeded in attracting the better-educated persons to join their administrative and police cadres, some of whom were sent to the home country to learn the language and customs of the rulers. Most police officers in the colonial police forces of Francophone Africa were sent to Paris, where they became part of the French establishment and in a sense, emissaries of the French administration. Italian colonies sent their police officers to Rome, and the British trained the police officers of their far-flung empire either in England or in one of the patrial countries, such as Australia or Canada. Thus, law enforcement was one of the sectors designed to reinforce the subservience of the colonies to the interests of the colonial power.

Crime rates varied among the colonies, but it has been observed that crime was not a more serious problem in premodern African, Asian, or Latin American societies than it was in medieval Europe. These were submissive societies used to centuries of authoritarian rule where violent crime was the exception rather than the rule. The colonial police forces in their initial stages found immediate acceptance in these societies. In many African countries, the ratio of policemen to the population was of the order of 1:1,500, and more often than not, the policemen were not even armed. The colonial powers were uneasy about arming these policemen because of the fear that they might turn their arms against the rulers and, second, because of the cost involved.

Power and authority are the dual attributes of the police. The first was symbolized by the small billy club or stick that most policemen carried, and the second by the uniforms and the badges. The lines of command were remarkably simple and uncomplicated. The headquarters was under the command of an official variously designated as a director general or commissioner who was directly responsible to the resident head of government. Below the headquarters there was a territorial organization that followed the administrative division of the country. Most large towns had a small station manned by one or two policemen who used the police station as a home as well. All patrols were on foot. The police force was also used as a listening post to feel the pulse of the people and to alert the rulers as to possible subversive actions or agitators. In the absence of any mechanism for accountability, most policemen enjoyed a great degree of personal discretion. Often they could harass people they disliked for personal or ethnic reasons. The term *human rights* had not even been coined.

One of the more peculiar features of the colonial police was the lack of a functional separation of the various police duties. In early days, firefighting and law

enforcement were combined and so were criminal investigation and regular police work. Most police stations also served as first-aid stations where medical help was offered. The police ran prisons and delivered the mail. In some colonies, such as Malta, police also registered births and deaths and rounded up truants and vagrants.

Police administrative organization followed several models. The four main models were: (1) extension of the home forces; (2) creation of an autonomous indigenous police department; (3) establishment of a formal ministry that combines justice and prisons; and (4) the use of traditional law enforcement posses or tribal units.

The first model, that of an extension of the home force, was peculiar to the French overseas territories. In every case, the *gendarmerie* and the *sûreté* dual-agency system was introduced by the French and the system has survived independence. The *gendarmerie* was essentially a rural police force that kept law and order in the villages, while the *sûreté* took care of crime in the towns and cities and also conducted criminal investigations. The French make a distinction between colonies and French departments that are constitutionally considered a part of France.

The British, having more colonies than the French, were more flexible in customizing and contextualizing law enforcement activities to the nature of the society they encountered. In some cases, they created a new police department, but without any ministerial status. These departments had direct access to the governor. In Palestine, for example, the inspector-general sat on the High Commissioner's Advisory Council and took his direct orders. In other cases, the British elevated law enforcement as a ministry (as in Malta) with cabinet status. In most cases, the ministry's jurisdiction also covered prisons, firefighting, and probation.

The relation of law enforcement to the regular administration also varies considerably. Here the German (or more strictly, the Prussian) model was emulated in many other countries. Under this arrangement, the superior police officers limited themselves to discipline, inspection, and training. Operational responsibilities fell on the district officers, who often lacked the critical judgment and professional experience of their superiors. This system was discredited when Germany lost its empire after World War I (1914–1918), but it survived in some of Germany's African colonies.

The last organizational mode was the tribal police under the direct control of the colonial authorities. This system was confined to British West Africa. Rudimentary police systems existed in all countries in the world even before the modern era, Africa being no exception. Here, the tribal agents, with or without official status or badges, performed rudimentary police functions, such as

apprehending criminals and placing them in detention. No criminal records were kept and justice was summary. It was in this manner that policing began in Nigeria, Sierra Leone, and Gambia. In Gambia, the tribal police were known as badge messengers, and it was the custom to regard the head of the force, known as the “silver badge messenger,” as the successor to the ruling chief.

Because policemen were selected by the colonial authorities on the basis of certain criteria, such as literacy, and because the rest of the population was mostly illiterate, there came to be a distinction between the two groups on the basis of their educational attainment. In fact, the term *literate constable* came to be the official appellation for policemen in some regions. Within the police force, the distinction persisted. In the Gold Coast (now Ghana), the general police were called *literates* and the escort police *illiterates*.

Another internal distinction was between the armed police and the unarmed police. The paramilitary origins of police forces were reflected not merely in the rank formations and nomenclature, but also in the types of weapons used. The colonial powers were fearful of an armed constabulary that could turn against its masters under certain circumstances; nevertheless, they realized that some units of the police needed to be armed to meet emergencies and public disorder. Certain forces had special armed units, such as the Police Mobile Columns or Police Support Units, that consisted of specially selected and trained men whose loyalty had been tested. These units were quartered together and received special privileges. The model for this paramilitary force was the Royal Irish Constabulary, later the Royal Ulster Constabulary, which kept peace in the restive island for centuries.

In some cases, the colonial police forces were transformed into a military force and vice versa. During World War I, units of the North Nigeria Police were converted into the West Africa Frontier Force, a British Army corps. During World War II (1939–1945), the Palestine Police was converted into a military fighting force that saw action in Syria and elsewhere.

All colonial forces were manned exclusively by white officers until independence. In many African countries, superior police officers were drawn from the home country even after independence. Nevertheless, serious efforts were made to train subordinate police officers and to devise standards and techniques suited to the local conditions. The earliest police schools and colleges in the colonies were founded in the early decades of the twentieth century and were staffed by expatriates. These schools and colleges provided only basic instruction, but in some cases they offered refresher courses for those

already in service. The required physical and educational standards varied from country to country, but they were generally lower for the natives than they were for expatriates.

Apart from professional pursuits, the colonial rulers fostered social activities, which offered opportunities for gaining a knowledge of local cultures. The British introduced the sports of soccer (football), rugby, and cricket in all the countries over which they ruled. Social intercourse was limited between the rulers and the ruled, and the social divisions in the home country persisted in the colonies. For example, in Kenya, no one below the grade of inspector was allowed into police clubs. It was customary for British police officers in West Africa to take out local girls to dance, whereas this practice was frowned upon in East Africa. In Malta, police officers could join a union and so could officers in Francophone Africa, but membership in any organization was banned by Italian authorities in Somalia.

In all colonies, Western languages supplanted the native languages quite early. Language, like religion, constitutes the soul of a society, and by controlling language colonial masters could control the societal evolution of the people who spoke it. Nevertheless, in certain countries with developed languages, the colonial rulers were forced to make adjustments and concessions. In Palestine, a knowledge of Arabic was required of all policemen and so was the knowledge of Swahili in East Africa. In Francophone Africa, the situation developed differently. The natives acquired a knowledge of French easily. In fact, the French spoken in Francophone countries like Senegal is considered superior to that spoken in France. But in North Africa, a knowledge of Arabic was encouraged more for the purpose of gaining access to local sources of information.

Local customs played an important role in shaping police rules and traditions. For example, in India, which had a highly developed culture even before the British gained control of the country, caste protocols were built into police procedures. Most of the police officers came from the higher castes and thus commanded ritualized respect from the lower masses. Confessions in India could be tendered only to an officer higher than an inspector, for fear that lower grades would be less trustworthy.

All remaining colonies gained their independence from the Western colonial rulers between the end of World War II and the end of the twentieth century. At the time of independence, only a few countries, such as Burma (now Myanmar) completely broke with their past and restored the precolonial social and administrative system. Most other countries, including India, the crown jewel of the British Empire, retained the administrative and judicial systems of the colonial era. Included in this



*Colonial Policing*

legacy are the law enforcement agencies and traditions. Reinforcing this trend is the globalization of crime as well as crime prevention. Superior police officers from all over the world are now trained in the United States or Britain or France, where the original law enforcement models are

being redefined and applied to the needs of the twenty-first century.

*George Thomas Kurian*

# Community Policing

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A review of law enforcement strategies throughout the Western world reveals the majority of police forces and departments embracing community policing. Whether they are encouraged by government pressure, public pressure, or police policy is immaterial, as community policing has become an integral part of contemporary policing. Community policing has become more than a philosophy and concept, it is now an organizational strategy that promotes a partnership between people and their police. It is based on the premise that both the police and the community work together to identify and prioritize those problems that concern the community—for example, crime, drugs, fear of crime, neighborhood decay, and social and physical disorder—with the objective of improving the overall quality of life in the area.

Since the mid-1970s, more discussion and debate have centered on the topic of community policing than on any other aspect of police work. The topic has engulfed police literature, has spiraled across the Internet, and has been the main focus for a number of criminal justice departments in universities, colleges, and research establishments in the Western world. Community policing has also been the subject of major research funding, ultimately being hailed as the “archetypical model” of modern policing. It purportedly has won over police management and working police officers, as well as police commentators, academics, politicians, and the general public. But what is community policing? When did it start? Does it work? Does it have a future? This essay attempts to answer these questions, with a specific focus on policing in the United Kingdom and United States, with some relevant information about the wider world.

## WHEN DID COMMUNITY POLICING START?

The advent of industrialization and the introduction of interventionist liberal policies in the nineteenth century led to a broad definition of policing. For example, the “policing” of education, factories, and commerce, and the increase in social welfare-oriented policies, coupled with the expansion of the civil service and local authority bureaucracies, all added to the policing of the community for the benefit of the community. The new police evolved as part of this social policy, inextricably linked to both social control and executive enforcement.

With striking similarity to the development of policing in the United States, the police organization in the United Kingdom changed its approach to general policing in the 1950s and 1960s, with the assistance of technology, specialization, and mobility. This end of the so-called golden era of policing led to police isolation from their communities through the regular use of police cars, increased utilization of radio communication, and growing telephone ownership within the community, which negated the traditional personal contact with the local police. This dichotomy was further exacerbated by the need for more instant response to calls for service from an ever-demanding community. Over time, policing took on a demand-led stance that distanced the service from the community, causing a shift from “preventive” to “reactive” policing. Community policing slowly emerged as the savior of the foot-patrol officer, the sole community interface with the increasingly isolated police service.

Close scrutiny has revealed that contemporary community policing does not have a single identifiable

historical source, but grew and developed out of a need to fill a vacuum between policing and communities in modern twentieth-century society that resulted from the alienation of the police from the community. The intellectual leap from the social role of the police to that of a facilitator in community improvement is not so difficult, and, indeed, highly visible within the United Kingdom and the United States from the 1960s onward.

This said, however, the idea of community policing found its roots in the United Kingdom and United States as far back as the 1950s, with its source lying in two main areas: first, as part of an increasing call for citizens to become involved in community problem solving, and second, to satisfy a growing awareness of the need to tackle juvenile crime and delinquency within the community. A comparative-literature search into community policing in both Britain and North America dating back to the 1950s continually highlights similar concepts and philosophies surrounding community policing in both countries. For example, in 1957 in the town of Greenock in Scotland, the then chief constable, David Gray, started what was to become known as the Weir Street–Ladybank Project. Being particularly concerned about juvenile crime in the area, Gray suggested that concentrated attention be given to it by local authority services—the churches, teachers, police, and others—to produce a better environment for the children to play and grow in. He posted three constables to the area with a remit to support the residents and the statutory agencies in the wide range of structural, environmental, and sociological improvements that were being implemented. Gray believed that improving the neighborhood environment through a multiagency approach, with the police playing a central role, would increase the overall quality of life in the area and eventually reduce crime.

Officers were further instructed to become familiar with the area and develop useful and constructive relationships with local people. The police took the role of initiator and facilitator; a residents' association was formed and clubs were set up. Refuse collection was improved, and the landscape planted with trees. The key to David Gray's philosophy was that the maintenance of order and the prevention of crime could not be dealt with in isolation or by one agency, but rather had to be addressed within the wider spectrum of social issues that affected a community and its people, and more especially, by the wide range of skills, responsibilities, and resources vested in what has now become known as the *multiagency approach*. Gray was undoubtedly ahead of his time—his appointment of a group of dedicated police officers with specific instructions to liaise with the public is an obvious prototype of community policing, and installs him as one of the founders of community policing and a commendable legacy to Scottish policing.

A further example of innovative community action and problem solving can be found in the United States during the 1950s, as depicted in a study of community members engaged in a health survey in a Midwestern county. There, the importance of “insiders” having ownership of community problem solving is stressed: they “must be local residents. It is very difficult, if not impossible, for non-residents to become an initiating set for local community action” (Sower 1957, p. 67); that is, engaging the community in problem solving by focusing in particular on interventionist policies and the role of the community worker, whose job it is to highlight social problems within a community while encouraging citizens to do something about them. It is clear, by tracking the evolution of community policing and community problem solving in the United Kingdom and the United States, that there exists strong parallels in the development of community policing in both cultures, emerging out of social conflict, coupled with a fierce community-led drive for additional influence and control in the running of their own communities.

#### WHAT IS COMMUNITY POLICING?

A better understanding of community policing has been hampered at times by the difficulty of defining and articulating the concept of “community” itself. For most people, community relates to a small local area, while others see it in national or international terms—for example, the Jewish or Catholic community, and there are those who even perceive an “Internet community.” To fully understand community policing, one has to agree on what *community* means and how it dovetails into policing, or for that matter, how policing merges into community. For example, one could start from a base position and suggest that, if an ideal model of community existed, there would be little, if any, need for formal policing. In other words, the concept of community policing is ultimately tautological; if “community genuinely existed then policing in a formal sense would be otiose” (Reiner 1995, p. 164). A broader view suggests that any form of policing is community policing as long as it has community support and encouragement, as definitions of *community* and *policing* vary from place to place.

Similar to *community policing*, the term *community* can mean different things to different people—there is no universally accepted definition, but there are various interpretations. The term commonly refers to the relationships and experiences people have with each other in their homes, schools, workplaces, neighborhoods, sports clubs, bars, cities, and towns, where individuals identify with places and form an attachment and a sense of belonging to a particular area, fulfilling social and other

needs. This facilitates the development of a collective identity and encourages residents to feel secure in a neighborhood, stimulating a strong sense of community well-being. Community policing has, over time, become an essential part of this networking and is seen as a way of giving local communities more of a say in the running of local police services.

In general terms, the prime duty of the police is the protection of life and property, the maintenance of order, and the prevention of crime. It is well accepted that these goals cannot be achieved by the police alone, but require the assistance of the community, through community members accepting communal standards and values in partnership with the police and other public agencies. It follows that the police require the consent of the community in order to carry out their duties effectively. In addition, the police must understand the community's problems if they wish to be in a position to influence the community in the ways that prevent crime and maintain order. The idea that the police officer, through a regular presence on the beat, is working on behalf of the community, ever-sensitive to its needs and concerns, is, in essence, community policing.

One of the best attempts at a definition of community policing is the "Ten Principles of Community Policing" devised by Robert Trojanowicz and Bonnie Bucqueroux, summarized here:

1. Community policing is both a philosophy and an organizational strategy that allows the police and community residents to work closely together in new ways to solve the problems of crime, fear of crime, physical and social disorder, and neighborhood decay.
2. Community policing's organizational strategy first demands that everyone in the department, including both civilian and sworn personnel, must investigate ways to translate the philosophy into practice.
3. The implementation of community policing requires that police departments create and develop a new breed of line officer, the community policing officer (CPO), who acts as the direct link between the police and the people in the community.
4. The CPO's broad role demands continuous, sustained contact with the law-abiding people in the community, so that together they can explore creative, new solutions to local concerns involving crime, disorder, and decay, with private citizens serving as unpaid volunteers.
5. Community policing implies a new contract between the police and the citizens they serve, one that offers the hope of overcoming apathy, at the same time restraining any impulse to vigilantism.

6. Community policing adds a vital proactive element to the traditional reactive role of the police, resulting in full-spectrum police service.
7. Community policing stresses exploring new ways to protect and enhance the lives of those who are most vulnerable—juveniles, the elderly, minorities, the poor, the disabled, and the homeless.
8. Community policing promotes the judicious use of technology, but it also rests on the belief that nothing surpasses what dedicated human beings, talking and working together, can achieve.
9. Community policing must be a fully integrated approach that involves everyone in the department, with the CPOs as specialists in bridging the gap between the police and the people they serve.
10. Community policing provides decentralized, personalized police service to the community. It recognizes that the police cannot impose order on the community from outside, but that people must be encouraged to think of the police as a resource they can use in helping to solve contemporary community concerns.

(Trojanowicz and Bucqueroux 1990, pp. xiii–xv).

Although these ten principles articulate a clear definition of this contemporary policing reform, there are other variants. One is described as *community-oriented policing*, which entails efforts to bring about a closer liaison between police and community, with the end result being a close police-community relationship that facilitates the maintenance of a safer environment. Examples of this can include decentralizing the police service to the local area through subpolice offices; identifying regular foot-patrol officers; and the introduction of structured networks, such as neighborhood watch and crime-prevention programs, with the involvement of community members.

A second variant is *problem-oriented policing*. The main protagonist of this approach, Hermann Goldstein (1990), regularly accused the police of failing to address the underlying problems that surface as calls for assistance from members of the public, a situation that Goldstein argues can be remedied by problem-oriented policing. Problem-oriented policing requires the police to reorient themselves toward the solution to problems that come to their attention, instead of constantly returning to the same recurring complaints. Police officers should, in short, become oriented toward solving problems, rather than suppressing the apparent symptoms of problems. Efforts should be made to develop a joint system between police and the citizenry that focuses on community concerns and problems within a more rational scientific framework.

The community-oriented model tends to depict the citizen doing police work, with the associated problems of legitimization and authority, whereas the problem-oriented model does not have the legitimacy problem because the police are normally in the lead role in partnership with the community.

#### DOES COMMUNITY POLICING WORK?

Most modern police departments have a capacity to respond quickly to calls for service; however, community policing is different. It is not incident- and technology-driven, and officers operate on a decentralized basis. Community policing emphasizes officers being in regular contact with citizens, and it allocates police on the basis of neighborhoods. It involves structural and organizational reform, ensuring change in decision making and communication in police departments. Success also necessitates police cultural reform and a strategic “redefinition of policing” (Skogan 1995, p. 86).

Studies of earlier models of community-style policing in the United States, such as police-community relations units, team policing, unit beat policing, and foot patrol, revealed the confusion and ambiguity inherent in the term *community policing* (Manning 1984, p. 206). Such views have been reiterated since 1984 in other studies that reemphasize the dilemma facing police and community alike in coming to terms with the concept and meaning of community policing. For example, around this time a British study of community policing in five contrasting English forces found that an early problem existed with the variation in terminology (Brown and Iles 1985). Titles such as *home beat*, *neighborhood beat*, *suburban beat*, *rural beat*, *detailed beat*, and *structured patrol* had all been used, reflecting the range of local environments and local concerns. In general, however, each type of officer operated on a similar basis—he or she was assigned long term to a specific beat (usually at least a year) with the task of getting to know the beat and the people in it and becoming involved in the community. All were expected to perform conventional police duties.

In the United States, improved community-police relations came about in the 1970s with the introduction of “team policing,” and with it a more decentralized and personalized form of police and community liaison. It was hoped that the newfound relationship between the police and community members would engender communication, trust, and cooperation, and cultivate a sense of responsibility among citizens for crime prevention and other antisocial problems. Although team policing was the source of what was to become today’s model of community policing, it did flounder and fail, mainly due to management not being involved in a supportive

role. Police management could not shake off its traditional command-and-control function, which generated complaints that the police organization and bureaucracy were at fault; “team policing was a competing strategy with different assumptions about every element of police business. It was no wonder that it expired under such circumstances” (Kelling and Moore 1988, p. 23).

So the 1950s and 1960s witnessed the birth of community relations, quickly followed in the 1970s by the concepts of team policing and unit beat policing, which were the forerunners of the community policing approach that eventually found its foothold in the 1980s in both Britain and America. Although some of these initiatives during the 1950 to 1970 period failed to survive or had limited success, the notion of community and police in partnership remained viable. It offered some promise of success and progress at a time when policing was becoming more complex and was striving for novel ways to combat crime in its modern form.

The crisis of the 1960s and 1970s in the United Kingdom and the United States, with rioting and social unrest, generated a feeling within communities that police accountability was inadequate. This, in turn, led the ordinary member of the public to believe that he or she had little or no influence in the direction of police resources. Criticism of police professionalism appeared on political agendas, with associated questioning of police recruitment, training, and management policies. Critics recommended improved police management, training, use of technology, better recruitment, and more community involvement in police planning and implementation. At this time, the lack of liaison and poor communication links with the community caused conflict and alienation between the police and the public, and this problem, coupled with a growing public awareness of civil rights and liberties, resulted in a rise in complaints against the police. There are many examples of failures in the police systems of the 1970s and 1980s. The Scarman Report that looked into the April 1981 Brixton riots graphically describes one such failure that resulted in a conflict between police and young people living in the Brixton district of south London. Consequently, the 1970s and 1980s witnessed the emergence of a model of proactive policing or community policing that involved a higher level of police acceptance of local community values and a willingness to be influenced by the community.

Community policing persuades the police to think of themselves as more than a reactive agency for calls from the public; such an approach to policing promotes a more proactive, problem-solving role in tackling community problems. However, in adopting a closer interface with the community, the police are faced with the

dilemma of how involved they should become in resolving community problems. Where should they draw the line? For example, police are becoming more involved in policy discussions on such issues as drugs, prostitution, homelessness, antisocial behavior, sectarianism, race relations, and asylum seekers, which are usually associated with fear of crime in rundown inner-city areas. There is a danger that policing becomes too embroiled in party politics.

The difficulty is that, when police do not include “communities” in their decision making and ignore the community’s needs and responses, a breakdown in law, public order, and confidence in the police can result. Community policing offers services to the public that do not normally fall within the ambit of law enforcement and are not related to specific criminal activity, leading the community to need the police and vice versa. One example is the “war on drugs,” which the developed world generally accepts it is not winning and will not win solely through law enforcement. Community police officers are regularly involved in delivering the antidrug message in schools and to volunteer groups. A similar stance is taken with other crime-prevention initiatives, which will succeed only within a model of partnership and liaison. The dynamics of the police and community liaison clearly show community policing playing a vital part in local social-policy strategies.

However, as an important factor in community policing, the resurgence of the idea of community fills a vacuum left when the concept of society seems to be disbelieved and replaced by market-driven forces and individualism. To build on the success of this community spirit and communitarianism, one has to appreciate that community policing reflects similar “market trends” in the wider public and private management environment, such as quality management and continuous improvement, and orientation toward clients and customers. In addition, the basic tenets of community policing are found in the modern approach to service delivery—for example, client satisfaction, shared decision making, the extension of empowerment at the front line, local democracy, decentralization, partnership, openness, and accountability.

Since decentralized local decision making is the essence of community policing, with all officers involved in its implementation, no one should be excluded, particularly supervisors and management. A small team of highly motivated community police officers cannot by themselves make the necessary cultural and organizational changes required. This was reflected in Nigel Fielding’s 1994 examination of the organizational and occupational problems of community policing in the United Kingdom (pp. 305–322). For example, although

community policing may be in vogue, officers who took on the assignment felt their most daunting problems did not originate from the public but from within their own organization. The difficulty for community policing may lie less in establishing that it is an appropriate response to important demands on police services, and more in securing an organizational environment in which it can endure. The difficulty with community policing as gleaned from literature is that its “successes” are not compatible with the more traditional operational criteria—arrest rather than conciliation, clear-up rates rather than the absence of disturbance and crime. A different set of values and techniques has developed as a gauge of the success of community police officers, in particular their choice in the use of discretion rather than the impositional style of regular patrol officers.

A regular drain on community-policing resources has been brought about as a direct result of the growing professionalization of the modern police officer, which has led to increased specialization and the bureaucracy associated with it. This, in turn, has created a profusion of police departments and specialist posts, which have led either to the status quo in the number of foot patrol or community police officers, or, as usually is the case, to an actual reduction in their numbers, since the main source of recruitment for specialist posts in policing is from the pool of foot patrol and community police. Any additional new recruits are soon subsumed into mainstream policing, where they help feed the police organization’s constant appetite for specialization or duty in targeted initiatives.

Community police officers can obviously be successful when they are allowed to get on with their proper role in the community. The dilemma is that community police officers, particularly those working in large cities, are not consistently engaged in community-policing duties, but regularly abstracted to undergo other tasks. The research and literature show conclusively that, without a specific strategic policy and implementation plan with the requisite level of resources, community policing will continue to struggle and exist in rhetoric only. In contrast, the purest form of community policing can be found in small rural towns where the officers are not subject to constant abstractions from their everyday duties in their community.

The situation is not all negative, as the majority of community police officers and their colleagues work hard for their communities when they are allowed to do so by the system. They prevent crime and detect offenders on a regular basis, regularly placating the concerns of community members and significantly enhancing community safety. In addition, a high level of satisfaction with community policing has been sustained over the

years, as evidenced by regular independent opinion surveys. A considerable amount of goodwill on the part of officers makes the community police system work against all odds.

#### DOES COMMUNITY POLICING HAVE A FUTURE?

Although not discussed at length in this essay, models of community policing exist worldwide and are at various stages of evolution. In France and Germany, hybrids of the British and American styles of community policing have subsisted since the 1980s. For instance, in Germany, community policing is a recent development that suffers from the perennial internal organizational problems of resistance to change. The model is also hampered by the country's rigid legal structure, which constrains police officers' use of the discretion that is crucial to the implementation of community policing. In France, on the other hand, community policing suffers from not being part of the French policing tradition, which differs from the British model of the unarmed community beat officer. Historically, French police gave allegiance to the protection of the state and the suppression of public disorder, in contrast to the guard, watch, and patrol version of their contemporaries in the United Kingdom and the United States.

It is, therefore, difficult to "parachute" the traditional model of community policing into countries such as France and Germany that have no historical foundation of community and police partnership to support it. The "golden age" of policing and the stereotypical beat officer never existed in most countries. However, communities are making themselves heard through the medium of their politicians, and they are demanding change in their country's policing systems; in particular, they are calling for a voice in how they are policed. And it is not solely in Europe where change is on the horizon; many other countries throughout the world have experimented with versions of community policing that are tailored to suit their own historical, political, and legal circumstances. Some are proving successful, others less so. There is no ideal type that can be transplanted with a guarantee of success.

In the United Kingdom, the solitary icon of the patrol officer carrying the responsibility for the safety of the community on his or her shoulders is under threat, and, in particular, in danger of slowly disappearing from the British thoroughfares, even though a significant proportion of police managers, supported by the police associations, still maintain that the patrol officer is the bastion of policing. It is apparent that police workloads and the ever-increasing demands made of the service, coupled with the present systems of resource management, have had an adverse effect on foot patrol and

community policing, and at times have an opposite or counteracting outcome on police strategy and policy. Rhetoric and ambivalence still surround the subject of community policing and the wider issues of foot patrol. There will always be arguments put forward for extra funding for policing and patrol officers in particular, but funding is only part of the solution. It is worth drawing attention to the remarkable fall in crime and the increase in detection rates achieved in New York City during the 1990s. During this period the city experienced a rise in police recruitment of around 25 percent. It is highly unlikely that an injection of funds of that magnitude will be witnessed in the United Kingdom. In reality the demand for policing and general community security is such that it is unrealistic to believe public funding will ever reach the requisite level.

The warning for the police service is, if there is no sustainable increase in the number of patrol officers, then other methods will be introduced to fill the gap. The following options and alternatives to traditional methods of police patrol and community policing are being piloted in many areas of the United Kingdom.

As part of the British government's ongoing reform of the police, it is examining new models based on differing levels of patrol: For example, the civilian community-support officer or neighborhood warden who patrols with limited powers, funded from the public purse; private security patrols similar to those utilized on private estates in the United States; and the extension of the powers of existing auxiliary patrols, such as traffic wardens, giving them the authority to report minor crimes. This is against a backdrop of a significant increase in private security provision in Britain, with a move toward private civilian foot patrol in areas where the community, the local authority, and elected members are dissatisfied with the levels of police patrol cover and have taken the matter into their own hands and employed their own private foot-patrol wardens. Such provisions are attractive to the community because these resources are not subject to the vagaries of abstractions, as are their police colleagues, who engage in, for example, court duty, public-order detail, football duty, paperwork, training courses, or sick leave. In "best-value" terms, you get what you pay for; you pay the money and the patrol officers or wardens will be there on patrol. The police service cannot guarantee this. These initiatives are exceptionally attractive to a growing number of communities and could be viewed as an extension of a wider definition of community policing. One term commonly used is the *extended police family*.

Alternatives to the funding of police patrols are being piloted throughout the United Kingdom with the support of their respective police forces. For example, a

number of privately financed police officers are on patrol at local business premises on crime-prevention and staff-protection duties. A group of retailers is paying for officers to patrol city centers, and a National Health Service Management Trust is funding the salaries of police officers to patrol their hospitals. Not to be undone, the Home Office, the department of the British government that is responsible for domestic security, has proposed the setting up of a new National Cheque and Credit Card Squad funded by the finance industry. Police forces themselves have also employed civilian “parish constables” to patrol in the more rural areas. Such schemes have been met with severe criticism from the lower ranks in the British police, who are totally opposed to the private funding of police officers, believing it would lead to an influx of privatization of policing in the United Kingdom.

Although police may be in a position to bolster the informal control mechanisms in a community, it should not be forgotten that they are still the enforcers of the law within society, and the flexibility of police and community relations should allow police to act as community mentors and mediators while still being an active arm of authority, with a duty to ensure order maintenance within a community. Communities expect the police to enforce the law and protect them from crime regardless of gender, age, or ethnicity. This is the reality of community policing. But such expectations of service from the police must be held in tandem with the community and other public agencies playing a more active role in policing. So a closer investigation is required with a view to identifying what prevents communities and public departments from being more participative in their own community safety and how other social organizations can assist more.

For the police to play their part in the overall strategy they have to adopt new approaches to “progressive” partnership policing, which involves changing the whole ethos and philosophy of policing. However, according to police associations, radical change or reform need not be at the expense of police tradition, customs, routines, habits, and practices. Therein lies the dilemma for, as we have seen, community policing is much more than a small cadre of dedicated officers ensuring a regular interface with the community. For community policing to move forward and take its rightful place in the “new communities” where community safety is king and not the sole responsibility of the police, it has to be allowed to blossom without restraints and restrictions. The contention is that this can only happen if there is a change in police tradition, customs, routines, habits, and practices.

More and more officers from multifarious disciplines are working and specializing in areas that hitherto would

have been the sole domain of the community police officer—for example, juvenile crime, domestic violence, sex offenders, prostitution, the elderly, the mentally ill, business crime, drug education, schools, crime prevention, community involvement, and child protection. As discussed earlier, the resourcing of these specialist units normally comes from the pool of officers working on community policing and street patrol, thus having a negative impact on their numbers. But these specialist posts are as much a part of the broader definition of “community policing” and “community safety” as the community police officer and the traditional beat officer with their hands-on interface with the community. A city division in a large British police force may have the same number of police officers involved on a daily basis in carrying out the specialist work identified above as they do in their community police work. In addition, police management and supervisors are constantly liaising with various sections of the community engaged in community-policing issues.

On a brighter note, innovations have been launched in both the United Kingdom and the United States that give some indication as to the future of community policing. First, many of the forces in the United Kingdom now award community police officers with additional allowances in recognition of the extra responsibility of their role. In some instances, community police officers are being encouraged to sign community contracts for up to three years, wherein they promise to manage teams of community-support officers or neighborhood wardens and to police local communities. As a reward, the officers are promised fast-track promotions, termed “career awards”; built into the contracts are local community expectations and standard levels of police service.

Another innovation in the United States relates to the concepts of community prosecution, community justice, community problem solving, and restorative justice. These themes involve active partnerships between the police, criminal justice agencies, and the community, with the set objective of tackling community problems in a more innovative, rigorous, and proactive manner than in the past—by, for example, focusing the combined forces of the criminal justice system toward preventing crime before it happens, through community policing, community groups, and volunteers. There are similarities with the new schemes of community problem solving and the traditional models referred to in this essay. The main distinction appears to be the will and momentum to make the new models work, and this impetus comes from the politicians, public agencies, and the communities themselves, working in close partnership as they have never done before.



These innovative approaches to tackling community problems in partnership are at the embryonic stages and, although promising, require further evaluation in the short to medium term. Intriguingly, it does show that community policing does have a future, but not in its traditional mode, which has existed for several decades and has been articulated in this essay. The future of community policing lies in a more comprehensively defined role in vigorous partnership with the community, elected members, the public, and voluntary and private bodies. However, any future implementation of community policing will be doomed if there is insufficient resourcing and unsustainable political and organizational support.

### CONCLUSION

The main problems preventing the efficient and effective implementation of community policing for over half a century include: insufficient change in police culture; a need for a redefinition of and clarity in community policing; a solution to abstractions; problems with tenure; difficulties in recruitment and training; the need for more lucid goals and objectives; organizational and occupational problems; and the lack of an efficient system for monitoring and evaluating the effectiveness of community policing. Add to this a modern policing system in “overload,” trying to achieve too many things and accepting too much work with insufficient resources.

It is becoming apparent that community policing is an emerging “new policing” that requires police officers and police management with a differing mindset from that of their predecessors. And it is also less than helpful to place community policing in a category and give it a label; in fact, the labeling and segregation of “community policing” have not only created one of the major barriers to our understanding of its concept, but have also hampered a wider appreciation of its problems and the search for solutions. The term *community policing* covers a broad range of tasks, and the definition and descriptor have become so broad as to be near meaningless. In reality, it is modern-day policing, firmly based on the relationship

between the police and the public. However, it is not entirely clear where the police responsibility lies and where the responsibilities of the community and government agencies take over. Achieving a balance between law enforcement and proactive community duties is one of the challenges facing policing in the future.

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*Daniel Donnelly*

# Crime Rates

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For more than a century, police have maintained statistics on various forms of crime, as well as on arrest rates and imprisonment rates. Such information has become important as a criminological tool, as well as a political one. Fluctuations in crime rates have important political consequences for elected officials, and in their ability to protect the life and property of constituents in the most cost-effective manner.

Because crime and imprisonment are public events, it is sometimes assumed that crime data are accurate and reflect the actual state of affairs. However, an undetermined percentage of all crimes go unreported, either because the victim did not report the crime or because the police ignored the report. Furthermore, because the police have a vested interest in keeping crime (or at least crime-rate data) low, they may juggle numbers to make it appear that they are more successful than they actually are. Once a crime is reported and gets into the data pipeline, it becomes difficult to hide or manipulate.

The accuracy of police-related data varies with the nature and size of the society. Small towns generally are able to maintain clean data with few distortions, and the occasional crimes are solved without much fanfare. The accuracy also varies with the nature of the crime. Auto thefts are solved much more quickly than some other crimes because technology is on the side of the police. Juvenile crimes are solved at a faster rate because juveniles do not have the professional savvy that hardened criminals have in eluding the police. The crime rates also depend on the expertise of the criminal investigation department. Those with skilled detectives have a better arrest rate than those with less trained cadres.

A different problem—common to all statistical formulations—arises when crime and arrest rates and police density rates are presented as a percentage of the population, especially as percentages of ethnic segments of the population. For example, urban populations are changing every day in terms of their ethnic mix. It is thus difficult to express a crime rate in terms of a minority population because the overall universe may be larger or smaller than reported in the decennial census. If crime data are not presented as rates per unit of population, they become meaningless because of differences in size among towns and localities, as well as police departments.

Crime statistics, like economic statistics, run in cycles. Historical data may therefore not be entirely reliable because the conditions under which crime rose or fell may have little to do with the efficiency of the police system. The cycles generally follow the organizational style of the directing political entity. James Q. Wilson spoke of three styles of government: the watchman, the legalistic, and the service. The watchman style focuses on maintaining the status quo, while the legalistic style is more proactive and formal. The service style is oriented toward serving needs. Most police departments go through these phases with resulting changes in crime rates.

Changes over time also include changing mores and definitions in law. Some laws that entered the statute books in the nineteenth century still stand even though nobody cares to enforce them. Some crimes have been so radically redefined that they do not refer to the same activity. In all countries, laws have been humanized and socialized to the extent that crime rates become incomparable over time. Courts also have entered into the

picture by making certain police strategies illegal or unconstitutional and thus making it more difficult for the police to apprehend or entrap criminals. Certain forms of crime have been decriminalized. Abortion and infanticide are crimes in some countries but not in others. Laws against sodomy, although still on many statute books, are routinely ignored. At the same time, some of the legal requirements for reporting crime have become so severe that police officers spend more time filling out forms and attending court sessions than they do in actual crime prevention.

Nevertheless, it has been established that even with all the limitations of data noted above, crime rates have dropped significantly in the modern era and are still dropping from their historically high levels in the Middle Ages. Over the short haul, they may appear to be rising, but modern life is much safer than the life of most human beings in earlier eras. For example, homicide rates in fifteenth-century England were forty-four per 100,000 persons compared to 0.4 per 100,000 in the 1990s. According to contemporary accounts, every person in England in the thirteenth century knew someone who had been killed even if he or she did not personally witness a murder. In rural areas, crimes were as common as in cities, and the criminals routinely escaped punishment because they had the protection of the powerful. The state of affairs in other countries was not materially different.

Colonial America was a violent society by all accounts, despite the fact that Puritans in New England observed strict ethical codes in their public behavior. The homicide rate in Boston in the early eighteenth century was a high thirty-seven per 100,000 persons, and the property crime rate was 123 per 100,000. The figures for lesser crimes are difficult to evaluate because they were settled privately or by informal bodies. Only a few were reported, and of those reported few were resolved. Because people had no trust in the fairness of the judiciary, court records do not reflect accurately the incidence of minor crime.

Nevertheless, available crime data indicate a sharp drop in crime all over the Western world between 1850 and 1950. In France, for example, serious crime fell by 90 percent during this period. In England and Wales, crime fell by 79 percent between 1842 and 1891, and in London by 63 percent between 1820 and 1870. Larceny indictments also declined in London from about 220 per 100,000 in the 1830s to about seventy per 100,000 twenty years later. In Sweden, burglary fell from about seventy-five per 100,000 in 1840 to about twenty-two per 100,000 in 1990. The same pattern became evident in many nations. Violent crime rates declined in established cities as they developed, but new communities and

rural areas suffered rising violent crime rates as they industrialized. Brief breaks in these patterns were experienced as, for example, when new crime waves sent crime rates up in large cities in the 1970s and 1980s. Periods of economic downturn usually resulted in higher levels of property crimes, whereas prosperity resulted in lower levels. The reverse was true of juvenile crimes. They were high during prosperous times and low during depressions.

Crime cycles are also related to the changing role of legal institutions in empowering law enforcement personnel with powers that they originally never had, and in taking these powers away when they were exercised without due regard to the rights of citizens. In a democratic society, the police are members of a political institution sensitive to the often contradictory concerns of the citizens. On the one hand, they want zero tolerance of crimes and, on the other hand, they want enforcement to be neat and tidy. But crime is always messy and, because of an intrusive media, ever present in the public mind. Statistics is therefore a necessary tool in determining when the controls should be tightened or relaxed.

The decline in crime rates was brought about not only by social change and legislation, but also by the growing efficiency of police departments. The beginning of the decline coincides in many countries (but not all) with the formation of the major police forces in modern times: London in 1829, followed by Philadelphia in 1833, Boston in 1838, New York in 1844, and Baltimore in 1857. Every time a new form of technology was introduced, the crime rates dipped correspondingly. For example, when patrols shifted from foot to motor in the early decades of the twentieth century, there was a sharp drop in rates that is not explainable by any other reason.

The biggest spike in crime rates in one hundred years took place after World War II. In England and Wales, murder and assault cases increased from thirteen per 100,000 persons in 1950 to 144.3 per 100,000 in 1975. During the same period, larceny rose from 847 per 100,000 to 3,659 per 100,000. Between 1960 and 1975, assaults and murders in Finland more than doubled from 127.9 to 282 per 100,000, and thefts more than tripled from 886 to 2,850 per 100,000. Between 1950 and 1971, the rate of violent crime in Stockholm more than tripled.

Between 1960 and 1997, violent crimes in the United States shot up from 160.9 to 610.8 per 100,000. The increase affected a number of segments of society that hitherto had kept a low profile in crime. Between 1960 and 1997, the rate of arrests for violent crimes increased by 500 percent among youths under eighteen in urban areas and by 251 percent in rural areas. Property crimes showed

similar increases. From 1960 to 1977, the arrest rate for property crimes rose by 401 percent for females and 278 percent for youths under eighteen. The period also witnessed the rise of antisocial criminal gangs in Europe and the Western Hemisphere: the Teddy Boys and Rockers in London, the Provos in Amsterdam, and the Raggare in Stockholm. Their members were young adults from eighteen to twenty-five in Europe, but below eighteen in the United States. Much of this was attributed to a transient youth culture, but although the political dissent stemming from the youth culture declined fast, the delinquency aspects have had a longer life.

Historically, several forces are at work in the rise and fall of crime rates. As society matures, so does civic culture and the legal and political institutions that form its hedges. Confidence in the judiciary and the police is slow to build, but once established it tends to inhibit antisocial behavior. However, capitalist societies breed an underclass that is severed from the rest of society and that

justifies violence and theft as forms of retaliation against injustices. New types of crime arise as societies become more complex. Thus, members of the middle class generally are rarely involved in traditional older forms of violent crime, but they are increasingly associated with economic white-collar crimes that were unknown before the twentieth century. All societies also have to contend with the drug problem as an engine of crime and violence. Efforts to intensify anticrime measures meet with resistance from advocates of civil liberties and human rights. The resurgence in crime in the post-World War II world is thus due to factors that are entirely different from those that propelled crime in the nineteenth century and earlier. There are social, political, and demographic influences always pushing up crime, just as better technology and police efficiency are pushing it down.

*George Thomas Kurian*

# Evolution of the Criminal Investigation Department

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Most scholars suggest that the first criminal investigation division was established in France. The development of the *Sûreté* can be traced to the innovations of François Eugène Vidocq (1775–1857) in the early nineteenth century. Vidocq left home for a life of adventure at an early age. However, his perambulations would bring him into the orbit of an unsavory milieu and earn him several stints in prison. An escape artist, Vidocq came to prominence after breaking out of prison three times. While incarcerated in 1809 he offered to work for the police as a spy and informant, a dangerous proposition. Vidocq was released shortly after and placed in command of a group of ex-convicts which became the nucleus of the *Sûreté*, known today as the *Police Judiciaire*. His thief-catching force soon expanded from four to twenty-four as Paris witnessed a concomitant drop in property crime.

Considered the world's first private detective, Vidocq employed numerous police detection techniques—considered standard procedures today—including disguises, decoys, informants, autopsies, blood tests, ballistics, criminal files, and handwriting analysis. He directed the *Sûreté* from 1811 until he resigned in 1827. Except for a brief return to the bureau in 1832, Vidocq worked as a private detective the remainder of his career. A friend of both the celebrated and the damned, he returned to sleuthing as a counterespionage agent for Louis-Napoléon. Vidocq's exploits have reportedly provided the inspiration for several fictional sleuths, including Edgar Allan Poe's Auguste C. Dupin, Émile Gaboriau's Monsieur Lecoq, and Honoré de Balzac's Jacques Collin.

The late nineteenth century witnessed the transformation of the *Sûreté* into a highly professional detective police force as it was institutionalized into a separate unit. It won international renown for its meticulous information gathering and is generally considered the inspiration for the International Criminal Police Organization, better known as Interpol, and the Scotland Yard Criminal Investigation Department, or CID. In 1966 the *Sûreté* was merged with the police of Paris to form the National Police.

The incorporation of a plainclothes branch in England faced its first setback when the overzealous spying of a plainclothes policeman at a Chartist meeting led to charges of spying by the London public, a serious breach of trust. Although it became a fairly common practice to borrow uniformed officers for detective work, it was not until 1842 that a formal investigative branch was created. The foundations for the British CID were put in place in 1842, when the Detective Branch, or “the Detective,” was formed. This branch was considered the progenitor of what became CID four decades later. Initially, the branch included two inspectors and six sergeants from the London Metropolitan Police.

The largest and best-known branch of Scotland Yard, the CID was established in 1878 as a special branch that would lead the police force in its transition into a new era of scientific crime fighting. This unit developed extensive criminal files, a forensic laboratory, and a fraud squad, and used fingerprinting and photography. Later it introduced a detective school. London's CID grew out of one of Scotland Yard's most embarrassing moments. The

precursor to the CID was called the Detective Branch, and in 1877 three out of its four inspectors were convicted of corruption in a trial held at the Old Bailey criminal court. As the government department responsible for internal affairs in England and Wales, the Home Office directed an investigation that resulted in the groundwork for a new detective branch called the Criminal Investigation Department.

Sir Howard Vincent (1849–1908) initially directed the new department and in 1884 established the Special Irish Branch of the CID to combat Irish terrorists, the world's first antiterrorist squad. The creation of the Special Branch, the first specialist section of the CID, was precipitated by the bombing campaign launched by the American-based Fijian movement. Beginning in the late 1860s Fijians inaugurated a bombing campaign in England in order to win home rule for Ireland. In 1883 Fijians bombed several public buildings, resulting in the creation of the Special Irish Branch, later changed to Special Branch. The first members of this unit were primarily of Irish descent. Within two years the Fijians were suppressed. Today, the Special Branch remains a unique secret service and political police organization that bridges the divide between British Intelligence and Scotland Yard.

Vincent was reportedly influenced by continental European police methods. As its first director, Vincent set to reorganizing Scotland Yard by reassigning 250 detectives to CID and promoting Adolphus Frederick Williamson (1831–1889) to the new rank of chief superintendent. In the new arrangement, Williamson would be charged with supervising 3 chief inspectors, 20 inspectors, and 159 sergeants arrayed over sixty London divisions.

During its first decade there was often tension between the detectives of CID and the regular uniformed police, because the detectives were paid more and enjoyed a better pension plan. The public also opposed the clandestine nature of the plainclothes officers squad. All of these conflicts continue to resonate today. The CID began with 250 men before more than tripling in size in its first six years. By the 1960s membership exceeded 1,700 officers. The CID enjoyed its greatest popularity from the 1920s to the 1960s. This was in part due to the favorable reporting of the press and the lack of any well-publicized unsolved cases such as the earlier Jack the Ripper killings.

The early success of Great Britain's CID led to its adoption by a number of police departments in the British colonies. When eighteen-year-old William James Clarke (active from 1880s through 1910s) arrived in South Africa he joined the Natal Mounted Police and served with distinction in the Zulu War of the late nineteenth century. A student of police history, Clarke recommended merging the South African Police forces into

a single organization, in much the same way as Sir Charles Rowan (1783–1852) had helped create the London Metropolitan Police in 1829. Clarke also lobbied for the creation of a criminal investigation department. His suggestion provided the foundation for what would become Act Number 1 of 1894, better known as the Police Act. In 1902 he visited Scotland Yard and is credited with gaining enough expertise to introduce fingerprinting to South African policing. He would serve eleven years with CID, before accepting the position of assistant commissioner and the chief commissioner of police. By the early 1900s India organized an all-India Criminal Investigation Department, replete with fingerprint bureau.

The United States lagged behind other Western nations when it came to placing criminal investigation in the hands of the government. Until the creation of the Federal Bureau of Investigation (FBI) in the early twentieth century, criminal investigation was the purview of a handful of private detective agencies, including the Thiel Agency, Burns International Agency, and the Pinkerton National Detective Agency. The Pinkerton National Detective Agency was considered the premier detective organization prior to the FBI. The Pinkerton agency was founded as the North West Police Agency in 1855 by Allan J. Pinkerton (1819–1884). Pinkerton investigators were referred to as “operatives” rather than “detectives,” and were expected to follow a meticulous list of rules and regulations.

The Pinkerton agency initially handled investigations in areas with limited law enforcement expertise. It saw its greatest expansion in the years following the American Civil War (1861–1865), when it rose to prominence as the National Detective Agency. Much of their efforts in this era went toward pursuing railroad bandits such as the Reno, Younger, and Dalton gangs. However, as the agency became increasingly embroiled in labor strife on the side of management, agents gained a reputation for subterfuge as agent provocateurs during the Molly Maguire case between 1867 and 1877.

Since there were no federally designated crime fighting bureaus in the United States prior to the 1900s, it was usually up to the U.S. Treasury Department and the Department of Justice to investigate federal crimes. The elevation of Theodore Roosevelt to the presidency in 1901 following the assassination of President William McKinley placed federal policing in the sights of federal officials. A firm supporter of centralized law enforcement, as well as a former New York City police commissioner, Roosevelt selected the Treasury Department's Secret Service as the preferred agency for launching federal criminal investigations. When Congress prohibited Treasury detectives from being employed by other

government departments, according to FBI historian Athan Theoharis, Roosevelt ordered Attorney-General Joseph Bonaparte to “create an investigative service within the Department of Justice subject to no other department or bureau and which will report to no one except the Attorney General.” In July 1908 the Bureau of Investigation was created.

Prior to being renamed the Federal Bureau of Investigation, or FBI, in 1935, the agency concentrated on espionage, white slavery, sabotage, and draft violations during the World War I years. Under the leadership of J. Edgar Hoover, beginning in 1924, the bureau was transformed into a modern organization. Hoover inculcated the importance of establishing rigid codes of conduct and adhering to educational requirements, and thereby bringing professionalism into the agency.

With the advent of the FBI much of the criminal work once handled by the Pinkertons passed to the FBI and other official police forces. Pinkerton’s still handles criminal investigation on behalf of business and industry and for more than seventy five years has been the official detective agency of the Jewelers’ Security Alliance. Its criminal investigative department at its New York headquarters at one time had the nation’s most extensive file on jewel thieves and fences.

In 1924 the U.S. Congress allowed the relocation of fingerprint records at Leavenworth Federal Prison and the criminal records maintained by the International Association of Chiefs of Police (IACP) to FBI headquarters in Washington, D.C. This collection of more than 810,000 records became the nucleus of the FBI Identification Division. In 1932 the FBI laboratory was established to aid federal and local investigations through the scientific analysis of blood, hair, firearms, handwriting, and other types of evidence. By the 1990s the FBI laboratory was conducting over a million examinations per year for close to 15,000 investigations.

#### THE DEVELOPMENT OF FORENSIC SCIENCE IN CRIMINAL INVESTIGATION

The development of fingerprinting and DNA profiling revolutionized the world of criminal investigation. However, they were far from the first scientific methods used in criminal investigations. As the “father of toxicology,” Matthieu Orfila made tremendous strides in the classification of poisons in the first decades of the nineteenth century. Henry Goddard recognized the possibilities of making comparisons between bullet striations and the rifling of gun barrels as early as 1835. In 1804 J. W. Ritter discovered that ultraviolet rays could be utilized to detect erased writing and blemishes. In 1810 German authorities became the first to use science to expose a forged document. In 1836 James Marsh

developed a procedure for detecting small amounts of arsenic in human tissue. That same year Alfred Swaine Taylor published his work in scientific toxicology, *Elements of Medical Jurisprudence*.

The evolution of CID units around the world has paralleled concomitant development in criminalistics and forensic science. In this parallel development no name is more prominent than Alphonse Bertillon (1835–1914). Bertillon’s father was a physician and probably kindled his son’s early interest in anthropology and statistics. In 1878 Bertillon was hired as a records clerk in the Paris Prefecture of Police. This led to a lifelong interest in identifications systems that would earn him the moniker, “father of scientific detection.” During his first seven years in this position Bertillon developed a methodology to identify recidivists that became known as Bertillonage. It was based on human body measurements before the popularization of fingerprinting later in the century. In 1888 Bertillon was recognized for his contributions when he was appointed as chief of the service of judicial record-keeping. He would eventually add photographic methods to other identification techniques and become an expert in using photography to identify forged documents.

Bertillon’s innovations in identification systems soon came to the attention of—and were adopted by—a number of police forces around the world, including New York, London, and Chicago. In the 1880s Thomas Byrnes, a New York City detective, became one of the first police officials to use the Bertillon system. An advocate of modern identification systems, Byrnes zealously created a collection of tintype daguerreotypes of every criminal collared. Each mugshot in what became the best-selling *Professional Criminals of America* (1886) was accompanied by detailed descriptions of the modus operandi of each criminal.

Bertillon’s reputation was tarnished after he mistakenly identified a forged signature as that of French Army captain Alfred Dreyfus, leading to his imprisonment on Devil’s Island. In 1904 Bertillonage took an even bigger hit, when American officials at Leavenworth Prison came across two inmates, both named Will West, who exhibited the same measurements. With the increased popularity of fingerprinting, Bertillonage fell by the wayside as a method of identification.

Fingerprinting has a long history in China and Japan and as early as the 1820s an anatomy professor named Johann Purkinje noted that every person’s fingerprints were unique. However, until a classification system was created, fingerprinting was virtually useless for identification. By the late 1850s fingerprints were being used by British magistrate William Herschel to prevent the wrong individuals from fraudulently collecting money on the dole. In 1880 Henry Faulds (1843–1930), a Scottish physician working in Tokyo, helped acquit a suspected

thief by comparing his fingerprints to those left at the scene. His research led him to publish a letter in the scientific journal *Nature*. The letter advocated using fingerprints for the scientific identification of criminals.

The work of Faulds and Herschel came to the attention of Francis Galton (1822–1911), one of England's most prominent scientists. Galton would substantiate the permanence and individuality of fingerprints. After meeting with Galton, a British official from India, Edward Henry (1850–1931), devoted himself to creating a manageable system for classifying and filing fingerprints. Henry initially solved the problem by classifying the types of patterns and number of ridges in an individual's prints. As early as 1891 Argentina was using a workable fingerprint classification system. The police in Lower Bengal, India, found early success using this system and in 1901 Scotland Yard adopted it as well. All of the previously mentioned researchers contributed to the development of this important investigative tool, and more than a century later it is difficult to assign primacy to any one individual.

In between the development of fingerprint and DNA technology a number of advances have been witnessed in other areas of forensic science. Hans Gross published his seminal work on scientific investigation, *Criminalistics*, in 1893. Karl Landsteiner established the first system of blood grouping eight years later. In the 1920s advances were made in lie detection as well as microscopy technology, which allowed two objects to be examined simultaneously. In the 1940s Hugh C. McDonald developed a prototype for the Identikit and voice spectography methods were developed by Bell Telephone Laboratories.

While the development and adoption of fingerprinting as a crime investigation method was surely one of the most important advances in crime detection, no technique has had a more striking impact on forensic science than DNA profiling. In 1984 Dr. Alec Jeffries accomplished the breakthrough that allowed DNA to be used as a practical tool for identifying individuals from the smallest body trace. DNA profiling has revolutionized the entire concept of "positive identification."

Forensic science technology has become increasingly reliable since the 1980s. While the best-known identification techniques include DNA and fingerprint analysis, new methods now exist that allow investigators to use retinal scanning, voice printing, and chromatography (the analysis of certain chemicals contained in an individual's saliva). The use of computers has greatly enhanced the ability of investigators to sort and process mountains of evidence that would be inaccessible without computer databases. Brain "fingerprinting" is one of the latest tools being tested by law enforcement. One of the recent advances in computer-based technology allows investigators to identify or acquit subjects on the basis of

measuring brain-wave response to crime-related pictures or words presented on a computer screen. In one of the first tests of this technology, the FBI and then the U.S. Navy found a 100 percent accuracy rate in its employment.

Scandals at various high-profile American police labs have brought the value of various forensic science techniques into question, demonstrating that these methods are reliant on the expertise of the investigators and the trust of the public. What worries police and prosecutors most is that challenges to fingerprinting (*Daubert v. Merrell Dow*, 1993) could also undermine ballistics and handwriting tests and other evidence.

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**Mitchel P. Roth**



# Cybercrime: Problems and Prospects

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A formidable challenge to policing in the twenty-first century is the growing menace of cybercrime. While it may not match traditional crime in volume, cybercrime outclasses the former in terms of its ingenuity, the ease with which it is committed, the quantum of economic loss it causes to society, and its mind-boggling international ramifications. However, as in the case of conventional crime, cybercrime is facilitated basically by what Peter Grabowsky calls the conjunction of three factors: “motivation, opportunity, and the absence of capable guardianship” (Grabowsky 2000). Naturally, because of its global reach and its glamour and complexity, cybercrime has received considerable attention from criminal justice academics and practitioners. In this process, it has spawned abundant literature that throws light on a wide spectrum of issues, including how to investigate such crime and bring to justice offenders who exploit cyberspace for their personal profit.

## BACKGROUND

Although computers came into existence as early as the 1940s, the fact that they could be used for unethical ends became clear only in the 1960s (Goodman and Brenner 2002). Around this time, many instances of manipulation, sabotage, espionage, and illegal use of computers were reported. Since the number of available computers was modest at the time, and they were found mainly on educational campuses and in research institutions, access to computers was extremely limited and the opportunity to put them to nonacademic and dishonest use was confined to researchers and students. Detection of unauthorized and unlawful use of systems

was therefore easy. By the end of the twentieth century, however, computer systems had transcended geographic frontiers and had moved from being mere official tools to household gadgets. While there is no credible estimate of their numbers, it is believed that there are millions of them being used globally, both in offices and homes. The advent in the early 1990s of the World Wide Web, part of the Internet, has also ushered in an entirely new dimension, rendering abuse of cyberspace even easier.

Most instances of cybercrime reported by a country originate from across its border. According to a United Nations estimate from 2000, losses suffered by businesses and governments from cybercrime during the preceding four years reached \$600 million. A Computer Security Institute (CSI) annual survey for 2002 conducted in the United States revealed that 90 percent of respondents (primarily large corporations and government agencies) had suffered security breaches, and 80 percent sustained financial losses due to such breaches. The losses were mainly from theft of proprietary information and financial fraud. As many as 40 percent of the respondents complained of system penetration from the outside, and the same percentage experienced denial-of-service (DOS) attacks. As many as 85 percent found their systems affected by viruses. The CSI’s 2004 survey revealed a drop in reports of the unauthorized use of computer systems, but DOS attacks continued to be a cause of concern because losses—\$26 million during 2003—to business came mainly from this form of computer abuse. Total losses to business from the twelve top kinds of security breaches reached \$141.4 million.

**DEFINITION**

Cybercrime has been defined in a variety of ways. There are some who look upon it as nothing but traditional crime committed through a modern medium, cyberspace. The crimes of theft, fraud, and forgery, which have been known for ages, are cited in support. This definition is only partially correct because it does not take into account the many novel forms of crime arising from the new economic activity peculiar to the twentieth and twenty-first centuries. Money laundering is one such activity that has acquired notoriety since the last decades of the twentieth century, especially in the context of terrorism, which has been fueled by easy transfers of money from one country to another. Such transfers occurred in the conspiracy that led to the al Qaeda attacks against the World Trade Center in New York and the Pentagon in Arlington, Virginia, on September 11, 2001.

Yet another simple way of describing cybercrime is that it is a crime flowing either from an unlawful attack against computer systems or one committed with the assistance of such systems. This is of course an expansive definition that brings into its fold a huge number of day-to-day occurrences, one that unfortunately contributes to the dilution of attention that cybercrime otherwise deserves at the hands of modern law enforcement agencies. There is, therefore, a practical suggestion that only crimes that are not possible to commit without the medium of computers should be classified as cybercrime (Jewkes 2003). This solves the problem of volume and helps to lend focus to the study and analysis of cybercrime. This definition does not, however, take into account the problem that what is considered criminal in one country may not be so in another, a feature of cybercrime that poses great difficulties to modern police investigators.

**THE NATURE OF CYBERCRIME**

Broadly speaking, there are eleven varieties of computer-related crime (Grabowsky 2000). These are: (1) theft of services; (2) communications in furtherance of criminal conspiracies; (3) information piracy and forgery; (4) the dissemination of offensive materials; (5) cyberstalking; (6) extortion; (7) electronic money laundering; (8) electronic vandalism and terrorism; (9) telemarketing fraud; (10) illegal interception; and (11) electronic funds-transfer fraud.

**Hacking.** Hacking, the most widely known cybercrime, makes inroads into a protected computer system. One of the simplest definitions of *hacking* is found in section 66 of India's Information Technology Act 2000. It reads: "Whoever with the intent to cause or knowing that he is likely to cause wrongful loss or damage to the public or any person destroys or deletes or alters any information

residing in a computer resource or diminishes its value or utility or affects it injuriously by any means commits hacking."

The objectives of a hacker are twofold: one, to prove to the world that a system owned by a large corporation or government department, such as a country's defense services, is vulnerable to external attack; and, two, to steal valuable information contained in that system that is normally available to only authorized individuals. Both are unethical intrusions prohibited by law in many countries. Interestingly, such hacking, which is not always done for profit or from a political motive, is often perpetrated by young computer engineers for the sheer thrill of the adventure that a successful penetration into a system provides them.

There is another form of attack that is sponsored by an organization itself in order to check how vulnerable its own systems are. This authorized intrusion is often called *ethical hacking*. Many at-risk organizations are known to employ a team of individuals with the required technical knowledge to resort to such hacking at frequent intervals so as to identify any holes in security and take follow-up action to plug them. As a result of recommendations from the multinational Organisation for Economic Co-operation and Development and the Council of Europe Convention on Cybercrime (2001), many countries have made the unauthorized access to data or information liable for punishment. This is in response to the lax laws in some countries, which do not take a serious view of such transgressions.

**Introduction of Viruses.** Users of computers all over the world are often plagued by "viruses" that result in a crash of their systems. A virus is malicious software written by misguided programmers for the purpose of interfering with computer traffic and thereby creating chaos. A virus is loaded onto a computer without the knowledge of the owner of the system. The simplest viruses merely duplicate themselves continuously. A more dangerous virus gets transmitted across networks in spite of whatever security measures are available. Many large software manufacturers wage a continual war against viruses, and they issue what are known as "patches" to take care of various forms of viruses.

One of the best-known instances of a virus affecting millions of computer users all over the globe is the "I Love You" bug that was unleashed in 2000 and caused a sensation. This novel virus was introduced through an innocent-looking electronic mail (e-mail) carrying the subject line "I Love You." It was described as the fastest-moving virus then known to the computer world. A twenty-seven-year-old man in Manila, Philippines, was later arrested for unleashing the virus. A more recent instance of this kind was reported from Germany in

May 2004 when a teenage hacker, Sven Jaschan, created a worm called Sasser, which passed through unprotected computers using Microsoft Windows XP and Windows 2000 operating systems. The Sasser worm resulted in a crash of computers in many parts of the world. Several airlines and banks across Europe had to curtail their operations for a time (Boyes 2004). The assessment is that the twenty-first century will see many more viruses. An indication of this is a report from Australia that there was a 21 percent increase in new viruses detected in that country in 2004 (Crawford 2004).

**Cyberstalking.** Cyberstalking is another common cyber-crime in which an offender pursues another individual, usually a woman or child, through e-mail by hurling a threat or making an inappropriate request. In this type of activity, the originator of the message may hide his or her identity by using a false e-mail ID. An associated crime is the morphing of faces of innocent unconnected men and women on the torso of models who appear in advertisements. In a case reported from New Delhi, India, in August 2004, for example, a married woman running a fitness center complained to the police that her face was fraudulently transposed onto the torso of a lingerie model and posted on a U.S.-based Web site (Sinha 2004).

In a well-known case that occurred in 1998 in California, a fifty-year-old former security guard harassed a twenty-eight-year-old woman out of a romantic infatuation. When the woman did not respond to his advances, the man started impersonating her in various Internet chat rooms. He went further by posting her personal information on bulletin boards, stating that she fantasized about being raped. As a result, visitors began appearing at her home wanting a relationship with her. Gravely affected by this development, the woman complained to the police, who ultimately tracked down the man and put an end to this sordid episode (Duggal 2002).

There are grounds to believe that cyberstalking is on the increase all over the world. While some countries have taken cognizance of this and have provided for it in their "cyberlaw," others have not. A principal criticism against India's Information Technology Act 2000 is that it does not directly make cyberstalking an offense. Still, Indian law enforcement agencies can use the comprehensive and excellently drafted Indian Penal Code to prosecute offenses having a cyber connection that cannot be brought under the Information Technology Act.

**Frauds.** With the phenomenal growth of electronic banking and the use of "plastic money" (i.e., credit and debit cards), the attention of cybercriminals has turned to innovative methods to defraud innocent members of the public. In addition, Web sites of banks are hacked into and monies moved from one account to another,

resulting in losses to banks and customers. One of the first such cases in which a leading bank was defrauded occurred in 1994 to 1995 when a Russian criminal group led by Vladimir Levin illegally transferred \$10.4 million from Citibank into various accounts all over the world. Levin was arrested in London in 1995, and was later extradited to the United States. Most of the money was recovered.

Another fraud method is to duplicate the Web sites of reputed institutions in order to win over the confidence of genuine customers, thereafter inducing them to part with confidential information, such as account numbers and passwords. The perpetrators can then gain access to the victim's online banking accounts. Known as *phishing* or *spoofing*, the modus operandi in such cases is to send an e-mail message to customers that appears to have emanated from a trusted or genuine bank or other financial institution. Such e-mail requests the private security information that would normally help the customer operate an account in a secure environment. Many customers fall prey to this type of fraud and part with data that is later used for dishonest transfers of money or other valuable security. Customers of a leading British bank became victims of this kind of deceit in early 2004; this crime was successfully investigated by Great Britain's National Hi-Tech Crime Unit, established in 2001.

Law enforcement agencies around the world, in particular the Federal Bureau of Investigation's (FBI) Internet Fraud Complaint Center, report a steady rise in instances of unsolicited e-mails that trick Internet users into visiting fraudulent Web sites offering customer services. According to cybercrime experts, this kind of criminal activity helps explain the rise in identity theft, credit card fraud, and other types of Internet fraud.

**Denial of Service.** Business rivalries are sometimes settled through cyberspace by competing firms. The tactics employed in denial-of-service attacks are to flood the Web site of a rival company with a staggering number of hits at an appointed time so that genuine customers wanting access to the Web site are denied access. A denial-of-service attack results in a measurable loss to the victim company. Such an attack can be initiated from a particular computer or from several computers. Denial of service is also known as *distributed denial of service* (DDOS) when attacks are launched simultaneously from a large number of computers—this form of cyberattack came to prominence in 2000 when the Web sites of such major companies as Amazon, Yahoo!, eBay, and CNN were targeted, rendering them inaccessible for several hours.

In August 2004, the FBI arrested a Massachusetts businessman who allegedly paid members of the computer underground to unleash a DDOS attack on three

of his competitors. The estimated loss to victims' businesses was \$2 million. While this misuse of cyberspace may not always amount to an illegal activity in many jurisdictions, it can be rightly looked upon as a cybercrime because of its intention to cause wrongful loss to an individual or business.

**Pornography.** Perhaps the most objectionable use of cyberspace is the circulation of illegal pornographic materials to a large number of customers across the globe. A trend that originated in Europe has now spread to other continents to hurt the sensibilities of law-abiding and knowledge-seeking users of the Internet. There are a large number of known sites that supply illegal pornography, and there could be more that have not come to the notice of law enforcement. This activity assumes its most depraved form in the circulation of pornographic images of children, for which there is unfortunately a large clientele in many countries, many of whom occupy respectable positions in society (Raghavan 2004).

Neil Barrett (2004) describes a case of a young researcher at a university in England getting ensnared, possibly unwittingly, in this form of crime. While most evidence pointed to his interviews and interactions with children and others being for the purpose of research, he was nonetheless in actual possession of illegal pornographic materials, leading ultimately to a court decision holding him guilty of breaking the law.

In another case that attracted widespread attention, a doctor in Chennai (formerly Madras), India, was arrested following the complaint of a youth that the doctor was forcing him to have sex with women for the purpose of producing pornographic videocassettes and pictures. The doctor was arrested by the Chennai police, who found that he had lured girls and women to perform in his videos, which were then carried by two Web sites. The doctor was the first adult citizen of India to be arrested for producing online pornography (Duggal 2002).

**Cyberterrorism.** Cybercrime assumes a forbidding form when it is committed by a terrorist in order to set off panic and chaos within an otherwise orderly and peaceful community. The FBI defines *cyberterrorism* as a "premeditated, politically motivated attack against information, computer systems, computer programs, and data which result in violence against noncombatant targets by sub-national groups or clandestine agents" (Dick 2002). Cyberterrorists interfere with a computer system that controls critical infrastructure, such as power and water distribution, management of waste, and the working of emergency services, including the 911 emergency telephone system, fire departments, and hospital intensive-care units. An attack on the computer systems that guide air traffic controllers is another way that cyberterrorists

could endanger human lives. Fear of cyberterrorism is such that the widespread power blackouts that occurred in parts of the eastern United States and Canada in August 2003 were originally suspected to be terrorist acts, although subsequent investigations did not confirm this.

Flooding that occurred in Maroochy Shire in Queensland, Australia, in early 2000 was an act of mischief caused by an attack on the computer system that controlled local sewage disposal. A Brisbane hacker was found to be responsible for the incident, in which raw sewage was pumped into the local water supply. When committed by a terrorist on a large scale, such an act puts citizens' lives at great risk. This is why computer systems that run and maintain critical infrastructure need to be protected, not merely by restricting physical access, but by shielding them against penetration from another computer system. Sophisticated hardware and software is now available for achieving maximum security. The United States and several other countries have taken measures to protect the systems that provide basic services to the nation.

In another case, there was a terrorist attack in December 2000 on the Red Fort, a historic structure in New Delhi, India. Investigation into the incident revealed that the terrorists had used steganography (the method by which messages are communicated stealthily after being hidden in images). In this case, it was found that communications between the terrorists were embedded in pornographic material (Duggal 2002).

**Cybercrime Law.** Until the mid-1980s, few nations thought it necessary to pass legislation to specifically deal with cybercrime. This was so because the number of cybercrime incidents was low, and normal criminal law, with some loose interpretation, could be employed for the purpose. However, with new forms of cybercrime developing, existing law became inadequate. In addition, the commission of such crimes from across the borders in foreign countries, but with international impact, brought in complex problems of jurisdiction. To meet the twin challenges of complexity and jurisdiction, many nations began to draft fresh cybercrime legislation. The United States was one of the first to draft a law, the Computer Fraud and Abuse Act of 1984, which was subsequently amended. One amendment followed the al Qaeda attack on September 11, 2001, and the passage of the Patriot Act in October 2001. Great Britain's principal legislation to tackle cybercrime is the Computer Misuse Act of 1990. Critics say that, being a law drafted before 9/11, it needs a drastic revision. India, a highly computer-savvy nation, passed an Information Technology Act in 2000. Although it is basically a law to regulate electronic commerce, it includes a section on cybercrimes and the penalties for them.

A survey conducted in 1999 revealed the evolution of a body of “consensus crimes” agreed upon by a majority of countries, and these have been incorporated into their computer-crime statutes. These cybercrimes include unauthorized access, illicit tampering with files or data, computer or network sabotage, and theft or damage of computer hardware or software (Putnam and Elliott 2001). In the Asia-Pacific region, one sees considerable variation among lawmakers in approaches to cybercrime. For instance, in Taiwan, merely accessing a computer system without authorization would not amount to an offense, unless there was evidence of a further crime, such as modification or destruction of data. In Japan, such unauthorized access to a computer for viewing secret information is itself an offense. Singapore’s strict Computer Misuse Act prohibits a wide variety of acts, including unauthorized access, disclosure of secrets, and computer fraud (Putnam and Elliott 2001).

The most contentious issue in the area of cyberlaw is jurisdiction. Jurisdiction is a problem because of the enormous reach of cyberspace, which transcends geographic and political boundaries. Also relevant is the spectacular globalization of trade and cultural exchanges, which bring people of different countries together more than ever before. Many countries have claimed international jurisdiction for their cyberlaws, without spelling out in detail how they will be able to invoke such jurisdiction. For instance, India’s Information Technology Act of 2000 states: “It [the act] shall extend to the whole of India and, save as otherwise provided in this Act, it applies also to any offense or contravention thereunder committed outside India by any person.” India’s law may be impractical, for any effort by an Indian court to rope in a foreign national for alleged crimes committed in a foreign country could prove problematic.

Two cases illustrate the problem. In *Zippo Manufacturing Co. v. Zippo Dot Com, Inc.* (1997), the U.S. courts applied the standard of a “sliding scale” of interactivity. The court said that:

[W]here a defendant clearly does business over the Internet . . . [and] enters into contracts with residents of a foreign jurisdiction that involve the knowing and repeated transmission of computer files over the Internet, personal jurisdiction is proper. . . . At the opposite end are situations where a defendant has simply posted information on an Internet web site that is accessible to users in foreign jurisdictions. A passive web site that does little more than make information available . . . is not grounds for the exercise of personal jurisdiction. (Duggal 2002)

In another case that attracted worldwide attention in 2000, a French court directed that Yahoo!’s auction Web

sites could not offer for sale in France Nazi or Third Reich memorabilia that were banned under French law. After its initial stand that this order was not enforceable on an American company such as Yahoo!, the latter agreed to remove the memorabilia links from its auction sites. Yahoo! then pursued the matter in a U.S. court, where it questioned the jurisdiction of a French court in issuing the order and also in imposing a fine on Yahoo! for any delay in complying with the order. The U.S. district court agreed with Yahoo! on the basis that the French judge’s directions violated the First Amendment to the U.S. Constitution and were not applicable to American law or American citizens (Duggal 2002). This decision was overruled in August 2004 by a higher court on the grounds that the lower court’s ruling was premature and that the court should have waited until the French parties concerned had approached the U.S. court for enforcement of the French judgment. The *Zippo* and Yahoo! cases establish that courts in any country cannot, as a matter of course, invoke their jurisdiction on foreign entities.

Perhaps the greatest contribution toward international cooperation and the expansion of the legal framework to tackle cybercrime was made by the convention on cybercrime held on November 6, 2001, at Budapest, Hungary, by the Council of Europe. As a result, the forty-five-member Council of Europe, along with some special invitees, including the United States, signed a broad treaty—the product of several years of debate and negotiations—that had three major features. First, it listed crimes that each country must have on its statutes. In particular, hacking and the production, sale, and distribution of hacking tools were required to be declared offenses. Child pornography was also required to be made an offense. The treaty further required signatories to expand criminal liability for intellectual property violations, illegal interceptions, forgery, and fraud. Possibly in pursuance of this treaty stipulation, the FBI seized computers, software, and equipment in New York, Texas, and Wisconsin in 2004 as part of a probe into the illegal sharing of copyrighted movies, music, and games over an Internet “peer-to-peer” network. This was the first time action was taken by a federal agency to pursue Internet violators of copyright laws. The incident indicated American law enforcement’s determination to impede Internet piracy of intellectual property (Anderson 2004).

**Cybercrime Investigation.** Investigating cybercrime is a problem-ridden exercise. While certain fundamental requirements, such as adherence to prescribed legal procedures, perseverance, and interrogation and interview of witnesses, are akin to those involved in handling traditional crime, there are several other requirements that call

for greater dexterity and finesse. Foremost among the problems is the collection, preservation, and analysis of evidence, and the presentation of electronic evidence before a court. Any carelessness in these activities could damage a criminal case.

In the early days of computers, computer printouts were the sole form of credible computer-generated evidence that could be presented before a judge. This is no longer the case. The incredible sophistication of computer criminals has demanded and brought about a qualitative change in the approach of the investigator. In particular, the investigator must be knowledgeable about how a computer works, and must have insight into how a system can be manipulated to leave little trace of the method or identity of the person behind a crime. In specific terms, what is now required of the investigator in the hours following the registration of a cybercrime case is the seizure according to law of the computer in question. It involves the taking into custody of the hard disk of the system, as well as any available diskettes and printouts. Obtaining a copy of all files in the hard disk is essential.

It is often the case that a cybercriminal tries to destroy evidence on a system before the police move in. It will therefore be necessary to involve a computer expert at the initial stages of investigation in order to find out whether any files have been deliberately eliminated before the investigator took charge of the system. If this has occurred, it is usually possible to recover such files and thereafter examine them for relevant evidence. Whenever a crime is suspected to have been committed from a system in a public cybercafé, the owner of the café may be questioned and his or her records examined to identify the offender. It may be necessary also to seek the assistance of the Internet service provider (ISP) concerned. The law in many countries makes it mandatory for the ISP to fully cooperate with the police investigator in providing documents and other evidence.

Since contamination of evidence is a real danger, quick isolation and desegregation of the evidence and its capture, if necessary, through photographing of computer screens, is recommended. What is further called for is the establishment of a chain of custody, so as to nullify any defense stand that the evidence has been tampered with since its collection (Isner 2003).

Sensitive to the fact that investigating cybercrime cannot be a routine police activity and that it requires special skills, police authorities around the globe have set up special squads with officers specifically trained for the purpose. The FBI has a special unit at its national headquarters. It has also set up regional cyberforensic laboratories. The United Kingdom has a National High-Tech Crime Unit in London that has successfully concluded

many high-profile investigations. The Central Bureau of Investigation in New Delhi and the National Police Academy in Hyderabad have taken the lead in India in training police forces all over the country. Some city police forces have also set up special cells for handling cybercrime. The police in India's largest city, Mumbai, are one such force; the Mumbai police have set up their own cyberforensic laboratory.

In sum, cybercrime investigation needs greater sophistication than ordinary crime. The early steps of an investigator can make or mar a foolproof case to be presented in court. As Neil Barrett suggests: "Good application of forensic disciplines to arcane complicated computer data can help to convict those who are truly guilty. Inadequate or careless application can render the data unusable, and under those circumstances defendants cannot be safely convicted" (Barrett 2004).

#### THE FUTURE

Cybercrime has come to stay as a prominent feature of deviant behavior in the modern setting. With the rapidly enlarging use of computers to facilitate all human activity in a wide range of spheres, one can reasonably predict a rise in the crime graph. This is especially true in the context of globalization of trade and the shrinking of distances between sovereign nations through air space and cyberspace. Law enforcement agencies will have to prepare themselves for the worst scenario where terrorism is easily perpetrated across nations through computer systems, without the terrorist having to be physically present in target countries. Any meaningful exercise to thwart such maneuvers can emerge only through multilateral treaties that make stiff laws obligatory and mutual cooperation in criminal investigation mandatory. Anything short of this ideal rapport between nations can only strengthen the hands of determined cybercriminals.

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**R. K. Raghavan**

# Europol

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Organized crime has developed in Europe and around the world at an alarming speed. The opening of the borders throughout Europe, the vast increase in trade and social mobility, and the development of international transportation and communication systems have played a major part in the internationalization of crime. Criminal networks aiming at expanding the scope and geographical range of their activities are active worldwide, and they use modern technology and develop new methods and techniques to facilitate their international contacts.

Criminals take full advantage of one of the main principles of the European Union (EU): the free movement of persons, goods, services, and capital. Along with them, criminals also move and operate across the Continent. Although restrictions and border controls still exist for law enforcement agencies, EU law enforcement agents have to work under a number of different legal systems, using several official languages. They often face major difficulties in understanding the practical and legal differences among different EU countries.

A criminal group can operate in one or several countries, usually choosing the country where fiscal laws may be more favorable or even nonexistent, or the law enforcement system remains “flexible.” Serious criminal offenses are not punishable everywhere in the same strict way, due to legal discrepancies from region to region. Mutual assistance in international investigations and criminal inquiries is often slow and bureaucratic, and full of legal, political, and administrative red tape. It is also known in the international law enforcement community that a response to a simple query or request for information might take days or weeks. This delay may be destructive when urgent operations, such as intercepting

a drug shipment, searching a building, or detaining an individual, are necessary. Suspects are given time to destroy evidence, move the proceeds of crime to a safe place, or even escape arrest.

The difficulties described above constituted the basis on which the EU member states justified their establishment of a European police office. Europol is a common European law enforcement organization whose aim is to act in a support capacity by providing a wide range of services to member states’ law enforcement authorities to fight organized crime in a concerted and efficient way.

## AN OVERVIEW OF THE INTERNATIONAL ORGANIZED CRIME SITUATION

The findings of the annual EU Organized Crime Report, elaborated by Europol on the basis of member states’ contributions, have shown that in the early years of the twenty-first century there exist some four thousand criminal groups consisting of around forty thousand members throughout Europe. Organized crime groups in the European Union are involved in all types of crime, especially drug trafficking, trafficking in human beings, commodity smuggling, fraud, and other forms of financial and property crime. In addition, they increasingly seem to mix low-risk and high-risk activities—for instance, drug trafficking alongside cigarette smuggling. Among the organized crime groups that pose a significant threat to the European Union, about half of them are indigenous groups or dominated by nationals from the member states.

The traditional monolithic and strongly hierarchical structures of criminal organizations, as well as the increasing



emergence of more flexible networks that can easily adapt and respond to new requirements and challenges, have become more and more apparent. Specialization in certain fields of the criminal market, new approaches in which organizations serve as criminal-service providers, and an increased mixing of legal and illegal activities are yet other noteworthy trends. Organized crime groups not only use legal companies for money laundering or other activities to hide their criminal dealings, they often invest their illicit proceeds in the legitimate economy, thus disturbing established market practices.

Organized crime has become more international both in its composition and geographical spread. Many organized crime groups operate within vast Europe-wide networks, with links to countries outside the European Union. This is a matter of great concern. Ethnic or cultural similarities, though still important, are no longer the predominant or only binding factors within particular criminal organizations. Nonindigenous groups that deserve the attention of law enforcement at the level of the European Union are ethnic Albanian, Chinese, Colombian, Nigerian, North African, Russian, Turkish, and Ukrainian organized crime groups. Ethnic Albanian organized crime groups, for example, rely on support from fellow nationals within the large Albanian diasporas in some EU member states. They establish themselves according to an initially insular strategy, possibly as criminal-service providers to other organized crime groups. East European organized crime groups, mainly from the Russian Federation and Ukraine, seem to find it relatively easy to integrate into their host member states. They represent a significant threat, especially in the fields of financial crime and money laundering, where they can rely on a high level of criminal expertise.

#### THE ESTABLISHMENT OF EUROPOL

Based on Article K.1.9. of the Maastricht Treaty (1992), which led to the formation of the European Union, the Europol Drugs Unit (EDU) was set up by a ministerial agreement in 1993 as a forerunner to Europol. The EDU started its activities on January 3, 1994, focusing on drug trafficking and related money-laundering cases. In the meantime, discussions on drafting the Europol Convention had begun; it was signed on July 26, 1995, and ratified by all member states by June 1998. The Europol Convention came into force on October 1, 1998, providing Europol with the legal basis to continue carrying out its tasks. Following the adoption of a number of other legal acts related to the Convention, Europol finally took up its full activities on July 1, 1999.

The mandate of Europol has been progressively extended since 1994. By a joint action of the EU Council of Justice and Home Affairs on March 20, 1995, new

crime areas were added to Europol's sphere of authority; these include trafficking in nuclear and radioactive substances, crimes involving clandestine immigration networks, and illicit vehicle trafficking together with associated money-laundering activities. On December 16, 1996, an additional extension of mandate added trafficking in human beings, and on July 1, 1999, the date that Europol took up its full activities, its mandate was again extended to include counterterrorism and forgery of money and other means of payment. In January 2002, the European Union extended Europol's realm of authority to include all serious forms of organized crime mentioned in a list annexed to the text of the Europol Convention.

#### EUROPOL'S MAIN ACTIVITIES IN COMBATING ORGANIZED CRIME

Europol is not a European version of America's Federal Bureau of Investigation. The Europol Convention does not provide Europol with executive powers, and it cannot launch investigations on its own. Europol personnel cannot arrest criminals, conduct searches, or seize assets, activities that are normally conducted by the national law enforcement authorities of individual member countries. The issues of policing and judicial cooperation of concern to the European Union are addressed in the Maastricht Treaty, which states that the European Union must respect the national sovereignty of member states. Thus, all cooperative activities are carried out on an inter-governmental basis. Nevertheless, Europol offers valuable assistance to national law enforcement authorities.

#### INFORMATION EXCHANGE AND SUPPORT TO INTERNATIONAL INVESTIGATIONS

Law enforcement authorities need relevant and comprehensive information on suspected criminals, enterprises, methods, and so on with a minimum of delay. Europol can supply timely and expertly prepared data from such different services as police departments, the gendarmerie, customs, and to a certain extent, the security authorities of the EU member states, non-EU states, international organizations, and other sources.

Since Europol was established, all member states have sent their own liaison officers to the Europol headquarters in the Hague, Netherlands. The liaison officers represent their country's law enforcement authorities, and they carry out their duties following the laws and judicial system of their home country. Europol liaison officers have access to more than forty national police forces and customs information systems, as well as to many of the administrative files and business registers of member states, thus making Europol a unique clearing-house for information relating to organized crime in

Europe. This network enables research and analysis on offenders and groups of offenders, as well as addresses, phone numbers, and so on. Europol's services are available around the clock; the staff is conversant in all the official languages of the European Union and can communicate internally and externally using secure electronic technology.

Each year, Europol is involved with approximately three thousand cases within the European Union, mainly crimes involving drugs, illegal immigration, trafficking in human beings, child pornography, terrorism, financial crime, and currency counterfeiting. In addition, Europol has signed cooperation agreements with a number of non-EU states, which have sent liaison officers to Europol headquarters.

#### OPERATIONAL AND STRATEGIC CRIME ANALYSIS

Intelligence analysis is one of the most important and sophisticated activities performed by law enforcement authorities. Few EU states, however, have adequate resources to provide such analytical services beyond the national level. In its effort to fill this gap at the Europe-wide level, Europol has invested a great deal in setting up a state-of-the-art analysis system that can be used by experienced personnel from both the law enforcement and private sector. Europol's analysts have built a strong reputation through the assistance they have provided to member states in conducting complex investigations. Europol's skilled staff and advanced technology enable the organization to process large amounts of data, to uncover links, and suggest lines of inquiry that are of considerable value to investigators and prosecutors.

Operational analysis aims at giving clear directions to operational law enforcement services in carrying out their investigations by identifying criminal groups, individual criminals, contact points, and methods of communication. Europol's analysts are able to develop knowledge and to cooperate closely with the relevant services in the member states in order to target and dismantle criminal organizations. Europol analysts have run many such analytical projects that have led to various operational results, such as the identification of targets, arrests, and other law enforcement activities.

At the strategic level, Europol gathers relevant information from various law enforcement authorities and other open sources on a Europe-wide basis, and provides assessments of the main threats and trends of organized crime. Such assessments include the annual European Union Organized Crime Report. These risk and threat assessments constitute valuable advice to European governments, legislators, and police chiefs, and help them obtain a global overview of serious crime. Europol assessments

also help officials decide on changes in legislation, policy, procedures, and priorities that are needed to combat international organized crime.

#### JOINT INVESTIGATION TEAMS AND INITIATION OF INVESTIGATIONS

Although Europol has no executive powers, there is a firm political and law enforcement tendency to strengthen the operational impact of Europol in fighting organized crime. The initiation and coordination of investigations by Europol and the establishment of joint investigative teams between member states in cooperation with Europol are the major issues being discussed by the EU Council of Justice and Home Affairs. Such developments would constitute significant steps forward in strengthening Europol's position and capacity as a supporting intelligence agency and giving it more powers to act as a centralized coordinating agency at the heart of the law enforcement community in the European Union. Europol is indeed capable of identifying opportunities for joint investigations, of being the main instrument in the creation of joint teams, and of playing a critical role in supporting such investigations. International joint teams can be set up and based at Europol, where technical and support facilities can be guaranteed in a secure environment. Such teams may also operate in member states' territories under the legal and political responsibility of their national authorities.

#### EXPERTISE, KNOWLEDGE, AND TRAINING

The experts of Europol's Serious Crime Department actively contribute to all crime areas. They help identify operational law enforcement needs and projects, coordinate and support specific law enforcement activities and criminal investigations, offer expertise in support of member states' law enforcement efforts, and contribute to international and political decisions. For instance, Europol offers training on investigating and searching for illegal synthetic-drug laboratories and on the production methods being used to make illicit drugs. Europol also maintains the European Vehicle Identification Database, along with a manual on how to investigate motor vehicle crimes.

In the area of crime analysis, Europol is constantly trying to enhance the awareness of intelligence analysis within law enforcement at a European level. This training focuses on explicating integration techniques aimed at managing massive amounts of data by using software available within Europol's Analysis Unit. In addition, the establishment and operation of special Europol task forces are key in promoting cooperation in such critical law enforcement areas as counterterrorism.

## CONCLUSION

The increase of organized criminality in Europe and worldwide affects not only the law enforcement community, but the whole of society. The social, political, economic, and law enforcement dimensions of the problem constitute perhaps the most difficult challenge that the international law enforcement community will face in the twenty-first century.

Europol was created by Europe's political leaders to confront the growing threat of organized crime and terrorism, a threat that has completely transformed traditional approaches to crime prevention and suppression. The terrorist attacks of September 11, 2001, in the United States have instigated a new wave of law enforcement efforts and boosted a new team spirit in international police cooperation. As a result, the EU member states have developed a common definition for terrorism and have adopted a European arrest warrant. Europol plays a major role in assisting the antiterrorism efforts of member states.

The international community must continually seek to implement a multiagency, interdisciplinary approach

to law enforcement, one that enables the fostering of both a national and an international team spirit. In this context, the strength of Europol is based on the fact that it provides law enforcement support by a unique combination of analysts, liaison officers, and experts, all working in the same environment and using the same tools to support international investigations. Europol continues its emergence as a European center for criminal analysis, expertise, and training. In some crime areas, Europol maintains a leading role, especially in such efforts as gathering relevant intelligence for the protection of the euro currency against criminal activity.

The establishment of Europol is considered a milestone in the effort to strengthen law enforcement cooperation in a Europe without borders. However, future developments in the overall framework of the European Union will certainly have an impact on Europol's role and mission.

*Evangelos Stevgioulis*

# Future of Public Safety

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The style of policing and public safety in the future will differ around the world, depending on the needs in each locale, but two basic models will compete for prominence—the war model, dependent on the reactive capture of suspects and the punishment of offenders; and the peace model, dedicated to the proactive discovery of crime-breeding conditions and the taking of action to ameliorate them before crime and disorder occur.

In third world nations, as was true during the developmental period of most countries, the military will continue to double as the country's police force. As such, the police often will be required to place a priority on rooting out enemies of the current regime—ahead of protecting the civilian population and enforcing civil law. When the police are established as a separate command from the military, they will often remain an arm of the administration in power until and unless the public demands and acquires command and control of lawmaking, law enforcement, and peacekeeping.

The goal of this entry is to describe the future of policing and public safety as they can or should be in the world's developed countries. In societies where discipline and obligation to the letter of the law are held in high esteem, it is likely that the war (or military) model of policing will continue for the foreseeable future, whereas in countries where individual liberties are valued above absolute order and obedience, movement toward a peace (or participatory) model of policing will escalate in the years ahead.

Within each of the two major models, a variety of approaches will evolve, based primarily on the popular culture of the country and its subunits (e.g., states,

regions, and communities). There will likely always be constables in former British Empire nations and gendarmes in former French colonial areas, but the meanings of these terms may be significantly different from one region to another. An English constable, for example, is normally a rural police officer, while an American constable is usually a citizen volunteer.

Before discussing the deployment of the two models, this essay will describe two topics germane to both: evolving crime-fighting technology and twenty-first-century crime.

## EVOLVING CRIME-FIGHTING TECHNOLOGY

For police departments following the war model, a continuously spiraling cycle of technology and counter-technology can be expected. For agencies following the peace model, coping with technology-aided crimes will require community-based, ethical discussions about what countertactics are appropriate.

Some of the innovations in surveillance that can be expected in the first decades of the twenty-first century include “smart” technology and various types of implants and control devices. Body scanners are already available and handheld models will become commonplace, not unlike the devices in the 1990 science-fiction movie *Total Recall* that can see through skin down to bone, revealing everything from concealed weapons, to drugs in condoms in the intestines, to the size of body parts. Already in use in some airports, these see-all devices can be expected to become standard in police stations, courthouses, and jails and prisons. The smaller versions (about the size of a camcorder) will become part of the normal supplies

issued to public safety and corrections officers in developed countries. When police are able to scan unsuspecting citizens on the street, the “in plain view” doctrine (i.e., any evidence “in plain view” of an officer on the street can legally be used as probable cause for arrest and later may be used at trial) will take on new meaning.

Using the same scanner technology, plus new super-sensitive auditory capabilities, bionic “eyes” and “ears” that can hear and see through walls will soon be available. Equipped with these new “body parts,” safety and corrections officers will be able to more easily spot criminal activity, rules violations, and mischief in the making.

Ubiquitous cameras and computer chips will provide surveillance even when individual officers are not in the area. In some cities, hundreds of cameras already operate twenty-four hours per day, providing street monitor stations with the same type of surveillance and control formerly found only in casinos and top-secret installations. Ubiquitous computer chips are on the market that allow an individual to keep a minute-by-minute record of his or her life with the goal of becoming more efficient and effective in both professional and personal matters. Such a record can also become evidence for authorities if probable cause is found to suspect criminal activity (or on demand when probable cause is not necessary).

Increasingly, video surveillance cameras will be paired with facial-recognition technology so that a person caught on camera can be immediately identified and a “rap sheet” of information will be automatically generated. A facial-recognition system that uses biometrics has been tested in airports and at the Super Bowl game, and by police departments in several nations. The technology has had mixed reviews (it has produced a considerable number of “false positives”), but development and testing continues.

Biometrics, including digitalized fingerprints, handprints, voiceprints, and DNA prints, are also being perfected for use along with keystroke locks to safeguard access to increasing numbers of workplaces and to Internet sites. As cash and checks are replaced by cybermoney, and as e-mail supplants postal services to convey official documents, the identification of the parties involved in a transaction must be secured, a technology that may signal the end of “anonymous” surfing of the Web. Biometric ID systems on computers can provide a continuous record of the activities of each individual computer user—providing authorities with evidence of possible criminal (or antiregime) activities.

Universal DNA databanks will eventually tie all of such data together, as a DNA bar code is placed on an individual’s record at birth, and all data on that individual are collected and stored in a single account, to be accessed as provided by law (where such laws exist).

Electronic monitoring devices tied to a global positioning system (GPS) are already being used by some probation and parole agencies to track suspects and parolees. The use of such devices will likely soon expand not only to more community corrections agencies, but also to police surveillance of ex-offenders. For those under court-ordered monitoring, convulsive electroshock capabilities may be added to make the system “self-policing”: When offenders leave a designated area, they will receive painful shocks until they return. On the positive side, persons formerly held in captivity may be allowed more freedom to go to work, school, and therapy while being tracked.

The growing sophistication of computer technology has led to “smart” applications, such as “smart houses” that have a computer brain that controls functions ranging from climate control to security. Smart houses already provide owners with biometric ID systems to allow or deny entrance to visitors and automatically call the owner or a security service or police in case of unauthorized intrusions. Increasingly, these systems will be capable of constant audiovisual surveillance inside and outside the residence, providing audiovisual data for homeowners and authorities to determine if a person caught in or near a home is welcome or not and later providing evidence for investigation or prosecution if a crime has been committed. Persons identified on the scene as intruders might even be subject to knockout gas or some other deterrent built into the system.

Smart automotive vehicles already come equipped with GPS mapping systems to assist drivers with directions. New models provide many computerized safety features, including the power to take control of the car in dangerous situations. Smart vehicles also provide tracking features that allow authorities to use GPS to find the vehicle if the owner is in trouble (e.g., carjacked) or if the car is stolen. Already being tested are smart highways, where computer chips in the roadway communicate with smart cars and control the flow of traffic, allowing vehicles to be spaced just inches apart while traveling at a uniform high speed. When the system is perfected, all cars will have monitors, and all cars can then be located and tracked, eliminating most car thefts and reducing opportunities for smuggling drugs and other illegal goods.

Smart materials involve placing computer chips in building products (e.g., bricks, masonry blocks, sheetrock, and paneling), which can then set off warning signals if they are damaged or worn and in need of repair. One application would be alarms set off by doors or windows forced open by burglars or home invaders.

Smart clothing is increasingly being used by the military and police, as chips woven into fabric allow

authorities to track wearers and even locate the area of the body where an injury has occurred. As nearly all public safety personnel begin to adopt these smart uniforms, not only will they be safer, but their location will be known at all times, allowing for better coordination (an application that will not be welcomed by all).

Information-age advancements are beginning to be combined with biotechnology-age innovations, a process that is likely to escalate. Computer components and software will increasingly be made of organic materials, facilitating a growing market for body implants—for medical as well as educational and recreational purposes. With the blooming of nanotechnology, biochips will provide a host of benefits for individuals—from chips designed specifically to search and destroy a particular disease to health monitoring chips that constantly surf the bloodstream looking for and correcting abnormalities. In addition, knowledge chips will contain all relevant information on a variety of topics, and brain-enhancement chips will allow increased storage, manipulation, and rapid retrieval of data (such as continuously updated records of all known offenders in a jurisdiction and beyond). Hooked into neural systems, these nanochips will become part of the thinking process of the individual.

Translator chips will allow users to speak and understand all of the world's major languages, eliminating misunderstandings of a speaker's intent due to not understanding his or her language or dialect. Translator chips will also allow immediate interrogation of victims, witnesses, and suspects at a crime or disaster scene.

Scientists have also found that memory recall can be forced by simulating specific areas of the brain where memories are encoded, and that a memory can be transferred after copying it. Thus a suspect could be required to undergo brain stimulation to recall the events of a specific crime scene, and then the memory could be copied and used in court later if needed (e.g., transferred to a visual presenter and shown to judge or jury). More than likely, such capabilities would lead to more confessions and plea bargains. Interrogation also might be aided by brain-wave readers, which will be significant improvements over the polygraph for spotting lies.

Neuroscience will play an increasing role in penal systems. Researchers have found that brain chemistry appears to be at the root of most human behavior, and "chemical cocktails" can be formulated to allow therapists to manipulate and even control individual behavior. While this may bode well for public safety, it calls into question the very foundations of Western legal systems, which are based on a belief in individual responsibility for actions based on free will.

Subliminal conditioning chips that remind one to "obey the law," "do the right thing," or "respect authority"

will be used to keep criminals and "potential" offenders cool, calm, and collected. Nano-implants will surf the body in search of abnormalities (such as a deficit in serotonin, a neurotransmitter associated with a calming effect on the individual) that might agitate the individual and lead to violence. "Sober-up" implants for drug addicts have already been tested and will soon be in use; using "blocker" technology, they keep the drug user from feeling the impact of a hallucinogenic drug, thus providing prevention and treatment capability. To save on the costs of incarcerating violent criminals, states may employ suspended animation in which the offender's bodily fluids are removed and the individual is stored until time for release.

Genetic engineering also promises new ways of impacting behavior through adding, deleting, and altering genes, and even searching for the elusive "perfect" combination to clone—happy, well-adjusted human beings with no criminal tendencies.

While all of these (and many more) technological innovations might provide the capacity for greater public safety, they obviously pose serious ethical questions, as well as threatening the very essence of humanity. It might be possible to create a virtually crime-free world, but the cost might be a loss to the quality of human life.

## TWENTY-FIRST-CENTURY CRIME

Emerging technologies, along with changing demographics, will shift the focus of those concerned with crime prevention and enforcement as the twenty-first century unfolds. Whereas "street" crime was the major focus in the twentieth century in developed countries, and violence, disorder, and threats to the current regime were the focus in less developed nations, the new millennium will bring a perplexing combination of the old and new that will challenge even the most creative of public safety leaders.

In areas where power still resides with those who seize it by force or threat of force, violence and mayhem can be expected to remain the major focus. Even here, however, some new types of crimes will require increased attention.

One new crime that is already occurring—water theft—is the result of a basic commodity of life being in short supply. Water theft can be as simple as stealing a bucket or barrel of uncontaminated drinking water or hijacking truckloads and shiploads of water, to as sophisticated as diverting major water sources like streams and rivers. As the water supply dwindles further (already one in three citizens of the world does not have access to safe water), water wars may develop. Governments will increasingly join farmers, ranchers, and thirsty residents as the practice of draining a river in one state or nation leaves those downstream angry and dry. Water pirates

will find a lucrative market as the crises deepens, and water pollution will become a more serious crime.

Other types of environmental crimes will get added attention—from air pollution; to soil erosion, caused by, for example, poor building practices; to the destruction of animal habitats. Many public safety agencies will follow the lead of such cities as Los Angeles, which has special units for environmental policing and prosecution.

Probably the most prolific generator of new crime is the Internet. In some ways the World Wide Web has made the streets safer, as “ordinary” crime has decreased in high-tech nations such as the United States. It is much easier and more profitable to steal remotely from a computer than in person with a gun. It is also less likely that perpetrators will be caught, and if captured that they will be convicted, and if found guilty that the penalty will be substantial. As electronic money rapidly replaces cash, checks, and even plastic cards, crimes such as armed robbery will make little sense.

Meanwhile identity theft has quietly become the most widespread and costly crime in many developed nations. Internet fraud is close behind as a plethora of Web sites seek nothing more than to entice surfers to stop and be fleeced. Rapists and child molesters are, for the most part, giving up searching dark corners and bars for victims and have taken to haunting online romance chat groups and children’s game sites for their prey. Cyberstalking will also be a growing problem in domestic disputes, as spurned mates, lovers, and would-be lovers vindictively use the Internet to ruin the reputation and credit of others via anonymous e-mails and hacking. In one case, a South Carolina man was charged with posing as his former girlfriend and placing her name, phone number, and alleged desire to meet sexual partners on an adult Web site, then sending e-mails to her friends and coworkers in her new hometown of Seattle, informing them about the postings.

As implanted computers become more common, frightening new crimes, such as biochip hacking and mind stalking, can be expected. In the former, hackers, for sport or maliciousness, will intrude into biochips hooked into the individual’s neural networks, sending messages such as “guess who” or “you can’t hide from me.” In the latter, intruders (i.e., computer crackers) will threaten mayhem on the brain of the individual—from scrambling data in the biochip, to wiping the brain clean of all memory, to extorting payment to cease and desist their threats and devastation.

As many complex systems are networked via the Internet, criminals will increasingly use terrorist tactics to gain power and wealth, by such means as shutting down an electrical grid for a portion of a nation and threatening to close the rest unless they are paid a fee or,

if their motivations are political, other demands are met. Banking, health care, and the supply of oil, gas, and other vital commodities and services are also highly networked and thus vulnerable.

Biotechnology will also provide opportunities for criminal activity, such as organ legging—trafficking in stolen body parts with a worldwide market thanks to the Internet. It is illegal in some countries, including the United States, to sell body parts; even acquiring the rights to parts for sale after death can be a criminal act—thus establishing a nascent body-parts black market for much-sought organs. As cloning technology proceeds up the food chain, eventually reaching primates, including humans, there will be a new source for body parts for transplant, creating with it a new type of crime and a new black market. Making clones of oneself for the body parts will likely carry penalties for assault and even murder of the clone, although some researchers are developing headless clones of frogs (on the way to humans) in the belief that without a brain the functioning organism will not really be human, and thus can be used for transplant parts.

Genetic engineering will lead to the creation of hybrid plants and animals (chimeras), including “humanoids”—organisms with a mixture of human and nonhuman genes. In Great Britain, for example, pigs have been given human liver genes, which have been passed on from one generation to the next, meaning the pig not only furnishes ham and bacon but a humanlike liver for transplant; such pigs are worth up to \$50,000, compared to around \$100 without the human gene. Again, in some countries, such as the United States, creating genetic combinations of animals and humans is illegal, setting the stage for a black market. There are always citizens in capitalist nations willing to defy laws for profit, especially when selling a product that saves lives. By midcentury, winged humanoids may fly and live in formerly uninhabited areas, while gilled humanoids live in the water. If bird-woman eats fish-woman’s children, is it a case of nature providing lunch or a case of murder; should such a crime be pursued by the Society for the Prevention of Cruelty to Animals or the criminal court?

While providing many lifesaving products—crops that grow in arid regions, drugs that cure formerly deadly diseases, microorganisms that clean up oil spills—geneticists might also unintentionally create bacteria that spread a new plague or organisms that destroy all life in their path. Biotech criminals will either steal or replicate such products to sell or to terrorize populations for political reasons or profit via extortion.

As the world shrinks and the “global village” becomes more dominant, international crime will escalate rapidly. Cyberpornography, for example, already has

a worldwide market via the Internet; images can be downloaded or shipped anywhere around the globe from any location. As business becomes increasingly internationalized, tax evasion, market and consumer fraud, and unfair employment practices can be expected to escalate. The problem of international crime can also be seen in the activities of radical groups, such as al Qaeda, that use terrorism as a main tactic. Such organizations may be supported by governments, but they are not based in any specific nation; they are like a mythical serpent with many heads that grow new ones as existing ones are cut off. Single cells can operate independently anywhere on earth. The only way to attack such crimes will be with multijurisdictional task forces or international public safety agencies supported by international courts.

### WAR-MODEL PUBLIC SAFETY

War-model policing has been termed “traditional” in many areas of the world where the military doubles as the public safety (or often public “control”) force, or a separate police agency is designed along the lines of a military organization with a hierarchal rank structure. There are several approaches to this model, the two major ones being militaristic policing in a dictatorship or controlled state, and militaristic policing in a free state.

Military policing is descriptive of the controlled-states approach, where all military personnel engage in policing duties, or select units of the military are assigned policing duties. Even when the police are officially separated from the military, they operate with the same hierarchal rank structure and methods. As long as power is held by force by individuals or regimes, this type of war-model “police state” will persist.

Laws in such societies first protect the interests of those in power; thus any challenges to the policies or procedures of the state or regime are treated as severe offenses. Often this type “criminal” becomes a political prisoner. The laws in such states usually allow the authorities considerable leeway in taking suspects into custody and in the length and type of interrogation that is imposed. Street violence and such crimes as theft that threaten public order are usually treated as serious and are dealt with sternly (e.g., with corporal punishment or imprisonment), while violence and theft by members of the regime are often ignored and go unpunished.

Constant surveillance, along with at times elaborate spy networks, will continue to supplement patrolling in tracking crime and criminals, often creating a high level of fear among the citizenry, since even a false report (e.g., for vindictive or profit motives) can result in serious penalties. High technology, such as scanners and facial-recognition files, will be used where resources are available,

but not as universally or effectively as in developed free states.

In war-torn countries, public safety officials will continue to find themselves targets of competing interests vying for power. In such situations, survival will take precedence over law enforcement and peacekeeping for many officers, and military training and tactics will be essential, along with a larger cadre of personnel than is needed in more peaceful areas.

The most frightening scenario from the public standpoint will remain the region or nation where no working government and thus no public safety exist. In such a power vacuum, there are, in effect, no laws and no authorities to protect the populace, who are left at the mercy of criminal elements. In some such places, such as Rwanda in the 1990s, this has led to genocide and other crimes against humanity.

The paramilitary model will continue in many free states where the power supposedly lies with the people; public safety officials in such countries (at least theoretically) work for the people—they “protect and serve” the public, as many agencies promise. These nations are usually democracies with capitalist or socialist economic systems, although capitalists are more likely to use the war model.

In these countries, law is the basis for police activity. Individuals are believed to have free will; thus they “choose” to obey or disobey the law and can be held criminally responsible for violations. Although choice is emphasized, there is a basic belief in most of these jurisdictions that human nature leads individuals to seek advantage over others (e.g., “original sin”), and thus the law must restrict such opportunities and penalties must be punitive (e.g., “the wages of sin”) and have a deterrent effect.

The role of public safety authorities is to capture lawbreakers and process them under the letter of the law. Courts seek to provide an “unbiased” venue for determining the facts of the case and applying the appropriate penalty if the accused is convicted. Since the offender “willingly” violated the law (and was not found to be criminally insane or have any other acceptable defense), the penalty prescribed by law is deemed appropriate. In some nations, especially in Western Europe, penalties are most often fines or relatively short periods of incarceration (usually under five years), while in other countries, such as the United States, the penalties are often longer periods of imprisonment or even death in some murder cases. Where penalties are most severe, plea bargaining (reducing the punishment in exchange for a guilty plea) is commonly practiced.

Where the war model is used in democracies, the police are often viewed by minority and powerless groups



as agents of the government rather than of the citizenry. Laws, according to this theory, are made by the economic and politically powerful to protect their rights (especially to property) against all claims, while keeping the less powerful groups docile and dependent on the (usually capitalistic) system. This situation is unlikely to change in the near future.

It is in these systems that the technology reviewed earlier is most likely to be deployed to the fullest, particularly in any period of perceived threat by the leaders or the public, whether the threat comes from an outside enemy (such as terrorism by foreign radical groups), from domestic turmoil (such as street protests turned violent), or just high crime rates or a perception of a breakdown in civility. Even where legal restraints to infringements on individual liberties are in place, in such times the definitions often are stretched to choose security over freedom, particularly where war-model systems are in place.

**A Scenario of a Future War-Model System in Action.** Consider the following scenario of a possible future war-model public safety system in action: Media reports of terrorism and turmoil around the world, plus recent incidents of disorder and an increase in crime, have resulted in a consensus to “crack down” on lawbreakers and deter further problems. Thus, public safety officials begin the campaign with public backing, seeing it as an opportunity to put into action a plan for high-tech law enforcement and crime prevention.

In this scenario of the future, birth-to-death monitoring of the population is possible with the latest scanners, which not only see through clothing and skin to reveal hidden weapons or contraband, but also through ceilings and walls to reveal what is happening in formerly private places. Aided by GPS satellites, every individual and structure can be monitored twenty-four hours a day. Records on all known felons and many misdemeanants, “suspects,” and “persons to watch” have been placed in facial-recognition files, so a full dossier appears on each as they are scanned; new files are being added and efforts are being made to start files on every individual at birth. The labor intensiveness of such surveillance is alleviated by applying new technologies that provide scanners with the ability to recognize criminal and “suspicious” behavior and to alert authorities while digitally storing the information for review. Similarly, anyone who enters cyberspace is recognized immediately via universal biometric ID, and all Internet activity is monitored; suspicious activity is digitally bookmarked with an alarm set, and all activity is stored perpetually for possible future use. Language translation capacity is built into all monitors and is implanted in nanobiochips in the brains of all authorities (and most citizens). In some jurisdictions, recently rediscovered powers of telepathy are used to read

the thoughts of suspicious individuals on the streets; a new law makes it a criminal offense “to even think about committing a crime.”

ID chips are included on all vehicles, and major highways are automated with chips that network with the vehicles and take control of traffic; thus all drivers are known and can be found at any time (e.g., such as for failure to appear in court or for questioning as a suspect in illegal possession or trafficking of contraband). Smart technology protects vehicles by immediately stopping and locking stolen vehicles while sending a signal to authorities.

Street officers have knowledge biochips that include all reports of criminal or suspicious activity in their jurisdiction, plus the capacity to immediately network with other systems when necessary. All officers carry handheld scanners and many have bionic eyes and ears for added surveillance. Weapons are multipurpose, using ultrasound to deliver blasts ranging from loud and annoying to break up disorderly crowds, to high-pitched to immediately render suspects unconscious, to literally “mind-blowing” to kill when deemed necessary.

Brain-wave readers immediately inform interrogators when a suspect is lying during questioning, and memory stimulation provides involuntary recall of the events during a specific period. The recalled memories can then be transferred to digital storage for later use in court (although guilty pleas are more common now that evidence is overwhelming).

Once convicted, a host of new approaches to punishment and treatment have joined incarceration (which has also changed). For minor offenders, sober-up implants are used for drug and alcohol addicts, while subliminal implants send constant messages (“obey the law,” “respect authority,” “do your civic duty,” “calm down”) to gang members and other subcultural offenders.

For an offender with emotional and possible mental problems believed to be caused by chemical disorders, thousands to millions of nanosized biochips transverse the bloodstream in search of problems that, when found, are quickly remedied with a “chemical cocktail” designed specifically for the control of that individual.

For more serious offenders, electronically monitored probation is imposed and the offender’s every move and thought is recorded, as is done for all parolees. For those deemed potentially dangerous, electrodes are attached to the implanted monitors to shock them if they stray from officially approved locations; the shock is discontinued when they return.

For those needing even greater incapacitation, prisons in space allow inmates to earn money for their future return to society while providing valuable minerals through the mining of asteroids, while undersea prisons

provide the same benefits through the farming of seaweed to feed millions. For long sentences, suspended animation is used to save imprisonment costs.

Experiments in genetic engineering have been underway to develop a more permanent answer to criminality for persons considered to be “bad seeds” (i.e., plagued by genetic abnormalities). Genes of convicted offenders have been altered—“bad” ones deleted and “good” ones inserted. One project promises to create an individual who is genetically incapable of violating the law, and there is talk of developing and cloning such “designer people.”

Versions of this scenario, titled “Perils of High-Tech Public Safety,” have been presented to hundreds of public safety officers, as well as students and citizens. Although most agreed with some parts of the approach, all were repulsed by the total package. Three major reasons emerged:

**Loss of Privacy.** There would be no privacy in this “safe” high-tech world. Every word, deed, and even thought would be recorded and potentially used against the citizen. Whereas some feel privacy is an overrated “right” and its demise would indeed make the public easier to protect, few are willing to give it up to the extent envisioned in this scenario, and few feel it is necessary to do so to provide an adequate degree of security.

**Gestapo Tactics.** The Gestapo, Nazi Germany’s secret police force during the 1930s and 1940s, would have been elated to have had access to this type of technology. They could keep every citizen and captive under the total control of the regime, and the government would be able to achieve (in its eyes at least) its plan to create a “master race.” Other despotic governments would also find this technology useful, but it is despicable to citizens of a “free” society.

**Dehumanization.** Are individuals being treated as human beings in this scenario, or simply as chunks of protoplasm to be controlled completely in order to provide “safety” for all? In the free world, citizens cherish the right to be “different,” to live as they desire as long as they do not seriously harm others. Such a lifestyle would be impossible in this high-tech war-model environment.

There is no technological solution to the crime problem. First, crime is politically defined and therefore constantly changing: crime is what we say it is. Second, for every technology that offers hope of increased safety, counter technologies will pose new perils. Third, technology works for human societies only when it is closely monitored and under civilian policymaking and control. The key to a safe future is not to abolish or ignore technology that has the potential for harm, but to balance each technology with ethical considerations and ethical use.

**Objections to the War-Model Approach.** Several major problems are associated with using the war model to provide public safety in a free society. First, militaristic organizations assume that there is an enemy that must be contained or defeated, an assumption that is inappropriate for securing public safety for civilians at the community level. Second, the “reactive” war-model approach has been a failure based on efficiency measures—usually “clearance of reported crimes by arrests.” In the United States, for example, ever since statistics have been kept on eight major crimes (the crime index), the annual clearance rate has hovered around 20 percent, meaning only one in five of the indexed crimes has resulted in an arrest (while no more than one in three is even reported to police according to crime surveys).

A third problem with using the war model in a free society is that citizens live in fear of crime, and public safety agencies often consider that fear to be healthy (rather than debilitating), partly because it keeps money and human resources flowing to them. In addition, prison populations continue climbing as public recognition of the failure of the system to protect them leads to draconian sentencing of the few criminals that are caught and convicted. Finally, citizens adopt a “mean world” philosophy that divides the populace into good guys and bad guys, usually based on media-driven stereotypes.

Therefore, the other alternative for public safety—the peace model—offers attention to this concern for the protection of personal freedoms while providing safety to the community.

#### PEACE-MODEL PUBLIC SAFETY

The concept of peace-model public safety begins with a belief that peace does not come as a result of war, but rather it must be earned in a process of good faith on the part of all members of the community (whether a neighborhood or a nation). Rejected is the war-model mantra that a finite group of “bad guys” prey on society and terrorize the “good guys,” and that removal of the bad guys will provide a safe community for everyone else.

Affirmed is a belief in the duality of human nature—that each individual has a capacity to harm others but also a capacity for altruistic behavior; that whether the person chooses criminal or lawful activity depends primarily on the environment and popular culture created in the society. The basis for such a belief in criminology can be traced to the works of French sociologist Émile Durkheim (1858–1917), who postulated that all the laws, rules, and mores of a particular society amounted to the “collective conscience” of that community. No one, however, followed all these regulations, and thus no one embodied the collective conscience, because “everyone is somewhat deviant.” Thus, the answer to the

question “Who is the criminal?” is everyone to some degree. Later this concept became the criminological principle, “the dualistic fallacy”—the mistaken belief that criminals and noncriminals are different.

To “peacemaking” and “peacekeeping” criminologists, the roots of crime lie in economic, political, and social injustice allowed by government and members of a society. Popular culturists see that crime and ideas of how to control it result from the “social reality” created by all forms of media (e.g., television, movies, radio, newspapers, fictional writing, poetry), which result, in turn, in policies and procedure that transform social reality into “functional reality” (public perceptions—right or wrong—being more important than demonstrable evidence). Thus poverty, powerlessness, and class structure lead to crime, and acceptance of such injustice is a product of a popular culture in which “criminals” are portrayed as subhuman or a threat to the general population. In the United States, for example, media is said to be involved in a perpetual morality play, with each crime story being framed as good guy(s) versus bad guy(s) and an assumption that some individual is responsible for the event and must “pay” a severe penalty. Ambiguously, however, “bad guys” are often portrayed sympathetically, and violence by authorities is seen as necessary to solve the crime problem.

The peace model requires making peace in the community in order to achieve public safety. Peace, in turn, requires that all citizens receive economic, political, and social justice in everyday interaction. No one can be truly safe until all are safe, because no one can truly be free to pursue his or her own desires until all are free to do so.

Public safety officers in the peace model are members of the public with no special rights, but with an obligation to “protect and serve” the public. In creating the first Western public police force in London in 1829, Sir Robert Peel (1788–1850) held: “The police are the public and the public are the police.” He added that the duty of the police is to “prevent crime” and the power of police “is dependent on public approval and . . . [the] ability to secure and maintain public respect.” Thus, tax-paid police began as “peace officers.”

The peace model requires public safety to be under citizen control, with officers being agents of the community, working in partnership to establish and maintain public order and peace. Corrections too are community-based. The most complete peace model would include community-based public safety paired with restorative justice.

**Community-Based Public Safety.** Peace in the neighborhood can be kept only if public safety is community-based and community-oriented. A number of types of community policing evolved during the 1990s and early twenty-first century, including community-oriented

policing (COP), problem-oriented policing (POP), and neighborhood-driven policing (NDP). All emphasize police-citizen partnerships, neighborhood needs analyses, and action plans to solve problems associated with crime and disorder. In their 1988 definition of community policing, Robert Trojanowicz and David Carter emphasized that “philosophy” was the key, with tactics differing, tailored to the needs of the individual neighborhood.

Emphasis has been placed on community building (one cannot police or bring peace to a community unless one can identify it, something that often comes only after officers hold organizational sessions and build cohesion in an area); trust (a commodity that comes only after numerous successful interactions among police and community members); and cooperation (where police and citizens enter a partnership, often with other public and private agencies and groups, to achieve a mission of crime reduction and prevention). Whereas in COP and POP the police remained in control of the agenda, often viewing citizens’ desires as “input” only, under NDP, a citizen board in each neighborhood is in charge, with police advising and carrying out action plans.

In many ways, community policing and public safety are “back to the future” as they require power sharing and the earning of respect and authority (as Peel postulated) rather than compliance (as in war models), and they focus on prevention of crime rather than reaction (via investigation and arrest) after it has occurred.

Another important element of successful community public safety is creativity—searching the world for programs that show promise and adapting them or developing other new approaches to problem solving and community safety. For instance, the Japanese *koban* (police box) has been studied and adopted in some Western nations as a way to serve the community better while acquiring better intelligence on problems. Officers in the *kobans* (often located in the center of a busy street in Japan) are responsible for knowing the whereabouts of all people in their (usually) four-block area; relations between the police and the public is such that citizens drop by the *koban* to inform officers of their plans and any needs (such as looking in on their elderly relatives) while they are gone. The *koban* was adapted for use in Columbia, South Carolina, as a center for residents (with an emphasis on children) to visit daily in low-income housing projects, lowering crime in the areas substantially.

Other Western nations have modified the Chinese “neighborhood committees” for use in providing public safety; members of the committees come from the community and assist police in maintaining order, preventing crime, investigating crime, and communicating with residents about the need to respect laws and public safety officers, as well as their responsibility to provide

information to authorities about crime-breeding situations. Another adaptation comes from Germany, where most offenses draw “fines” rather than prison sentences, partly in the belief that direct monetary payments are a better deterrent than time served after a lengthy court process. Also in Germany, sentences of more than six months incarceration are rare, and are imposed only in “special circumstances” (such as for a clearly dangerous offender).

Technology will be used ethically and creatively in peace-system public safety in the future. With the citizens in control, the levels of technology used will depend on a consensus within each community. For example, an increase in burglaries might lead to increased use in the community of cameras and possibly facial-recognition devices, but no use by authorities of surveillance within the home itself. Cyberstalking of residents might lead to a search of all Internet activity by suspects and (with permission) of likely victims, but not of all citizens in the jurisdiction.

To provide maximum protection, less invasive technology (e.g., caller ID, GPS electronic monitoring of “potentially dangerous” parolees, instantaneous record checks of suspects, facial recognition on street surveillance cameras) will be used extensively. Even here, community concerns about invasions of privacy will be considered and addressed, to the point of discontinuing use of a technology based on a neighborhood consensus. Safety and personal freedom must be balanced in a free society.

The structure of public safety agencies will be similar to “team policing,” where a few officers will be assigned exclusively to a single neighborhood and it is their responsibility to serve and protect the citizens there, most likely at the direction of a citizen-controlled committee. Because the officers can only succeed if they can identify or create community, conduct needs assessments, seek creative answers to problems, assist in development of a plan of action, and carry out that plan under citizen direction, every officer will need to be a leader; it will be necessary to achieve the mission. Two critical skills of these street leaders will be coordination and cooperation. Many tasks will take coordination with multiple agencies (e.g., fire, emergency services, transportation, health, town council, county commission) in both the planning and action stages, the latter being where cooperation (avoiding turf conflict) will be critical.

Specialized public-safety support groups (e.g., automated traffic control, forensics, cybercrime, environmental and biotech units) will be centralized in the full jurisdictions (or even serve multiple jurisdictions), but will be available to serve needs in each neighborhood.

An alternative structure, tried in numerous jurisdictions in the late twentieth century, places police, fire, and

emergency services together in a single agency—a public safety department. In the most successful of these hybrid organizations, employees are cross-trained so they can handle any or all problems at the scene of an emergency. Although this approach seems logical, the competitive, exclusionary “culture” of policing and firefighting will have to change considerably for acceptance by “sworn personnel” in most jurisdictions. This same problem also will continue to make multijurisdictional agencies difficult to assemble and operate, but given the increasing difficulty of finding funding for public programs, these efficient and effective approaches will be increasingly attempted. One new approach will be to have cross-trained specialists within a community-based agency where public safety officers continue to serve the community’s need for safety from crime and the specialists will handle all calls for emergency services.

Successful community-based public safety will be judged by the absence of crime and disorder (the same measure used by Peel in his first-of-its-kind London public department). Unfortunately, some crime will still occur, and in a peace model, this is where restorative justice takes over.

**Balanced and Restorative Justice.** A major difference in peace models versus war models is the way crime and disorder are handled within the community. Suspected serial or mass murderers, rapists, or child molesters, as well as proven incorrigible predatory offenders (e.g., lifetime burglars and con artists) will remain the province of the criminal court, but for the other approximately 90 percent of cases, a more humanized venue will be provided.

Like community public safety, justice that is in many ways balanced and restorative harkens “back to the future”—to tribal justice, where the full community met to determine the facts of the case and develop a consensus on a fair and healing remedy. Tribes were often small and isolated; thus it was accepted that those involved in a dispute or harmful incident would remain part of the community, and peace would only be kept if the process was seen as just and the decision as equitable to all parties.

The vast majority of disputes that have in the past resulted in criminal charges have actually resulted from laws that favored one group (usually the more powerful) against the other, and at best the decision of the court satisfied only one party or often failed to satisfy anyone (“I didn’t have a chance in the first place”; “He didn’t get half the penalty he deserved”). Since all parties to the dispute normally live in the same community and return to it, such a system often creates enemies and aggravates problems rather than solves them. Restorative justice is designed to provide a “win-win” system for resolving

disputes at the community level, replacing the penal system, except for the predatory types of crime mentioned earlier.

The base of the balanced-and-restorative justice model is accountability, which is absolutely necessary for providing justice to all participants. If someone is found to have wronged someone else, that person must accept accountability for his or her actions. Such accountability almost always includes restitution to the person(s) harmed and service to the community harmed. Once restitution is determined, the next step is to ensure “community protection” by taking appropriate action to stop further incidents that might threaten others. Finally, while an offender is paying back for harm done, an evaluation of his or her problems is followed by “competency development” in recognition that he or she will likely remain a resident of the community and may need assistance in becoming a law-abiding, productive member.

The methods and process of restorative justice begin with mediation and arbitration. Rather than designate one party as the accused and another as the victim at the beginning, the disputants (whether in a civil or criminal matter) and all other interested parties (including the arresting officer, witnesses, neighbors, etc.) meet with a mediator or arbitrator for a session at which all have a say about what happened. It may be decided that there is no blame to be assessed or that both parties share in the blame, but where one party clearly harmed another and should be held responsible, the process then turns to what should be done. Again all are involved in this process, including the accused. In mediation, the search is for agreement on a fair settlement that the accused and accuser will then sign and carry out (a monitored process). An arbitrator, on the other hand, goes through the same process and then, if no agreement can be reached, hands down a binding decision based on an equitable settlement. Failure to carry out the agreement can result in criminal charges in the adversary system.

Most settlements include restitution—payback by the offender for the harm done, usually in money, but sometimes in service to the victim. Restitution may also include community service because the offense is seen as harmful to the peace and security of the neighborhood as well as the direct victim. Reformation—repentance and reform—is sought as offender and victim converse throughout the proceedings and the offender is encouraged to apologize or make his or her feelings about the offense known to the victim. Reclamation of the offender is also sought, as existing programs or new ones established by the community are used for drug treatment, therapy, remedial education, job training, employment assistance, and so on. Once the process nears an end, reintegration of the individual back into the community

as an accepted member (with no employment or social discrimination) is attempted and eventually a full reconciliation (forgive and forget) is sought (often after offender and victim meet to seek their own reconciliation).

Again, restorative justice is designed for the vast majority of criminal and civil disputes—the ones where disputants know one another or where the incident is relatively minor or the offender has not committed previous offenses. It is not designed for serious “predatory” offenders (about 10 to 15 percent of felony offenders) who are kept in the adversarial system because they may require incapacitation for community protection—incarceration, electronic monitoring, or (in the future) biochemical control.

A pioneer in tying community policing and restorative justice together into a seamless system was Caroline G. Nicholl, who authored two publications for the U.S. Department of Justice Office of Community Oriented Policing Services (COPS): *Community Policing, Community Justice, and Restorative Justice* (1999) and *Toolbox for Implementing Restorative Justice and Advancing Community Policing* (2000). Nicholl, at one time the highest-ranking female police official in England, came to the United States on a research fellowship and stayed to work with the community-policing unit of the District of Columbia Police Department and with COPS.

## INTERNATIONAL POLICING AND PUBLIC SAFETY

As communications and transportation technology make the world a smaller place where international business and cooperative ventures are growing rapidly, many public safety problems will have no borders. The Internet, for example, exists worldwide with little management or control; increasingly, corporations operate worldwide with no allegiance to any country. In this “power vacuum,” some groups will have to step forward to protect the public interest, including public safety everywhere.

More international “task forces” will be created to deal with specific problems, such as Internet crime. While ad hoc approaches might be successful for specific targets, international crime will grow rapidly in the increasingly “global” environment. The United Nations police forces can be expected to be called on more frequently, but standing forces will have to be created to combat worldwide threats via the Internet and beyond: the destruction of the environment (e.g., air and water pollution, forest depletion); biohazards (e.g., the creation and distribution of deadly new viruses, bioterrorism); radical extremists (e.g., global terror cells, kidnappings for ransom); the development and sale of weapons of

mass destruction, and so on. In addition, courts with international jurisdiction will have to be created to handle the cases brought by these new public safety agencies.

The most successful efforts will adopt some war-model practices (e.g., surveillance, investigation, arrests), but should also rely heavily on peace-model approaches (e.g., diplomacy and peacemaking). Above all, economic, political, and social justice must be sought worldwide, for in this increasingly interdependent world, inequities rapidly become clear to the oppressed and stand in the way of any real hope of public safety everywhere. A large “peace corps,” supported by the “have” nations to offer a hand (without a condescending attitude) to the “have not” nations will do more for public safety than any warlike effort to force compliance with international law.

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**Gene Stephens**

# Interpol

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Interpol is the world's largest police organization, established for mutual assistance in the detection and deterrence of international crime. Its aim is to facilitate cooperation among the police forces of member countries, despite differences of language, culture, and criminal justice systems.

## LEGAL STATUS

Interpol is founded on a constitution that was not submitted for diplomatic signature or ratification by governments. Nevertheless, immediately after its formation, countries began applying for membership, appointing delegates, allocating funds for dues, and complying with the organization's rules and regulations. The League of Nations gave Interpol official recognition by entrusting it with the administration of the 1929 Convention on the Suppression of Counterfeiting Currency. Over the years, many international organizations have become affiliated with Interpol, and the United Nations Economic and Social Council granted it official status as an intergovernmental agency in 1971.

Because member governments have not delegated to it any specific powers or authority, Interpol must function within the limits of the laws of each member country, as well as within the provisions of its own constitution. This explains why Interpol itself has no powers of arrest or search and seizure, nor the authority to conduct criminal investigations. These powers are exercised by the police of member states.

## AIMS

The organization's aims are summarized in Article 2 of its constitution: (1) "To ensure and promote the widest

possible mutual assistance between all criminal police authorities within the limits of the laws existing in the different countries and in the spirit of the *Universal Declaration of Human Rights*;" and (2) "To establish and develop all institutions likely to contribute effectively to the prevention and suppression of ordinary law crimes." Article 3 of the Interpol constitution states: "It is strictly forbidden for the organization to undertake any intervention or activities of a political, military, religious or racial character." Therefore, in its function of facilitating cooperation among member states, Interpol deals exclusively with "ordinary" law crimes. The term *ordinary law* is used rather than *common law* because common law has a specific legal significance in certain judicial systems.

## BASIC PRINCIPLES

The organization conducts its activities on the basis of several fundamental principles:

1. Respect for national sovereignty.
2. Involvement with "ordinary" law crimes only (within the limits of Article 3).
3. Universality (cooperation among member states regardless of geographic or linguistic impediments).
4. Equality (all member states are provided with the same services and have the same rights, irrespective of their financial contributions to the organization).
5. Cooperation with other agencies involved in combating criminal offenses.

6. Flexibility of working methods (ensuring regularity and continuity while keeping formalities to a minimum and taking into account the wide variety of structures and situations in different countries).

Respecting these principles means that international police cooperation depends on coordinated action on the part of member states' police forces, which supply or request information or services through Interpol.

### INTERPOL'S ORIGINS

One of the most striking features of crime in the twenty-first century is its international nature. Criminals have become increasingly mobile as restrictions on international travel have gradually been lifted and means of communication and transport have improved. At the same time, economic and social activities have expanded and increased in complexity at both national and international levels. This phenomenon has provided offenders with significantly extended opportunities for their illicit activities.

While these factors make it easier for criminals to offend, they hinder the police, whose actions are subject to various legitimate constraints (such as territorial limitations on jurisdiction, respect for the law, and limited resources). Consequently, society has become more vulnerable to criminal activities, even though it may enjoy a higher standard of living.

Although "international crime" has never been clearly defined in legal terms, the offenses covered by this phrase are recognizable in practice, either because they are the subject of international conventions (such as the 1929 Convention on the Suppression of Counterfeiting Currency, the 1949 Convention for the Suppression of Traffic in Persons and Exploitation of Prostitution of Others, the 1961 Single Convention on Narcotic Drugs, and the 1971 Convention on Psychotropic Substances), or because of other international aspects of a purely circumstantial nature. Such aspects may include the fact that an offense was prepared and carried out in more than one country, or the revelation that a single offender has committed a number of crimes in different countries, has absconded to another country, or transferred the proceeds of his or her offense to another country. In addition, offenders, victims, or witnesses may not be resident in the country where the offense was committed.

When international offenses such as those described above are committed, the police and judicial authorities in the countries concerned need to exchange information rapidly to obtain evidence and to identify, locate, and arrest offenders with a view to extradition. The need for international cooperation in these circumstances first made itself felt at the beginning of the twentieth century

and gradually became more pressing. This led to the establishment of Interpol as an instrument of international police cooperation.

In 1914 the first International Criminal Police Congress was held in Monaco. Legal experts and police officers from fourteen countries met to discuss the possibility of establishing an international criminal records office and of harmonizing extradition procedures. The outbreak of World War I in 1914 prevented further progress until 1923, when the second International Criminal Police Congress met in Vienna to continue the work begun in Monaco. The congress set up the International Criminal Police Commission (ICPC), with its official headquarters in Vienna and its own statutes. The ICPC was essentially European in character, and it operated until the outbreak of World War II in 1939.

The third "new start" for international police cooperation took place in 1946, when a conference was held in Brussels, Belgium, with the intention of re-creating an effective organization for international police cooperation in the aftermath of World War II.

With the growth in membership from 50 countries in 1955, to 100 in 1967, and 184 in 2005, Interpol's worldwide mission has become more apparent. Article 4 of the Interpol constitution states: "Any country may delegate as a member to the organization any official police body whose functions come within the framework of activities of the organization." It is therefore the country that belongs to the organization, not the individual police agency. If a country wishes to join Interpol, an appropriate governmental department, usually the ministry responsible for the police or in some cases the ministry for foreign affairs, submits an application for membership to the General Secretariat, which must then be approved by Interpol's General Assembly.

### BRIEF HISTORY OF THE ORGANIZATION

In 1914, at the invitation of Prince Albert I of Monaco (1848–1922), lawyers and police officials from twenty-three nations and territories met in Monaco at the first International Criminal Police Congress. They discussed improvements in arrest procedures, perfection of identification techniques, establishment of central international criminal records, and unification of extradition proceedings. The meeting was so successful that the delegates agreed to meet in Bucharest, Romania, in 1916, but World War I erupted, so the meeting never took place. In 1919 Colonel M. C. van Houten of the Royal Netherlands Police unsuccessfully tried to convene a conference on police cooperation.

In 1923 Johann Schober, president of the Vienna Police, convened the second International Criminal Police Congress in Vienna. The meeting was attended



by representatives from nineteen countries. The delegates agreed to establish the International Criminal Police Commission (ICPC), draw up a constitution of ten articles, and continue to work toward the goals of the 1914 Monaco congress. Vienna was selected as the site for the organization's headquarters because Austria offered to house and finance it. At that time, the Austrian police were considered to be leaders in the field of maintaining records on international criminals. Schober became president of the Executive Committee, and Oskar Dressler, a lawyer and the chief of the Austrian Federal Police, was appointed secretary to the International Police Congress. Dues were set at one Swiss franc for every ten thousand inhabitants of each member country. It was also established that a General Assembly would convene once a year.

In 1925 at the third General Assembly, held in Berlin, it was suggested that each country establish a central point of contact within their police structure. Two years later Interpol adopted a resolution to formally establish national central bureaus (NCB) in each member country. NCBs facilitate a member country's cooperation with the Interpol General Secretariat and with the NCBs of other countries.

In the beginning of the 1930s, the ICPC General Assembly, held in Antwerp, Belgium, began organizational independence by deciding to elect ICPC Executive Committee members by majority vote rather than the automatic appointment of Austrian police officials. Specialized departments were also established at headquarters, and included the Central Government; the International Bureau, concerned with currency counterfeiting; the International Criminal Records Office; and the Passport Forgery Bureau.

Schober died in 1932, and the post of secretary-general was created by a change in the statutes. The first to serve as secretary-general was Dressler, who retained the post until 1946. In 1935 the ICPC international radio network was inaugurated. The last General Assembly before World War II was held in Bucharest in 1938. The Nazi regime deposed ICPC president, Michael Skubl, and replaced him as chief of the Austrian police with Otto Steinhäusl, who thus automatically became president of the ICPC under the statutes of the organization at the time. In response, the countries of the free world stopped participating, and the ICPC effectively ceased to exist as an international organization. By 1942 the ICPC had fallen completely under German control and was moved to Berlin.

In 1946, after World War II had ended, a group of officials interested in continuing the idea of international police cooperation met in London to reestablish the organization. Florent Louwage, Belgium's inspector general for

state security and a former ICPC Executive Committee member, met with Harry Soderman of the Swedish Criminal Institute; Werner Muller, chief of the Swiss Federal Police; Louis Ducloux, director of the French Judicial Police; and Ronald Howe, assistant commissioner at London's Scotland Yard. Their efforts resulted in the fifteenth General Assembly session in Brussels where seventeen nations were represented out of the nineteen that had renewed their ICPC membership.

France was chosen as the most suitable host country for the organization because it provided a central location, superior communication facilities, and was happy to accept financial and other obligations as host nation. At that time in Europe, France was also a pivotal location for international criminals.

In reorganizing, the ICPC established a democratic process for electing its president and members of its Executive Committee. At that time, the Executive Committee consisted of five members elected for five years: a president, a secretary-general, and three general rapporteurs (vice presidents). Louis Ducloux (France), as host-country representative, was named secretary-general. Florent Louwage (Belgium) was elected president, with Ronald Howe (United Kingdom), Werner Muller (Switzerland), and Harry Soderman (Sweden) as general rapporteurs.

The General Secretariat was allocated offices belonging to the French Ministry of Interior near the Champs Elysées in the eighth arrondissement of Paris. The coinage "Interpol," a contraction of "International Police," was chosen for the organization's telegraphic address in 1946.

In 1949 the United Nations granted the ICPC consultative status as a nongovernmental organization. International radio communications regulations were adopted and appended to the organization's General Regulations. The United Nations Commission on Narcotic Drugs encouraged the use of ICPC channels for the exchange of information on illicit drug traffic in 1955. Then, in 1956 at the twenty-fifth General Assembly session in Vienna, a new constitution was adopted and the name of the organization was changed to ICPO-Interpol, or simply Interpol. The status and function of NCBs were officially recognized in Articles 32 and 33 of the new constitution. The organization became autonomous by collecting dues from member countries and relying on investments as its main means of support. In 1959 the Council of Europe recognized Interpol as having constitutive status equivalent to a United Nations specialized agency, thus allowing cooperation and information exchange.

In 1960 the General Assembly met for first time outside Europe, in Washington, D.C. In 1961 the Counterfeit Currency Group, formerly headquartered in

the Hague, Netherlands, was moved to Interpol's General Secretariat in Paris. In 1963 the first regional conference was held in Monrovia, Liberia. The General Assembly outlined new operating policies for the NCBs in 1965, and the following year Interpol moved to new offices near the Bois de Boulogne on the outskirts of Paris.

In 1971 the United Nations Economic and Social Council granted Interpol the status of intergovernmental organization, clarifying its legal status as an international organization. This change permitted the two-way exchange of information, documents, consultants, and technical expertise, as well as the presence of Interpol observers at United Nations General Assembly sessions, and the right to submit proposals for the United Nations' agenda.

The first Interpol president from the United States, John R. Simpson, was elected in 1984, and the following year the organization appointed its first non-French secretary-general since its 1946 reorganization, Raymond E. Kendall from the United Kingdom. Interpol subsequently decided to construct a new building for the General Secretariat in Lyon, France, a move that coincided with a complete reorganization of the internal structures of the secretariat.

In 1990 Interpol initiated its X.400 communication system, which enabled NCBs to exchange electronic messages directly with one another and with the General Secretariat. The introduction in 1992 of an automatic search facility allowed remote searches of the Interpol database. A new Interpol database, the Interpol Criminal Information System (ICIS), came into operation in 1998.

In 2000 Ronald Noble, Interpol's first U.S. secretary-general, took office. Noble was reelected to serve a second term in 2005. Interpol's I-24/7 Web-based communication system was developed in 2002. The new system, which replaced the obsolete X.400 system, improved NCB access to Interpol's multiple databases.

#### INTERPOL'S DECISION-MAKING BODIES

The General Assembly is the organization's supreme governing body and it meets once a year. It is composed of delegates from each member state appointed by the appropriate governmental authority in their countries. The General Assembly makes all the major policy decisions affecting the organization, as well as decisions on working methods, finances, and budget; modes of cooperation; and the program of activities. It also elects representatives to the Executive Committee and approves applications for membership.

The Executive Committee usually meets three times a year. It ensures that General Assembly decisions are implemented, prepares the agenda for General Assembly sessions, approves the program of activities and the draft

budget before they are submitted to the General Assembly, and supervises the secretary-general's administration and work. The Executive Committee has thirteen members (a president elected for a four-year term of office, three vice-presidents, and nine delegates elected for three-year terms of office), and the seats are shared equitably among different regions of the world.

The secretary-general is the organization's chief official and the head of the General Secretariat. The secretary-general is responsible for managing the daily work of international police cooperation and for the implementation of the General Assembly and Executive Committee decisions. The secretary-general is nominated by the Executive Committee and confirmed by the General Assembly for a five-year term with the possibility of reselection.

**Structure and Budget.** The General Secretariat is the permanent administrative and technical institution through which Interpol operates. It implements the decisions made by the General Assembly and the Executive Committee, supervises and coordinates the fight against international crime, centralizes information on crime and criminals, and maintains contact with national and international authorities. The General Secretariat staff is divided into two categories: police officers or international civil servants, seconded or detached by member states, and staff employed directly by the organization.

In each of the organization's member states the National Central Bureau (NCB) is the focal point of cooperation. Each member state has a single Interpol "contact" whatever the type of criminal case involved, thus reducing linguistic difficulties. Furthermore, each NCB can initiate, at the request of any other NCB, large-scale operations that may involve other police or government departments. The NCBs collect documents and information relating to international law enforcement from sources in their own countries, and they share this material with other NCBs and the General Secretariat. Any NCB may restrict the circulation of information it provides, even down to a country-by-country basis. The communications systems developed by the General Secretariat have this facility as an integral feature. They also ensure that police inquiries and operations requested through Interpol channels are carried out in their own countries and that the results are communicated to the requesting party. In addition, they transmit to NCBs in other countries requests for international cooperation made by their own judicial authorities or other governmental departments.

International cooperation also enables law enforcement personnel from one member state to travel to another to investigate international offenses. The NCBs

are responsible for organizing these missions or for authorizing them with the consent of the appropriate judicial authorities.

The heads of NCBs attend Interpol General Assembly sessions as members of their countries' delegations and subsequently ensure that the General Assembly's resolutions are implemented. NCBs may communicate directly among themselves. However, they are expected to send copies of their correspondence to the General Secretariat so the latter can perform its task of centralizing information and coordinating cooperation.

Groups of member states of a same region work in partnership with Interpol to provide sub-regional bureaus (SRBs). Managed by the General Secretariat, SRBs are partly financed by the member countries of the region concerned.

Interpol's activities are primarily financed by the annual budget contributions of the member states. The operating budget for 2005 was just under 35 million euros. An external audit is conducted by an independent body appointed by the General Assembly.

#### OPERATIONAL POLICE SUPPORT AND GLOBAL COMMUNICATIONS NETWORK

Interpol provides a set of tools for international police cooperation: a global network, an international notice system, various databases, forensic services, and criminal analysis. Interpol's worldwide police communications network is unique, and the fundamental tool that underpins international police cooperation. Known as I-24/7, it uses a high-security virtual private network over the Internet for heavily encrypted data. The system facilitates access to Interpol's many databases of criminal information and allows police to transmit key data, including photographs and fingerprints, helping the law enforcement community to work together more effectively and much more quickly.

**Interpol Notices.** Interpol notices give the identity particulars, a physical description, and, sometimes, photographs and fingerprints of an individual suspect. Notices are used to assist the law enforcement community around the world by exchanging critical crime-related information.

Depending on their objective, five types of color-coded notices are issued: (1) red notices—to make arrests with a view to extradition, contain full details of the national arrest warrant and the offense committed; (2) blue notices—to collect additional information about offenders and help trace them, and to locate witnesses to crimes; (3) green notices—to warn about offenders who operate in more than one country; (4) yellow notices—to locate missing persons (such as minors, people suffering from

amnesia, etc.); and (5) black notices—to seek the identity of unidentified bodies by giving their descriptions and fingerprints where possible. Usually notices are issued at the request of NCBs, but the General Secretariat may also issue green notices on its own initiative.

**Databases.** Interpol maintains a series of interrelated databases to assist members in making full use of the information available. For example, special topic areas are devoted to drugs seizures, travel and identity documents, DNA, counterfeit payment cards, stolen motor vehicles, wanted and missing persons, other notice subjects, and stolen works of art. The majority of member countries have an automatic search facility, and other law enforcement services, such as customs and immigration, may also have access to Interpol databases that can help them in their crime prevention and detection work.

#### Forensic Services.

**DNA.** Interpol provides support to enhance member states' DNA-profiling capacity, encouraging DNA-profile comparison across borders. Specifically, Interpol provides: a DNA database available to all member states with an international DNA-profile matching capacity; a DNA Monitoring Expert Group; and an International DNA Users' Conference to focus on best-practice models and contemporary applications. Interpol also provides regional support in the form of national assistance packages, training, and workshops for member states connected by local forensic and investigational issues affecting DNA applications.

**Fingerprints.** Interpol's Automated Fingerprint Identification System (AFIS) offers member countries the opportunity to send and receive high-quality electronic fingerprints in compliance with Interpol standards to and from the General Secretariat. The AFIS branch also uses working groups to promote fingerprint training and identification standards, and organizes a biennial international fingerprint symposium. In addition to AFIS, Interpol has implemented ANSI-NIST, an internationally recognized standard for interoperability between AFIS systems, regardless of supplier. Any system can be automatically tested for compliance.

**Disaster Victim Identification.** Interpol recommends best practices in disaster handling procedures, in the areas of identification and international cooperation. It also emphasizes the importance of planning in advance for such events so that all the necessary elements of response are already in place if a disaster occurs.

**Criminal Analysis.** Interpol analysts work on strategic and operational projects, as well as offering training and consultancy to law enforcement bodies. Many of these projects are related to aspects of organized crime

or terrorism. Regular threat assessments are produced on a global and regional basis, as well as for specific crime areas. Occasionally, Interpol also provides analytical assistance to other international bodies.

#### MEETINGS AND CONFERENCES

Representatives of member states meet to discuss cooperation matters specific to a particular continent or region, or to discuss certain types of crime, at regional conferences. Interpol also organizes symposia, where police officers and experts share experiences and technical information.

#### INTERPOL'S SPECIALIZED ACTIVITIES

Interpol concentrates on three major groups of international crimes:

1. Crimes against people and property: terrorism, crimes against children, trafficking in human beings, illegal immigration, fugitives, maritime piracy, weapons of mass destruction, stolen vehicles, and stolen works of art.
2. Economic, financial, and high-tech crime: banking fraud, money laundering, counterfeit banknotes and payment cards, cybercrime, advance-fee fraud, corruption, and environmental crime.
3. Criminal organizations and drugs: organized crime and drug trafficking.

In addition to assistance with crime investigations, the organization provides crime-intelligence analyses at

global, regional, and crime-specific levels. The organization also supplies international crime statistics online.

**Interpol and the International Community.** Interpol has many contacts with a wide range of authorities and international institutions where cooperation is likely to be of mutual assistance. Its long-standing relationship with the United Nations was formally recognized in 1971 by the adoption of a special arrangement on cooperation between the United Nations Economic and Social Council and Interpol. Interpol signed a cooperation agreement with the Council of Europe in 1959. Since then it has worked with the council on crime issues and on the preparation of European conventions, many of which contain provisions stating that the signatories may use Interpol channels to forward judicial documents.

Interpol also cooperates with a number of other international bodies, and it participates in the activities of various nongovernmental organizations. Interpol maintains formal cooperation agreements with many of these bodies and organizations. Interpol's objectives in these relationships are to strengthen efforts, avoid duplication, exchange information, and share expertise.

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*George Thomas Kurian*

# Police Leadership

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Policing may be carried out for and on behalf of the state, in order to protect its identity and stability; or by the community, in order to serve its own local interests; or by any variation between those two extremes. It is therefore possible to contrast two very different types of police organization, embodying two very different forms of leadership. The first type of organization is the police force: A police force is an organization whose primary function is to serve the state. It may be a gendarmerie. It is likely to have some form of military leadership, perhaps of regular army officers on secondment. The second type of police organization is the police service: A police service sets out to serve the local community, often in partnership with other organizations, and its leadership is more likely to be a matter of negotiation and compromise than the supposed autocracy of military leadership.

The two types of police organization do not exist in pure form. All police forces provide a service and all police services use force. However, police organizations in general have tended toward an autocratic style of leadership that has hampered their ability to adapt to changing circumstances and is at variance with their espoused aims.

## THE EVOLUTION OF POLICE LEADERSHIP

Policing itself is an activity as old as social life. All groups have some form of social control. How policing is organized has changed over time. The British statesman Sir Robert Peel (1788–1850) created London's Metropolitan Police in 1829 as a quasi-military organization. He gave it uniforms, ranks, and the requirement to obey the lawful commands of senior officers—although its workforce was not placed under military discipline. At the same

time, he was determined to ensure that the new police would be both acceptable to the public and distinguishable from soldiery acting to restore order by force. Peel saw the attainment of public acceptance as a challenge to character as much as organization, and laid down standards of behavior for his new “peelers” which are still applicable today.

Peel was determined that the new organization should develop its own form of leadership—except at the very top, where he appointed gentlemen as joint commissioners. However, Peel was emphatic that his new organization should not be generally officered by gentlemen and should have no officer or commissioned class. The ranks for the new organization were created as superintendent, inspector, sergeant, and constable, and only the word *sergeant* had a military connotation. Promotion was to be in force. Initial selections were of such people as former noncommissioned officers in the army: They were men with experience of authority, who knew their place in society and could be expected to not challenge prevailing mores.

The new police were intended to prevent or deter crime rather than investigate it once it had occurred, and they patrolled a fixed beat system under strict supervision. They had little legal knowledge, and there was no intention to create a police profession. The new police were expected to develop a working relationship with the public and not to act as bullies, cultivators of informants, or spies. To that end, they wore a conspicuous but not military uniform, and were famously, in truth as in legend, armed only with a truncheon—to be supplemented by firearms or cutlasses only when necessary. Supervision was strict and discipline harsh, mediated only by the inescapable fact that much police work must be carried out alone.

The model of the new police service as an entirely male, almost entirely working-class organization with a single point of entry and no officer class was to last for a very long time. Indeed, in many aspects it is still the prevailing model today. Although the police service now includes women as well as men, it is no longer entirely working class, and includes a large percentage of university graduates in its ranks—as well as some very highly educated senior officers. However, entry is still only at the rank of constable, and there is no officer class or police equivalent of the army's general staff.

The British Home Office, the department of the British government that is responsible for domestic security, acting in a pragmatic way to improve the quality of police leadership, made three changes to Peel's model that are of significance in the continuing evolution of police leadership.

**The Creation of the Police Staff College.** The national police college for England and Wales was set up in 1948 with the intention of developing the present and future leadership of the police service. Despite its extremely cautious beginnings, the creation of the Police Staff College (the name was changed in 1979) was an immensely significant event for the British police service and its leadership. For the first time, the senior officers of some 150 separate and entirely independent forces were to meet together in one place, exchange experiences and ideas, and begin to develop a common ethos. What the Police Staff College taught, for example by way of leadership theory, was not of the first importance. What was important was that it existed.

**The Importance of the Senior Command Course.** As the college developed, so did its senior command course: a lengthy, residential, and assessed course in which senior officers gathered to explore all aspects of policing. It has been a Home Office requirement since 1993 that all members of ACPO (the Association of Chief Police Officers of England, Wales, and Northern Ireland) must have attended this course. The current generation of senior police officers in the United Kingdom are the product of the Police Staff College and its various programs.

**The Need to Serve in More than One Force.** Home Office regulations further stipulate that no police officer may rise in service from constable to chief constable in one force, without having served in another—a further attempt toward giving the police service as a whole a more professional leadership.

#### THE SITUATION TODAY

The Police Staff College model of leadership education and development is no longer in fashion. Previously

accepted axioms of police leadership are under review and the cult of “modernization” is being applied to police leadership, as in other areas of governmental reform. There is an underlying dissatisfaction with the police service and its leadership that, some believe, may be an endemic feature of modern life.

Policing is and will remain an expensive public service; difficult to measure in terms of performance; unable to resolve in any complete sense issues such as crime, international terrorism, and antisocial behavior; and liable to periodic and indeed cyclical scandals and crises. External pressures may have some effect, but the real pressure for reform must come from within.

That reforming zeal needs to be based upon three factors: (1) a proper understanding of the nature of policing and the enduring values upon which policing by consent is based, if the relatively fragile and recently established traditions of public-service policing are to survive and flourish; (2) a clear understanding of the general principles of successful leadership; and (3) an authentic model of successful policing. This essay shall deal with these requirements in reverse order.

**Public-Safety Policing.** As mentioned above, the evolution of the police service is continuing. Robert Panzarella (2004) argues that there is an emerging model of public-safety policing with three outstanding characteristics: (1) Emphasis on the safety of people through risk reduction, including crime prevention; (2) Increased reliance on technology for routine policing; and (3) Increased cooperative relationships between police, other agencies, and the public.

In Britain, according to Panzarella, the national government is promoting core components of a public-safety model of policing. In the United States, some of those components are being promoted through the models of problem-solving policing and community policing and some through national initiatives under the banner of “homeland security.” The new model may be more evident, more refined, and better articulated in Britain, but developments in American policing are aimed in the same direction.

The style of leadership best suited to the emerging model, somewhat paradoxically, may be a military one. This, however, is a new doctrine of military leadership emphasizing flexibility, discretion, and a commitment to core values.

#### GENERAL PRINCIPLES OF EFFECTIVE LEADERSHIP

There is a substantial knowledge base on the principles of effective leadership as they apply within any organization. Generally speaking, the most effective style of leadership

is when the leader is able to provide structure and show consideration (Argyle 1969). Additional studies of leadership have emphasized how the character of leadership changes. Thus, for example, at the most senior levels in a management hierarchy, a visionary perspective is needed, along with the skills to make the vision a reality.

The personality and values of the leader are of immense influence on the organization as a whole; and there is a cluster of generally agreed and clearly identifiable characteristics of superior leaders and managers. “Visionary,” “charismatic,” and “transformational” aspects of effective leadership need to be identified, explored, and understood in terms of their strengths and weaknesses for application in the modern organization. “Transformational leadership” has taken center stage in much contemporary theorizing about effective leadership, and needs to be further explored.

**Transformational Leadership.** James MacGregor Burns’s research (1978) serves as a useful point of departure for the study of transformational leadership. He “discovered” how important it was for the leader to convey a sense of vision and mission that would enhance the followers’ sense of the possible. Transformational leaders also motivated their followers to achieve organizational goals rather than pursue self-interest. They altered the psychology of the followers; the needs for security and safety were overtaken by a search for self-esteem and autonomy. Transformational leaders help their followers go beyond what they thought was possible. They excite feelings that bind their followers to the organization and its mission.

Building on the earlier work of Burns, as well as more recent developments in leadership theory, Gary Yukl (2002) contrasts and clarifies the difference between “transactional,” “charismatic,” and “transformational” leadership. Yukl thinks that the transformational leader is more likely to empower followers. He notes that they delegate significant authority to individuals, create self-managed teams, and develop the self-confidence and skills of their followers.

The research findings make it possible to provide some basic guidelines for the practice of transformational leadership. Thus, the leader should:

1. Articulate a clear and appealing vision.
2. Explain how the vision can be attained.
3. Act confidently and optimistically.
4. Express confidence in his or her followers.
5. Use dramatic, symbolic actions to emphasize key values.
6. Lead by example.
7. Empower people to achieve the vision.

**Effective Police Leadership as a Distinct Form of Practice.** *The Constitutional Context.* Police work takes place in a constitutional context. Its leadership requires an understanding of the underlying features of a liberal democracy and the need to apply them in policing.

*The Legal Context.* Police work also takes place in a changing legal context. Politico-legal developments continuously impact upon and have implications for police leadership and management practice.

## HUMAN RIGHTS LEGISLATION

As a significant example for the first two points, this essay will consider the impact of human rights legislation upon police practice and leadership. Under Great Britain’s Human Rights Act (2000), the police service is a public authority and is thereby obliged to respect and uphold human rights. This is both a constitutional and legal obligation and has considerable implications for police leadership in terms of knowledge, skills, and attitudes. It has altered police behavior and given the police a new language, or at least a terminology, by which to justify their actions, so that one of the results of the Human Rights Act has been to make police leaders better capable of demonstrating rationality in their professional decision making.

To protect human rights is, as the Police Service of Northern Ireland has declared, the *raison d’être* of policing, and it is cited as a fundamental task of the police in the European Code of Police Ethics (Council of Europe, 2001). It is entirely consistent with the tradition of policing by consent of which the police services of Great Britain are rightly proud, and it does not prevent but rather promotes effective law enforcement. It reinforces the police inclination to promote human rights in its role of protecting the weakest and most vulnerable members of society—who are, of course, disproportionately the victims of crime, oppression, malice, and neglect by both private individuals and state agencies that fail to treat them with respect. It also provides a valid and accountable mechanism for the invasion of qualified human rights, such as the protection of privacy, when such invasion can be justified.

Those who plan murder and oppression cannot claim the protection of privacy in order to plot such activities or the necessary secrecy in order to review their success or failure after the event. Indeed, the police are obliged to invade certain rights on occasion, and in dereliction of their duty if they do not do so. Moreover, the language and case law of human rights give them the possibility to decide on an analytical basis how far they can exercise their powers before, for example, legitimate deception may become illegitimate entrapment.

Overall, human rights principles and legislation are making a significant impact upon the police service and its leadership.

### THE PUBLIC SECTOR

The police are part of the public sector, and police leadership must be based upon a proper understanding of the idea of the “public good.” While it is helpful to think of those who use public services as customers, consumerism is, by itself, no guarantee of the public interest. The tasks of the public domain include the balancing of interests and the search for collective values. Public-sector management necessarily involves: managing diversity and conflict; building and testing for consensus; and using scarce resources to best effect in achieving the valued ends shared by the collectivity. In short, public-sector leadership is especially concerned with realizing the common good. In consequence, public-sector leaders are obliged to forge partnerships with collectives, communities, organizations, and agencies.

**Police Work as a Unique Occupation.** Police work is in some ways different from other work. It is possible that no single feature of police work is unique. However, the combination of unusual factors, linked to the absolute need for integrity under pressure, presents a particular challenge to police leadership. Moreover, the principles and methods that may be successfully applied in other contexts may not be transferable to policing, or may lead to unintended consequences.

**Organizational Factors.** At the organizational level, police work is characterized by:

1. The wide menu of responsibilities—from “enforcement of the criminal law,” through “maintaining public order,” to “reassuring the community.”
2. The uncertainty about the fundamental role of the police.
3. The exacting demands of the criminal justice system. There appears to be a “mismatch of emphasis” when police and other functionaries within the criminal justice system are compared. For police, the priorities are with people, especially victims of crime.
4. The degree of public scrutiny of police work, unmatched in any other occupation.
5. The large degree of discretion employed by the individual police officer.

Either police leaders have to find a way to resolve the apparently contradictory and ambiguous character of the police purpose or they have to create a followership that thrives on these contradictions.

**Day-to-Day Practices.** On a day-to-day basis, police work is characterized by:

1. The need for instant decisions.
2. The reliance upon individual skills, judgment, and initiative.
3. The emotional demands of policing.
4. The physical dangers of policing.
5. The influence of the police officer’s image.

As stated in 1993 by the ACPO’s Quality of Service Committee:

In most occupations, front-line staff have only routine, relatively unemotional contacts with other people. In contrast, police officers frequently operate in an emotionally charged environment. This can be caused by dealing with a crisis (for example a road traffic accident, a sudden death, being the victim of a crime, etc.) or, alternatively, enforcing the criminal law or responding to other “conflict” situations which are themselves stressful for every one present... To add to this, the police have close relationships with only a quarter of the population, the most deprived. It can be difficult for officers to maintain professional detachment—still less to have any measure of sympathy... The emotional stress of policing cannot be underestimated.

Significantly, the ACPO goes on to underline how, in the absence of the kinds of support system that are found in, for example, marriage guidance teams, the “canteen culture” of the police “is given room to thrive.” In that culture, police leaders are perceived as “not understanding” the circumstances and realities of “front-line” policing.

### THE PSYCHOLOGICAL AND ETHICAL CONTEXT

Police work takes place in a psychological and ethical context. Its leadership requires a psychological understanding of the sustained impact of police work upon the mentality and personality of the officers concerned, both individually and collectively. Police leaders have to understand that police officers are liable to moral depletion and need sophisticated methods to prevent its occurrence. Police incline toward pragmatism, suspiciousness, in-group loyalty and solidarity, conservatism, and an “action” orientation. These features of the police emerge from experiences and interactions within the police culture(s).

The noted police observer William Ker Muir recognized how the exercise of coercive power is likely to have profound effects upon an individual human personality and found that police officers were susceptible to moral



depletion and unprofessional conduct if their character were not marked by certain virtues. Muir argues that:

To become a true professional, a police officer needs to develop and cultivate two virtues—one moral, the other intellectual. The moral virtue is “passion.” Passion is the strong conviction that the achievement of certain “goods” or ends is so important that it allows the individual police officer to reconcile him or herself to using morally dangerous, coercive, or violent means to achieve them. The second virtue, “perspective,” serves to counterbalance passion. Perspective is akin to having a sense of the “big picture” concerning humanity. It enables the police officer to respect the suffering, sorrows, pain, and sensitivities of others. Perspective teaches people not to have a cynical outlook on humankind but to recognize “tragedy” in the human condition.

Passion and perspective work together to discourage the destructive effects of having to exercise coercive power. Thus, a good police officer understands the psychological dynamics that result from the obligation to use coercive force—and how to withstand its potentially corrupting or damaging effects. (Muir 1977)

Muir’s analysis implies that an “occupation-specific” knowledge of the psychology of policing is an essential requirement for police leadership practice. Without it, there can be no guarantee that police leaders can provide the conditions within which the virtues of “passion” and “perspective” can be cultivated. In consequence, the police mentality will continue to reflect and sustain the dysfunctional aspects of police occupational culture unless and until this is addressed as a major leadership issue.

#### **POLICE LEADERSHIP: ENDURING PRINCIPLES**

The distinguished former chief constable John Alderson (1998) states that the police function should be based on the notion and principle of trusteeship, and the principles that he recommends are bound to notions of justice, fairness, tolerance, and a deep sense of community.

Robert Adlam and Peter Villiers (2003) identify and describe six effective and enduring principles of police leadership, as follows:

1. *Service*: Whatever their level in the police organization, effective leaders are committed to providing the best possible service to the people policed.
2. *Unselfishness*: Leaders demonstrate a genuine concern for and interest in both staff and colleagues. Fundamental and significant to the process of effectively leading people is the need to be visible

and to put the interests of the staff, the organization, and the public before the personal interests of the leader.

3. *Strategic awareness*: Effective police leaders ground their practices upon a range of personal powers and qualities that make a real difference to their followers. This includes a range of intellectual virtues that, in combination with professional knowledge and experience, generate credibility and confidence. Effective police leaders are sensitive to the wider social, cultural, political, and business environment within which the police service operates. They are able to communicate with a diverse public and with all levels of the service itself.
4. *Support*: Effective police leaders support, value, and encourage their staff, who find themselves enjoying a working milieu in which they can flourish. Central to the process of “getting the best” from staff is the ability to provide a clear vision and sense of direction.
5. *Professional excellence*: Good police leaders are exemplary practitioners who set and maintain high personal and professional standards in the workplace. Put differently, they are rigorous professionals striving for excellence, who demonstrate both intellectual and moral virtues. Effective police leaders are trustworthy, open, honest, fair, and compassionate. They are willing to confront poor performance as well as dysfunctional and inappropriate behavior. Effective police leaders have a vibrant “can do” approach to the challenges facing their part of the police organization. They are recognizable as individuals, and impress because of their integrity, genuineness, and warmth.
6. *Endurance with integrity*: Good police leadership requires the qualities of stoicism and endurance under pressure.

The fourfold challenge of leadership is physical, intellectual, moral, and spiritual, and requires a life-long learning process. Adlam and Villiers described the good person as leading life according to these virtues:

- Benevolence and justice.
- A disposition to think clearly.
- Conscientiousness and integrity.
- Moral courage and respect for the moral law.
- The ability to realize vividly, in imagination and feeling, the inner lives of others.

Such a list of virtues is demanding, to say the least; and to live one’s life consistently at such a level may

prove impossible. To aspire to do so, however, is not an ignoble ambition. Leadership can be a dangerous and painful task. It is always likely to be a lonely one. In order to be able to function effectively, police leaders need to acquire and cultivate resources at every level, to keep a sense of proportion, and to exercise a sense of humor.

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*Peter Villiers*

# Policewomen

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Historically, policing, like the military, is a male occupation. For the most part, it remains so. If women have been admitted to police forces in almost all countries, it is because of societal changes rather than a change of heart among professional leaders. In most Western countries, women were initially admitted to the force only in a token fashion. Even where they were integrated into the police force, they were restricted to certain levels of employment and categories of work. Even in advanced countries, the percentage of women in the upper echelons of the police force remains low. In a number of developing countries, there are no women at all outside of clerical or dispatcher positions. Gender discrimination in policing is particularly prevalent in Africa, especially when placing women in positions of authority over men.

Nevertheless, there continues to be incremental progress throughout the world in the employment of women in police forces. The catalyst for change was the women's movement that occurred in Western countries. In addition, many social reformers argued that women could provide a humanizing influence on police forces, and that the inclusion of women would change for the better not only the professional aspects of the force but also its culture.

The admission of women into policing was also the result of labor shortages in Western countries beginning in the early twentieth century. Hiring women to do clerical work freed male officers to patrol the beat and chase criminals. The growth in the number of women criminals also necessitated the presence of women officers who could be trusted to frisk them or undertake other sensitive tasks. In fact, in many European countries, the first policewomen were employed in what were known as

morals squads, that is, units devoted to fighting prostitution and enforcing decency laws applying to clothing. The first policewomen in New Zealand were employed as matrons to deal with lost children. Women were recruited in larger numbers during World War I (1914–1918) because men were away at the front and there was a need to fill vacancies at home. There was initial opposition from policemen to the employment of women, and after the war ended the recruitment of women slowed.

Some of these experiments in hiring women police extended to the colonial countries during and after World War II (1939–1945). The first policewoman was hired in India around 1947, after independence. In Japan, women were introduced into the police force after 1946, but they were employed in the traffic and juvenile sections only. Japanese policewomen were also prohibited from working after midnight or from engaging in street fighting. In 1949 ten women formed the Singapore Women's Special Constabulary to deal with homeless women and destitute children. In 1949 a woman was admitted to the Hong Kong police force as a clerk and an interpreter. In 1946 nineteen women were added to the Hungarian police force.

Even when women were admitted to the police force, they had to endure ribaldry and hostility from men. On the other hand, many women achieved early success. Some even achieved celebrity status. Alice Stebbins Wells, who joined the Los Angeles Police Department in 1910, became the first sworn woman police officer in the United States. In 1915 Kate Cocks became the first constable in the South Australia Women Police Branch and the first policewoman in the British

Empire. By the late twentieth century, a number of women had achieved leadership positions: Christine Silverberg became Calgary, Alberta's first female chief of police in 1995; Pauline Clare became Great Britain's first woman chief constable in 1995; and Koraiza Abdulla was appointed Malaysia's first woman police commander in 1996.

The admission of women to police forces and their rise to positions of responsibility were hastened by the actions of some male colleagues. Among the men who opened doors to women police were Roger Langeron of Paris, the Marqués de Fronda of Spain, and Peter Fraser of New Zealand. In 1944 the British Home Office issued a directive calling for greater participation of women in the police force. During the 1970s the German minister of the interior authorized an employment program for women in the police.

Until recently, certain types of police work were designated as "reserved" for women. These included dealing with "soft" criminals, such as runaways and shoplifters. Women were also used as decoys for luring male clients of prostitutes or drug dealers and as agents provocateurs. Undercover work was the most difficult and posed the greatest risks. In Japan, policewomen also served as tourist police because their good looks were thought to give them an advantage over males.

Women police officers are thought by some authorities to be unable to play on a level field with men in the use of firearms. Some male police officers believe that women lack appropriate tactical skills to fire when necessary, and as a result some male patrol officers are reluctant to accept a woman as backup. Research in the United States shows that women do often score lower than men in firearms tests, although training has narrowed the gap. In addition, it is feared that some male officers may suffer injuries when they try to protect female patrol partners in dangerous situations.

Breakthroughs in the employment of women police officers have generally occurred after the passage of equal-opportunity legislation. Such legislation exists in all Western countries and in some developing countries. The Civil Rights Act of 1964 in the United States, the Sex Discrimination Act of 1975 in Great Britain, and similar legislation elsewhere enabled women to use litigation to open doors to employment in police departments. These laws also enabled women to circumvent earlier restrictions. In many countries, women are still

excluded from jobs that are considered dangerous and morally or physically risky. Some countries had exclusionary laws against married women serving on the police force. In many countries, civil laws also mandate equal pay for equal work. Another area of discrimination that is correctable through litigation is selection criteria and physical tests that favor men. Most departments have height requirements and other tests that are heavily weighted in favor of males.

One fallout from the admission of women to police forces is sexual harassment, a problem not unique to police departments. Sexual harassment affects morale as policewomen become the objects of pranks, jokes, innuendo, and propositions against which it is difficult to create any legal barriers. Sexual harassment of a legally definable nature is present in almost all police departments. The harassment increases among patrol personnel, and decreases among nonsworn personnel and ministerial employees. Unfortunately, it is difficult to prove allegations of sexual harassment and even more difficult to get a conviction.

Policing is an intensely physical profession where such physical attributes as strength and presence define the job. This places many women at a disadvantage when competing on a level playing field without gender-based hiring quotas. Even decades after women were admitted in large numbers to police forces, concerns about male physical superiority and female unfitness persist. To compensate, policewomen may adopt two defense mechanisms: one is to "defeminize" and the other is to deprofessionalize. In the former case, policewomen adopt a pseudomascularity and become "one of the boys." In the latter case, they accept a subordinate role as the price of career advancement. Woman police may also be challenged by operational practices that require them to confront violent criminals with little respect for authority.

It is not known whether the number of policewomen may change substantially in the future, given the nature of police culture and police work. It is also not clear whether the presence of women will have any impact on the style of policing. Nevertheless, antidiscrimination legislation has done much in pushing upward the participatory levels of women in police forces.

*George Thomas Kurian*

# Role and Place of the Police in Security Sector Reform

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Security sector reform takes a holistic and integrated view of the dynamics and needs for human, civic, and state security within the contexts of societal change. According to the British Department for International Development, security sector reform “describes the process for developing professional and effective security structures that will allow citizens to live their lives in safety” (DFID 2002). Security sector reform is based on an analysis of the capacities and contributions of all governmental and private security-providing agencies within a society—conventionally labeled the *security sector architecture*. The goal of security sector reform is creating a security sector architecture that can sustain the effective protection and promotion of security (in all its dimensions) balanced against dominant normative values, including democratic politics, good governance, and accountability to civic society (Edmonds 2002). Successful security sector reform should lead to more effective, legitimate, accountable, and sustainable security systems and a sense of safety among all citizens. The normative goal at the core of security sector reform is human security, broadly defined. The practical question is how to protect citizens and communities against insecurity or threats to their security from all sources. Considering police reforms within the context of security sector reform, rather than focusing on the police alone, can cast the difficulties and opportunities for reforms in a different light.

Security sector reform arose from three practical and theoretical concerns: (1) oversight and control of the security apparatus (mainly the military) as a prerequisite

for political democracy; (2) the impact of human and state insecurity on the capacity and prospects for economic and political development; and (3) concerns with notions of good governance in political systems and the concomitant notions of transparency, accountability, and integrity.

A core concern of civil-military studies has been democratic control of the armed forces and related agencies, as well as how to prevent the power of the gun from subverting the integrity and stability of political institutions. Unless the military, and other coercive agencies of the state, can be kept in their barracks and garrisons, prospects for democracy and economic development are dim.

Foreign aid and economic development agencies (e.g., the World Bank, foreign aid offices in donor countries, nongovernmental organizations interested in economic and political development) have realized that foreign aid, even if effectively utilized in the recipient countries, will not sustain economic development unless the aid is distributed equitably and unless threshold conditions of domestic security have been met (e.g., reducing the likelihood of military coups or the incidence of crime and disorder). If people believe they are not safe or they fear that what they have struggled to acquire through aid and hard work will be stolen by corrupt officials, then economic aid accomplishes little. Security and development go hand in hand.

A large security sector is a drain on the limited resources of transitional and developing countries. It is far better to invest those resources in programs that

improve the lives of the people. Reforms seek to establish a greater degree of democratic control over the security sector and to accomplish a redistribution of resources to other sectors. Security sector reform leads to good governance.

Good governance means minimal levels of integrity (or noncorruption) in government agencies, transparency of governmental decision making and outcomes, responsiveness to public demands, accountability to civic institutions (or a clear hierarchy of civilian control over the state's coercive agencies), and adherence by security forces to domestic and international norms and the rules of law that safeguard human rights (Ball 1998). Misgovernance, in contrast, leads to social conflict and violence, allows crime to flourish, creates insecurity, sustains corruption, wastes scarce resources, leads to violations of human rights, and protects authoritarian and dictatorial regimes.

### THE SECURITY SECTOR

The security sector is a flexible concept. At a minimum, the security sector includes the state-controlled agencies of coercion that are charged with the protection of civic society and the state—the armed forces, police, border-control systems, intelligence agencies, and co-opted informal control mechanisms. The security sector also encompasses agencies whose work is essential to sustaining the effectiveness and accountability of the agencies of control (the courts, legal systems, oversight mechanisms, and budget agencies). A more inclusive conception of the security sector would include correctional systems, economic support for control agencies, and civic society participation in social control. Some analysts also include natural threats to human security (e.g., floods and earthquakes) and the agencies and policies designed to minimize or prevent such threats.

The question of what should be included in the security sector has some analytical interest but is not of great relevance to the practice of reform. Rather, emphasis is placed on the process by which policies can be created and sustained by domestic and international actors, and on the policies that will lead to democratic reform of the armed forces, police, intelligence, border security, and other conventional elements of the security sector.

Of central importance is the theoretical and practical notion that minimal levels of security are a prerequisite but not a guarantee of good governance, the rule of law, or democratic accountability. The coercive agencies of the state have the power to subvert development, stability, and democracy, but they are, at the same time, a necessary foundation for achieving stability and development and for establishing democracy.

### THE POLICE IN SECURITY SECTOR REFORM AND SECURITY SECTOR ARCHITECTURE

The police and reforms to policing systems in countries that have failed, are in disarray, are in transition to more democratic forms of political and economic life, or are on the road to development are essential elements in devising, establishing, and controlling an effective and democratic security architecture. Security sector reform points to the systemic connections of the police to wider security concerns and other security-providing mechanisms. Such reform is seen as a process rather than an outcome. It stresses the inherently political nature of policing systems, especially when they are supported by democratic control and good governance. Security sector reform also highlights the politics of reform in general as it argues for the importance of legitimating new means of coercion and the autonomous capacity of the police to affect their own futures. Such reform underscores the importance of rights as a counterbalance to demands for security in a democratic society, and expands the standards for judging the quality of policing beyond conventional measures of crime and order.

A focus on the governance of the security sector (however the sector is defined) automatically shifts empirical and theoretical attention to the means and processes by which security is sought. Such a focus also raises the issue of good governance. The police are part of the security sector, and reforms of other agencies in the security sector will necessarily affect the police. Reforms of policing systems will be caught up in the wider discourse of the securitization of societies and the globalization of risks and threats to domestic order (Loader 2002). The jobs, roles, authorities, and domains of policing will expand to reflect broader conceptions of security and insecurity, as will the repositioning of policing to other security agencies.

Reform is a process for which each outcome is only a way station to further reform. Policing, as with security sector architecture as a whole, has to be adaptive and responsive to changing domestic and transnational threat conditions, to reconceptualizations of goals and standards for democratic policing, and to fluctuations in the political contexts and civic society-state relations within which policing is delivered.

Policing and the reform of policing are inherently political processes. The linking of policing to broader security threats and other security-providing agencies stresses an aspect of policing that is frequently downplayed in the search by police to gain the status of a professional occupation. The democratic requirements for accountability, transparency, and the goal of good governance lead to this unavoidable enmeshment of the police in the security sector architecture and the concomitant need to involve

civic society, the police, and the state in a negotiated understanding of the limits of police authority when balanced against the rule of law and the protection of human rights. Democratic policing is balanced policing.

The behavior of the police will help determine levels of insecurity experienced by civic society but will have delegitimizing consequences as well. Police reforms are not self-sustaining but require civic legitimization both to be effective and to be accorded a normative status. Yet the legitimacy of governments, the identity and social status of groups, and the people's sense that they can depend on promises made, rewards earned, and the likelihood of a stable future will be influenced by what the police do. Policing is about more than crime control, order maintenance, and the protection of the state. The manner and substance of the policing experienced by the community will legitimate or delegitimize social order, sustain changes or undermine them, and enable reform not just in the security sector but in other important sectors of social and political life as well.

The reform of policing systems is a fundamental requirement for human security, the stability of democratic governance, and the attainment of justice. Placing the police within the ambit of security sector architecture and security sector reform reemphasizes that policing is about more than enforcing laws, providing services, or maintaining public order. Context matters and reforms require political skills, as well as organizational and functional knowledge. Policing is part of the governance of security, and good policing is part of good governance and the promotion of democratic forms of societal life.

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*George Thomas Kurian*

# Typology of Police

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Across the modern world, variants of the word *police* are employed to describe institutions charged with the enforcement of laws, the maintenance of public order, and the prevention and detection of crime. These tasks can be very different; moreover, the institutions that are labeled with variants of the word *police* are not the only ones involved in these tasks. Landowners pay gamekeepers and factory owners employ watch guards to carry out policing duties on their property; traffic wardens enforce street regulations; forensic scientists are involved in the detection of crimes; and drug enforcement agents, immigration officials, and state functionaries all carry out law enforcement duties that could be defined as “policing.” The complexity of these tasks have led some academic theorists to situate the defining characteristic of the police institution as being the police officer’s ability to use force to enforce the law in his or her everyday dealings with citizens. But, in turn, this has to be qualified with an emphasis on the fact that in neither liberal democratic nor authoritarian societies do police officers spend their days swinging batons or firing guns. This article will describe some of the different types of policing and the ways in which they evolved, primarily in a broad European and North American context.

Although modern bureaucratic police institutions are largely the creation of the nineteenth century, the word *police* itself has roots in the ancient world. In classical Greece, the term *politeia* referred to all things relating to the survival and well-being of the city-state (the *polis*). In ancient Rome, *politia* meant simply “the state,” an entity that, unlike any other, had the right to prescribe limits on both public and private behavior.

In the early modern period, *police* was used generally to describe the good management of a defined territory,

particularly a city or a town. This could involve the cleanliness of streets, the management of markets, and the regulation of various forms of trading, as well as more precise issues such as the maintenance of public order and the apprehension of criminal offenders.

During the sixteenth and seventeenth centuries, princes in the German lands began to develop the concept of *Gute Policey*. To this end they published, sometimes in cooperation with their advisory estates, “police ordinances” designed to ensure the preservation of the established social order and of morality, but also to encourage economic growth. It was, however, easy to publish ordinances, but enforcing them required agents on the ground, and these were not always provided. Individual cities and towns usually funded their own systems of watchmen and agents who picked up vagabonds, prostitutes, and beggars. These workers enforced various urban regulations.

The emergence of the state during the seventeenth and eighteenth centuries, and the impact of the French Revolution and Napoléon Bonaparte (1769–1821), fostered major developments in policing institutions, and while there were significant differences between each state, there were also sufficient similarities to enable a typology of police to be suggested with reference to situation, command, and management structures. Broadly, three types of police institution can be delineated as emerging during the late eighteenth and nineteenth centuries: state military, state civilian, and municipal. The descendants of each of these types still exist in the contemporary world.

State military police, which may also be characterized under the generic term *gendarmeries*, originated in France under the old regime. While the Gendarmerie



Nationale of contemporary France likes to situate its beginnings in the medieval period, a more realistic origin is in the companies of men established to police the royal army at the beginning of the sixteenth century. These companies were under the command of the military marshals of France, hence their name, *maréchaussées*. During the seventeenth century, they began to acquire more and more responsibilities for the policing of civilians. They were deployed in groups of up to half a dozen men, garrisoned in small barracks in towns and villages on the main roads. They made regular patrols of the roads and supervised fairs and village fetes, and their officers had their own courts and the judicial authority to deal rapidly with petty offenders.

In 1778 the different companies were amalgamated into a single institution called the *Maréchaussée*, but the corps itself maintained its military links and drew the majority of its recruits from army veterans. The *Maréchaussée* was a small body—fewer than four thousand men at its maximum, for a population of close to thirty million. On the eve of the French Revolution, it appeared to have been relatively popular. In the early, liberal stage of the Revolution, the judicial authority of the *Maréchaussée* officers was removed and the institution itself was significantly enlarged and renamed the *Gendarmerie*, reviving the name of an old elite cavalry formation; literally, “men-at-arms.”

Napoléon regarded the *Gendarmerie* as “the most efficient way to maintain the tranquility of a country [since] it provides a surveillance half civil, half military spread across the whole territory.” *Gendarmes* marched with his armies as the agents of the military provosts; they were also created across his empire and urged on both his satellite states and his allies. The half-military, half-civil system showed the imperial flag, and brought and administered the new legal code—the Code Napoléon. This system proved to be an effective opponent of the bandits that had plagued many parts of old regime Europe.

Following Napoléon’s defeat, the *gendarmerie* system was maintained in Dutch, Italian, and German states where restored or continuing princes found it an admirable institution for demonstrating to the rural population that they were now citizens of nation-states. The *gendarmes*—known as *Marechaussee* in the Netherlands, as *Carabinieri* in northern Italy, and as *Landjagers* in parts of Germany—enforced a new reciprocal arrangement on behalf of the state. They were generally deployed in small barracks like the old French *Maréchaussée* and its successor. They ensured the annual collection of taxes and the delivery of annual quotas of military conscripts; but they also brought the state’s new promise of protection from criminal offenders and wild animals, and assistance in time of natural disaster.

Variants of the system were subsequently created by the British as their police institution to maintain the peace in rural Ireland, and by the Austrian, Belgian, Danish, Greek, Russian, and Spanish governments. The administrative structure was largely similar in each of these cases. The members of most of these institutions—the Royal Irish Constabulary was the main exception—were considered to be soldiers. Their duties involved maintaining the internal peace of the kingdom and the pursuit of internal malefactors, but they generally looked to the minister of war as their ultimate authority.

The state-civilian and the municipal police institutions emerged from the common root of the old urban systems. Paris was not strictly the capital city under King Louis XIV (1638–1715), given that the center of the court and the king’s government was in the much smaller neighboring town of Versailles. Louis XIV and his ministers, however, began to take a keen interest in the policing of Paris, the largest city in the kingdom, toward the end of the seventeenth century. A lieutenant general of police was created for the city in 1667. He had supervision of all the old tasks generally incorporated into the concept of police, and by the middle of the eighteenth century he commanded a force of some three thousand men. Half of these men were patrolmen, while the other half had responsibilities ranging from supervising wet-nurses to firefighting, and from market supervision to crime detection. This was the first serious example of the state-civilian police type that is a police institution directly responsible to central government.

Several eighteenth-century sovereigns sought to create similar institutions for the largest city of their territories—notably Frederick the Great (1712–1786) in Prussia and Maria Theresa (1717–1780) in Austria. The type was revived and given sole authority in Paris by Napoléon when, in 1800, he reorganized the city’s police and created the post of prefect of police. But, curiously, given the long English hostility to centralized government control of policing agencies, it was the Metropolitan Police created for London in 1829 that became the most widely influential model for the state-civilian type. The Metropolitan Police were financed from money raised on local London communities, but these communities had no say in how the money was spent or how the new “police constables” were deployed. The police authority was the home secretary; he appointed the commissioners of the police, and the commissioners answered to him and through him to Parliament. Throughout the nineteenth and twentieth centuries, there were periodic protests from local government in London for at least a degree of local government control. In both the 1880s and the 1980s, when these demands were at their most shrill, dire warnings were made in defense of the status quo on the grounds of what

might happen if the police of the capital were ever subject to radical and socialist local control.

The state-civilian forces generally emerged in capital cities such as Paris and Berlin. In the mid-nineteenth century, many European governments cherry-picked elements of the London system to develop their own capital city police forces. But in neither Paris nor Berlin, nor in other European capitals, did the authorities take the British line of requiring their patrol officers to carry out their duties, as a rule, with no other armament than a wooden baton. Moreover, there often remained a military link insofar as recruits were commonly drawn from army veterans. Nevertheless, there was a distinct difference between these police officers and the soldier-policemen of the gendarmeries. In Italy, as the Savoyard monarchy unified the peninsula and shifted its capital southward, eventually to Rome, the centralized civilian police also shifted. Once again, it was decided that the men of the *Guardia di Pubblica Sicurezza* should carry firearms, but they were recognized as being distinct from the military men of the *Carabinieri*.

France and Prussia both had reputations for centralized government structures. Some elements of the policing systems that developed in the two countries during the nineteenth century fit with these structures, but many did not. Across Europe for most of the nineteenth century, much of the policing of towns and cities remained in the hands of the municipalities. From 1791 towns with a population of five thousand or more in France had a *commissaire* of police appointed by the Ministry of the Interior. In Prussia, in theory, no police power was ever devolved from the crown to local government. But, in general, in both countries the policing of provincial towns was based primarily on what an individual municipality was prepared to pay for and to organize. In France, particularly after 1882 when mayors began to be locally elected rather than appointed by central government, the *commissaire* occasionally clashed with the municipality in which he served; a hostile municipality had the ability to reduce a *commissaire's* pay. In Prussia, toward the end of the century, municipalities in some of the fast-growing industrial districts requested the deployment of royal police—that is, state-civilian officers like those in Berlin—principally on the grounds that these men were funded out of national taxation rather than a local levy. And while the state-civilian *Pubblica Sicurezza* moved down the Italian peninsula, it was often required to function alongside local urban police—the *Vigili Urbani*.

In none of these centralized states, however, was there anything resembling Her Majesty's Inspectors of Constabulary established in Britain in 1857 to assess annually the efficiency of each provincial police institution. But whatever the level of state involvement—such

as the centrally appointed *commissaire* or the annual inspections by royal appointees—the provincial forces remained essentially under the direction of local government. Outside of Europe this type of police structure was to be found extensively across the United States, where, building on the traditions of the decentralized parish and municipal administrations of Georgian England, policing remained under municipal control and was involved increasingly with local political debate and elections.

The United States maintained this municipal structure through the twentieth century; and the state police institutions—often referred to as state troopers—like the county forces of nineteenth-century Britain, also took their authority from the state as opposed to the federal government. Elsewhere, however, the twentieth century saw a considerable degree of centralization. Police institutions in Britain came under increasing pressure to amalgamate with each other, especially after World War II. By the end of the twentieth century, there were only forty-three separate police forces in England and Wales, as opposed to more than two hundred on the eve of World War I. The insistence on local accountability was maintained, but essentially the police forces became institutions responsible to the British government's Home Office.

Police centralization came in France with the Vichy regime and in Germany with the Nazis, but in West Germany the centralized state-civilian form was undone in 1945 and policing was devolved to the individual states of the federal republic. In Italy the varieties of state-military, state-civilian, and municipal police survived through the fascist period, and were further complicated by the continuation of a semimilitarized financial police, the *Guardia di Finanza*, with responsibility for enforcing fiscal legislation as well as guarding frontiers.

At the close of the twentieth century, most states of Europe deployed the state-civilian type of police. In some (Ireland and Denmark, for example), this was the only system in existence. Belgium amalgamated its state-civilian police with its gendarmerie at the new millennium to form a single, state-civilian force. Elsewhere, in France, Italy, Portugal, and Spain, for example, state-military, state-civilian, and municipal police institutions continue to exist side by side.

In addition to a typology that is based on structure and administration, there is another that is based on policing tasks. Detectives and patrolmen are the most obvious distinct types. Again, these are types of policing that go back to the prepolice period. In England, for example, parish constables and magistrates could undertake to detect offenders, though there were relatively few who did so. The celebrated Bow Street Runners established by the Fielding brothers in the mid-eighteenth century were detective officers whose expertise was called

upon from all over England. In Paris, three and later four *commissaries* working under the lieutenant-general had overall responsibility for the detection of offenders in the city. Alongside these early detectives were the various night watches and patrols. In addition to the watches established by parishes in eighteenth-century London, for example, toward the end of the eighteenth century a series of squads based in the Bow Street Police Office were mounting evening patrols along the main metropolitan thoroughfares.

The emergence of bureaucratic police organizations in the early nineteenth century began a process of formalizing these different kinds of police work and apportioning them to distinct and separate types of officer. The nineteenth-century patrolman followed essentially an unskilled working-class trade. There was little skill required in walking a designated route at a steady pace for hours on end and ensuring that there was no disorder; at night such patrols had the additional chore of checking that doors and windows were properly secured. Similarly, there was little skill required if the men were deployed to supervise strikes and demonstrations, and to break them up by force if so ordered. Nevertheless the patrolman's was a trade that required respectability. On continental Europe, former noncommissioned officers from the army were thought to suit the role admirably. In the United States, the position of a police patrolman in a big city gave a new immigrant a degree of respectability and authority among his peers. Hence the position was popular among, for example, Irish immigrants in cities on the eastern seaboard, and the power of appointment to the position was a means of cementing political authority within such communities.

In the Anglo-Saxon world, the police detective tended to be recruited from among patrolmen. But the trade of detective was considered to be more cerebral than that of patrolman. On continental Europe, men could be appointed directly to a plainclothes detective role, and in nineteenth-century France, the police detective was perceived to have had an unfortunate beginning with François-Eugène Vidocq (1775–1857).

Vidocq was a former convict, and, when he was first appointed to establish a detective department for the prefecture in 1811, he recruited other ex-convicts as his subordinates. While he did not appear to have been corrupt or dishonest as a detective, some of his agents were. Moreover his memoirs, published at the end of the 1820s, created a scandal. Parisians were shocked that setting a thief to catch a thief had become a reality. A stigma hung over the detective department of the prefecture for much of the early part of the nineteenth century, and critics continued to play upon the dubious nature of the department's origins long afterward. The soldier-policemen of

the Gendarmerie, for example, countered criticism of their supposedly narrow military perspective with criticism of the secretive and suspicious missions of plainclothes detectives, and branded all of the civilian police with this image. In England, the detective in civilian clothes was also regarded by many with suspicion for much of the Victorian period. The civilian clothes suggested something underhanded and gave the detective the disreputable image of the spy.

The prefecture had recruited Vidocq and his men in the belief that their origins and former lifestyle made them best able to identify other criminal offenders. The idea that the detective developed an expert knowledge of criminals and could identify who committed an offence from the methods employed became a popular perception relatively early on and is present in the novels of Honoré de Balzac (1799–1850), Charles Dickens (1812–1870), and others. But the concept of the police detective shifted gradually over the nineteenth and early twentieth centuries from the perception of an individual relying upon shrewdness and cunning to a technical bureaucrat reliant on well-honed procedures, forensic practice, and the use of modern science.

The point was made at the beginning of this essay that policing tasks are not necessarily delegated to individuals who are members of an institution specifically labeled *police*. This is as true of those involved in the investigation and detection of crimes as it is of those involved in the prevention of crimes. A significant number of major crimes have been, and continue to be, investigated by groups headed by men and women with judicial rather than any form of police training and whose career path is situated within the magistracy. Senior magistrates of this sort, backed by squads of police, launched major enquiries into political corruption, notably in France and Italy, during the last quarter of the twentieth century. Such people have also been charged with investigating organized crime. Giovanni Falcone (1939–1992), who did so much to expose the Mafia on both sides of the Atlantic and who was assassinated by a bomb attack in Sicily in May 1992, was a prime example of such an investigative magistrate. His role, and his creation of the Direzione Investigativa Antimafia, which united Carabinieri, police, and other agencies in the war against the Mafia, emphasizes the often fuzzy distinction between police officer and judicial officer in many aspects of detective work.

There was always a degree of specialization within the two task-types of policing: watchman/protection and detective/investigation. During the nineteenth century, however, this was most apparent among the detective police. On continental Europe, much of the work of those who are best considered as detective police was concerned with political surveillance. There were also

squads who were charged solely with the surveillance and supervision of prostitutes—*la police des mœurs* in France, *die Sittenpolizei* in Germany, *polizia dei costumi* in Italy, and so forth. It was the development of the automobile that prompted the first significant specialization among uniformed patrolmen and led to the creation of traffic units, as well as, ultimately, to major shifts in styles of patrolling.

A final, important development in policing during the twentieth century, which had significance for the evolution of police types, was the employment of women officers. Uniformed women officers began to be recruited into state-civilian and municipal police institutions in the early twentieth century. Their responsibilities, however, rarely spread beyond the supervision of women and children, areas that were commonly disparaged by male officers as “not real police work.” Only gradually were women officers given a greater range of opportunities. These opportunities increased most notably in the aftermath of World War II and particularly during the

campaigns of the women’s movement during the 1960s and 1970s. Only in the last quarter of the twentieth century did women begin to be accepted into the state-military police institutions, which was roughly the same time that gender equality of tasks and opportunities in police institutions, as in other bodies, began to be formalized in law.

The easy everyday usage of the word *police* invariably masks the complexities of police institutions and police tasks. The typology set out above is not definitive and, given the occasional overlaps between types, links, and other bodies, the types described have to be considered in a broad Weberian “ideal” sense. Nevertheless, such a typology should alert the reader to the varieties of institutions and structures and the range of duties and roles undertaken by police officers both in the past and in the contemporary world.

*George Thomas Kurian*

# History of Prisons

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Prisons, as places of confinement for lawbreakers, debtors, enemy combatants, political dissidents, religious heretics, and others, came into existence thousands of years before the common era. The modern concept of prisons, however, as places where offenders would be confined for specified periods of time as punishment for criminal offenses, did not emerge fully until the eighteenth century. Before then, states and societies seldom used imprisonment as a punishment. Rather, prisons functioned merely as detention areas to house offenders until the state could mete out the actual sentences—usually some form of capital or corporal punishment.

A landmark in humanitarian reform when it first appeared in the late 1700s, the concept of imprisonment as punishment continued to evolve during the nineteenth and twentieth centuries. Prisons and prison systems throughout the world experimented with different programs, purposes, methodologies, and models. Far from the somewhat monolithic image of prisons in the popular imagination, prison facilities have ranged from halfway houses and minimum-security work camps to fortresslike maximum-security penitentiaries. Prison programs have varied from an emphasis on prisoner reform and the establishment of “normalized” environments, to a reliance on harsh discipline and long sentences. Prison administrators have struggled continually as the principal advocates for making prisons more effective, more responsible, and more humane—often in the face of hostile public reaction. Finally, prison systems have changed as legal structures, social standards, and public attitudes have changed. Like any other institution, prisons have reflected the cultures, societies, governments, and eras to which they have belonged.

## EARLIEST PRISONS

There was widespread use of prisons in the ancient world. During the Middle Kingdom era in Egypt (ca. 2000 B.C.E.), the pharaohs imprisoned non-Egyptian criminals at hard labor in granaries and other available areas. From about 3000 B.C.E. to 400 B.C.E., the Babylonian Empire maintained prisons for petty offenders and debtors, and for noncitizens who broke the law. Babylonian citizens who committed crimes, however, were more likely to suffer banishment, mutilation, or execution. And many accounts of ancient prisons appear in the Christian Bible, both in the Old Testament (which cites imprisonment imposed by the Egyptians, Philistines, Israelites, and Assyrians) and the New Testament (which describes how the Romans confined early Christians in chambers beneath the floor of the Coliseum, before throwing them to the beasts).

There were also prisons in ancient Greece. As early as the fifth century B.C.E., Athens maintained a system of prisons—although criminals faced incarceration less frequently than fines, exile, stoning, crucifixion, and “precipitation” (being thrown from a high cliff). After witnessing his mentor, Socrates (ca. 470–399 B.C.E.), drink poisonous hemlock to satisfy a death sentence imposed against him for teaching philosophies that diverted his students from worshiping the traditional Athenian deities, Plato (ca. 427–347 B.C.E.) described in his *Laws* what he considered to be an ideal system of prisons. Minor offenders would serve short sentences in a public building near the marketplace; serious but redeemable offenders serving longer sentences would be sent to a nearby reform center; and the most incorrigible would be locked away in a secure prison far from the city.

Plato's blueprint was never adopted by the ancient Greeks, but it anticipated with remarkable accuracy the corrections-oriented prison systems of many centuries later, with their graduated levels of security.

Exile and a variety of capital punishments were the primary sanctions in Rome. In the fifth century B.C.E., however, Rome introduced imprisonment for debtors, and permitted the heads of families to discipline slaves or other members of their households by confining them in domestic prison cells. In the third century B.C.E. Rome built an underground prison, called the Tullianum, in an old rock quarry, and in the first century B.C.E. Rome established a series of dungeons known as the Mamertine beneath the streets of the city. Rome built subterranean dungeons throughout the empire, often for captured enemy soldiers awaiting execution.

In 428 C.E., toward the end of the Roman Empire, Emperor Theodosius II (401–450) issued the Theodosian Code. A wide-reaching codification of Roman imperial legislation and decrees, it featured one of the first attempts to establish a systematic legal basis for prison operations. The code outlined minimum standards for the humane treatment of prisoners awaiting trial and provided for a rudimentary form of prisoner classification by requiring offenders who had committed the most heinous crimes to be incarcerated under harsher conditions than less serious offenders. It also sought to eliminate staff corruption and ensure proper treatment of inmates by requiring judges to inspect prisons regularly, and by holding prison wardens, or "registrars," responsible for escapes or mistreatment of prisoners.

With the collapse of the Roman Empire and the onset of the Middle Ages in Europe, the Roman Catholic Church expanded the jurisdiction of its legal system, and provided for monastic or ecclesiastical prisons to confine both clergy and laypeople who violated canon law. During the papacy of Saint Siricius (ca. 334–399), prison cells (*ergastulum*) were established in monasteries, abbeys, and convents to confine miscreant priests, monks, and nuns at hard labor. By the twelfth and thirteenth centuries, the church was using ecclesiastical prisons to punish clergy and nonclergy alike for behavior deemed sinful. And during the Inquisition of the fourteenth and fifteenth centuries, the church imprisoned thousands of religious heretics.

Conditions in ecclesiastical prisons of the Middle Ages could be harsh, with restricted diets, beatings, and other forms of physical abuse. In the 1300s, the monks of Toulouse, France, protested prison conditions, and, even hundreds of years later, stories about cruelty in the ecclesiastical prisons were a staple of the lurid anti-Catholic screeds of the eighteenth and nineteenth centuries. Nevertheless, the ecclesiastical prisons represented an important advance. The purpose of the ecclesiastical

prisons was not to serve simply as places of confinement for offenders awaiting capital or corporal punishment. Rather, they were intended as places of correction, where offenders could redeem themselves through prayer and penance.

By about 1100, nation-states and kingdoms were coalescing in Europe—giving rise to civil government, public law, and secular prisons. In 1166 Henry II (1133–1189) of England ordered county sheriffs throughout his domain to build jails (or *gaols*) to hold defendants awaiting trial. Sheriffs in northern Europe, including Scandinavia and Iceland, confined inmates in their own homes until they could be tried or until sentences could be imposed.

Many of the secular prisons during the Middle Ages were located in castles and fortresses. During the last half of the eleventh century in England, William I (ca. 1028–1087) started a royal tradition of imprisoning political enemies in the Tower of London. French monarchs began sending prisoners to the Chalet, a fortress on the right bank of the Seine, around 1200, and by the 1370s were housing offenders in the dungeons and towers of the Bastille. In the second half of the 1400s, Louis XI (1423–1483) used the fortress at Loches, near Tours, as a prison. City-states in Germany also incarcerated offenders in dungeons, chambers, and holes in castles, fortifications, and ruins.

By the end of the Middle Ages, the most prevalent forms of punishment continued to be forfeiture of property, torture, mutilation, and execution. Most offenders were confined in the secular prisons only until they could be tried and their sentences carried out. Gradually, however, incarceration became the punishment for a growing body of minor crimes—mainly misdemeanors, morals offenses, and vagrancy. Blasphemy and theft, for example, were imprisonable offenses in thirteenth-century France. And by the early 1500s, English common law specified no fewer than 180 offenses that were punishable by incarceration.

Until at least the eighteenth century, jailers who operated prisons received little or no funding from their governments. Instead, they collected fees from the inmates to pay for food and other necessities. Nobles and others who could pay higher fees were able to obtain better accommodations, and often were incarcerated in comparative comfort and privacy. Most inmates, however, were crowded into large rooms, without regard to sex, age, severity of offense, or mental stability, and were often subjected to the most squalid conditions. Corruption was widespread, as jailers frequently demanded exorbitant fees for the meager rations they dispensed, and discipline was enforced with beatings and other harsh measures.

There were a few notable early attempts to classify and segregate inmates, particularly by sex. Le Stinche prison, built in the 1290s in Florence, Italy, housed male inmates separately from female inmates, and also segregated inmates by age group, degree of sanity, and severity of offense. The Maison de Force in Ghent, Belgium, and the Amsterdam House of Correction both separated men from women and felons from misdemeanants. Rome's Hospice of San Michele included special facilities and programs for juvenile offenders, and in 1645 Holland established the Spinuis in Amsterdam—a textile mill that served as a refuge and place of work for wayward and destitute women, and as a prison for women convicted of minor offenses.

The end of the Middle Ages (ca. 1500) was marked by the breakup of feudalism, which sent unnumbered landless peasants streaming across the European countryside and into the cities in search of livelihoods—either honest or dishonest. This inherently unstable population, perpetually at risk of descending into vagrancy or criminality, alarmed rural landowners and urban citizens alike, and governments attempted various means to bring the problem under control. One strategy was imprisonment.

After measures to restrict the movement of workers and brutal punishments, such as branding and mutilation, proved ineffective, the English Parliament ordered each county to open a workhouse for the incarceration of vagrants and petty criminals. Called bridewells—after the first such workhouse, established in London's old Bridewell Palace in 1557—the workhouses confined their inmates under strict discipline, and required them to perform labor in manufacturing, milling, baking, or other endeavors. As harsh as the bridewells may have been, they were a humane alternative to the corporal punishments that the destitute could otherwise have suffered.

The end of the Middle Ages was also marked by the rise of mercantilism and the era of exploration as many European powers sent out expeditions to the Western and Southern Hemispheres in search of colonies. Colonization, in turn, gave rise to a new type of criminal sentence: transportation of convicts to European penal colonies in Africa, Australia, and the Americas, primarily during the 1600s, 1700s, and 1800s. Spain established penal colonies in the Canary Islands and North Africa; Russia exiled convicts to Siberia; and France used New Caledonia, a Pacific island west of Australia, as a penal colony, as well as French Guiana in South America—which included Devil's Island, the notorious prison camp that France operated until after World War II.

England transported convicts to its North American colonies in the seventeenth and eighteenth centuries, where they were auctioned to settlers as indentured

servants. After American independence, England transported convicts to its colony in Australia.

Norfolk Island was a prison colony within the prison colony of Australia, reserved for some of England's most desperate criminals, and for exiled criminals who reoffended after reaching Australia. For most of its history, Norfolk Island had a reputation for great brutality, but Captain Alexander Maconochie (1787–1860) introduced numerous reforms during his administration as superintendent from 1839 to 1843. Maconochie's emphasis on rehabilitation, compassionate treatment of inmates, and release of inmates based on good behavior and sound attitudes rather than time served ultimately were rejected by his superiors in London, but Maconochie and his ideas had enormous influence on reform-minded prison administrators of later generations.

Another confinement option, used mainly in England, was to imprison convicts on derelict warships and merchant vessels called hulks. England resorted to this form of incarceration in the mid-1700s because its criminal population was expanding so rapidly that bridewells, gaols, and transportation to the colonies could not contain it. Anchored in bays and rivers throughout England, the hulks were filthy, crowded, unventilated, and disease-ridden. The food was inadequate and the discipline harsh. No longer seaworthy, so much water seeped into the hulks that inmate drownings sometimes occurred. At any given time, as many as 5,500 convicts were imprisoned on hulks in England, many of whom were marched onto land by day to perform hard labor. England generally abandoned its use of hulks by the mid-nineteenth century, but it continued to operate at least one, anchored off Gibraltar, as late as 1875.

#### IMPRISONMENT AS PUNISHMENT: THE PENITENTIARY ERA

Imprisoning felons under humane conditions as their punishment for serious crimes was a reform that emerged from the Age of Enlightenment in eighteenth-century Europe. It also reflected a growing revulsion against the floggings; the severing of lips, ears, and limbs; the hangings and decapitations; and the postmortem desecrations that until then were the favored sanctions against felons and against the horrendous conditions that prevailed in bridewells, gaols, hulks, and other places where misdemeanants, debtors, and pretrial detainees were incarcerated.

European philosophers, reformers, and leaders, such as Voltaire (1694–1778), Montesquieu (1689–1755), and Denis Diderot (1713–1784) in France; Italy's Cesare Beccaria (1738–1794); Frederick II (1712–1786) of Prussia; and England's Jeremy Bentham (1748–1832) and John Howard (1726–1790), denounced the cruelty and barbarity of existing criminal sanctions. They

championed replacement of capital and corporal punishments with fixed terms at humane, rehabilitation-oriented prisons as part of systematic, impartial, and reasoned criminal justice systems aligned with the spirit of rationalism that characterized the Enlightenment. Bentham, Howard, and Beccaria in particular proposed specific designs, procedures, and standards focused on creating prisons that were equitable, well-managed, safe, and sanitary, and that sought to achieve reform of individual inmates through religious instruction and meaningful work. “The purpose of punishment is not to torment a sensible being, nor to undo a crime already committed,” wrote Beccaria in 1764, but rather to “prevent the criminal from doing further injury to society and to prevent others from committing the like offense.”

England and France both enacted laws in the late 1700s to establish prisons that would be clean, competently managed, free of corruption, subject to regular inspections, and supported by government appropriations instead of fees paid by the inmates. Rudimentary classification would also ensure that male inmates would be housed separately from female inmates, adults from minors, felons from misdemeanants, and the sane from the insane. The concept of temporary incarceration in humane prisons as the primary form of punishment, however, did not take hold right away in Europe. Rather, the first major, practical tests of the prison concept came in America.

In 1682 members of a religious dissident group, the Quakers, began to settle in England’s North American colony of Pennsylvania. Many Quakers, including the colony’s first governor William Penn (1644–1718), had been imprisoned for their religious beliefs when they were in England, and they had been appalled by the brutal conditions they saw and experienced. Moreover, as pacifists, the Quakers opposed capital and corporal punishments on moral grounds.

In setting up its new government, Pennsylvania adopted a set of criminal laws called Penn’s Code or the Great Code, which provided for only one capital offense, murder, as opposed to the more than two hundred capital offenses then on the books in England. The fundamental criminal sanction under Penn’s Code was incarceration, and each county in Pennsylvania was required to establish a government-financed (not fee-based) house of correction. The houses of correction in Pennsylvania in the late 1600s and early 1700s represented the first glimmerings of “penitentiaries”—that is, facilities for penitents, or convicts doing penance for their crimes. They also marked the beginning of the Quakers’ long tradition of prison reform and criminal-justice activism.

England, however, did not share the Quakers’ enthusiasm for the new sanction. After Penn’s death in 1718,

England forced the colony to repeal Penn’s Code and to adopt the so-called sanguinary laws, which reinstated the death penalty for many crimes and also provided for corporal punishment.

The other English colonies in North America adhered more readily than Pennsylvania to the criminal sanctions that were part of the English legal forms they had inherited. Murder, manslaughter, rape, and kidnapping were punishable by death, as were certain morals offenses. In seventeenth-century Massachusetts, for example, idolatry, witchcraft, blasphemy, and adultery were capital crimes. Branding and whipping were among the forms of corporal punishment used in the North American colonies. Lesser crimes frequently were punishable by public humiliation, such as exposing convicts to stares and ridicule by locking them in stocks and pillories located in public gathering places.

As in Europe, there were jails in North America to house petty offenders, defendants awaiting trial, or felons awaiting sentences of death or physical abuse. Also as in Europe, those facilities tended to be crude, unsanitary, and dangerous, and inmates of all kinds were crowded in together. One of the worst was located in an abandoned copper mine in Connecticut, where convicts were kept chained in underground cages.

After the United States gained its independence in 1781, however, and began creating new governments and judicial systems, many jurisdictions also began experimenting with new sanctions. Pennsylvania, in particular, moved quickly to abandon the sanguinary laws and enact a criminal code similar to that promulgated a century earlier under Governor Penn.

Although incarceration had been reinstated as the primary form of criminal punishment in Pennsylvania, conditions at the state’s main prison, the Walnut Street Jail in Philadelphia, were troubling. Inmates worked outside the prison walls in degrading positions on chain gangs; rations were so meager that inmates on chain gangs had to beg passersby for food; and within the prison walls, supervision was insufficient, sanitation deplorable, and inmate classification almost nonexistent.

To campaign for better prison conditions, and to provide assistance to individual inmates in distress, several of Philadelphia’s most eminent citizens, including Benjamin Franklin (1706–1790), Benjamin Rush (1745–1813), and leading members of the Quaker community, formed what would become one of the world’s longest-lived and most influential prison reform organizations, the Pennsylvania Prison Society. Through laws it passed in 1789 and 1790, the Pennsylvania state legislature adopted the reforms urged by the society, thereby transforming the Walnut Street Jail into what may have been the first modern penitentiary.



The prototype for the modern penitentiary was actually a three-story wing that was added to the Walnut Street Jail. The new wing housed convicted felons exclusively, with the most dangerous confined to individual cells. The facility was explicitly “correctional” in purpose. Through its work programs (such as shoemaking, weaving, and marble cutting and polishing), and through the remorse and penitential reflection that were supposed to occur during incarceration, the intention was for the felons to reform themselves, so that they could return to society as law-abiding citizens.

The Walnut Street Jail became a model for prisons throughout the United States, including state prisons in Trenton, New Jersey (1798); Richmond, Virginia (1800); Charlestown, Massachusetts (1805); and Baltimore, Maryland (1811). In New York City, the Newgate Prison (1797) was perhaps the most important to emulate the Walnut Street Jail, and it went on to introduce several innovations of its own. Warden Thomas Eddy (1758–1827), like so many of the Pennsylvania prison reformers a Quaker, established a hospital at Newgate and hired a full-time physician, established clearly defined qualifications and job assignments for staff, prohibited corporal punishment as a disciplinary measure, provided inmates with more wholesome and varied meals, and instituted a work program within Newgate’s walls that covered most of the prison’s costs.

Walnut Street Jail and Newgate Prison, however, were only temporary solutions, and they were quickly outgrown. But they paved the way for the massive, full-scale penitentiaries that appeared in the nineteenth century.

By the 1820s and 1830s, two distinct penitentiary models had emerged in the United States: the separate system (also known as the Pennsylvania system) and the congregate system (or Auburn system). Each model had its own programs, philosophies, and architectural styles.

The separate system was pioneered at Eastern State Penitentiary in Philadelphia, which the state of Pennsylvania built in 1829 to replace the aging Walnut Street Jail. The congregate system was pioneered at the state penitentiary in Auburn, New York, built between 1816 and 1825 to replace the overcrowded Newgate Prison.

The separate system was based on the principle of solitary confinement. In developing the system, Eastern State Penitentiary implemented proposals espoused by the Pennsylvania Prison Society. Apart from contact with prison staff, representatives of the Pennsylvania Prison Society, and clergy, inmates served their entire sentences confined to their cells in virtual solitude. They took meals in their cells, completed work assignments in their cells, and even exercised in small, private yards adjacent to their cells. On rare occasions when they were

permitted out of their cells, they had to wear hoods to maintain their anonymity and prevent them from communicating with other inmates.

The purpose of solitary confinement was threefold. First, it made it easier and safer to control the inmates. Second, it prevented inmates from consorting with each other, which prison administrators feared would reinforce patterns of criminal behavior. Third, and most importantly, it presumably would give inmates the time and solitude they needed to pray, study the Bible, contemplate their misdeeds and do penance for them, and redeem themselves.

An unintended consequence was that years of enforced solitude could have devastating psychological effects on individual prisoners. When famed English novelist Charles Dickens (1812–1870) visited Eastern State Penitentiary in 1842, he praised the facility for its cleanliness and orderliness, but deplored the separate system and its “tampering with the mysteries of the brain” as “cruel and wrong.”

Influential prison architect John Haviland (1792–1852) designed Eastern State to facilitate the practice of solitary confinement. Long cell houses radiated out from a central rotunda, each featuring central hallways flanked by rows of “outside” cells, so-called because each cell had an exterior wall facing the outdoors, and cells were separated by masonry walls rather than bars. Ground-level cells opened out onto small exercise yards, surrounded by high stone walls. Cells were large enough to accommodate the machinery, tools, and materials inmates needed to make shoes, weave and dye cloth, cane chairs, roll cigars, and manufacture other products that were sold to defray prison costs. And, even in 1829, indoor plumbing minimized the need for inmates to leave their cells.

The congregate system modeled at Auburn Penitentiary, however, restricted inmates to their cells only at night. By day, they worked and ate in large common areas. Long, parallel cell houses featured “inside” cells. Unlike the outside cells at Eastern State, Auburn-style cells did not have exterior walls. Instead, each cell house formed a shell for two rows of cells, placed back to back and stacked three or four tiers high, with corridors or ranges completely surrounding them. The cell blocks, in a sense, were buildings within buildings, to ensure greater security. Another characteristic of Auburn-style architecture was that it tended to be massive, with fortresslike walls and imposing towers. The monumental Gothic towers were intended to enhance security and reinforce the punitive aspect of confinement. For more than a century, the Auburn style was the most frequently copied prison layout.

Because they permitted inmates to congregate, prisons following the Auburn model imposed harsh measures to ensure control. Inmates wore striped uniforms to

guarantee ready identification, and they had to walk in lockstep when in groups. Inmates also generally were prohibited from speaking to other inmates, and they faced severe physical punishments for committing infractions.

The congregate system had clear economic advantages over the separate system. Requiring less space for individual cells, such prisons were less expensive to build. And congregating inmates on a single shop floor allowed congregate-style penitentiaries to take advantage of factory production methods, enabling them to produce a greater variety of consumer goods more cheaply and to realize higher returns. Penitentiaries based on the separate system, however, were tied to old-fashioned, preindustrial handicraft production, which generally was too inefficient to generate a sufficient income to support prison operations.

By turning inmate labor into a viable economic asset, the congregate system opened the door for what evolved into one of the most disturbing prison abuses of the nineteenth century: the convict contract/lease system. Private companies, particularly in the northern United States, paid fees to congregate system prisons to have inmates manufacture goods for them in the prisons' factories. In a variant of that system, which appeared mainly in the southern and western United States, private business interests actually leased the convicts from the prison, and put them to work at privately owned factories, mines, logging camps, and plantations.

The relative merits of the solitary system and the congregate system were the subject of impassioned debate during the nineteenth century, and prisons based on both models were erected throughout the United States. Due largely to its economic advantages, the congregate system eventually became the standard; between the 1820s and the 1870s, more than thirty state penitentiaries in the United States were built and operated following the Auburn model, and others converted from the solitary system to the congregate system. Some prisons, most notably, the U.S. Penitentiary in Leavenworth, Kansas (ca. 1900), incorporated architectural elements of both systems, while operating more under the congregate philosophy.

There was a third type of penitentiary system, which, though highly imaginative, never attained the acceptance of either the solitary system or the congregate system. The panopticon system was proposed by English philosopher and scholar Jeremy Bentham in 1791, at the birth of the penitentiary era. Its unusual design featured multiple tiers of open-front, barred cells built in a large circle, resembling a wheel. The cells faced inward toward a hub that served not only as a guard station from which staff could observe all inmates in all cells simultaneously, but that also provided a convenient place for providing

religious and other forms of instruction to the entire cell house at once.

The underlying philosophy was that the constant supervision from the hub would not only facilitate better security, but would also make inmates more aware of their own behavior and more likely to improve their habits. Only a few penitentiaries in the United States were built according to the panopticon model, and one of them (in Pittsburgh, Pennsylvania) was deemed such a failure that the state demolished it after only a few years. The most successful example of a panopticon prison in the United States was Stateville Penitentiary in Illinois, built in 1919.

Similar debates over penitentiary designs and philosophies were also occurring in Europe. A modified version of Auburn-style architecture was developed in France; later called the telephone pole design, it featured parallel cell houses linked by a central corridor. The Pennsylvania style, however, proved much more influential. Worldwide, approximately three hundred prisons were built in the nineteenth and early twentieth centuries modeled on the radial design and separate-system approach of Eastern State Penitentiary. Pentonville Prison (1840–1842) in London was one of the first European facilities to be built and operated according to the Eastern State model, but it was soon followed by other Pennsylvania-style prisons throughout Europe, including Mazas Prison in France (1843–1850), Louvain Prison in Belgium (1856–1860), San Vittoire Prison in Italy (1867–1879), Moabit Prison in Germany (1868–1879), and Kresty Prison in Russia (1884–1890). Spain, Portugal, Holland, Switzerland, and Austria also opened Pennsylvania-style prisons. In addition, British colonies, such as South Africa, Australia, and Canada, favored the radial design.

It was during and shortly after the penitentiary era that colonialism and westernization led to prison development in Asia, Africa, and South America. In ancient India, as in pre-eighteenth-century Europe, offenders were imprisoned only until they could be tried and convicted, but they were normally sentenced to suffer corporal punishment. In the 1830s, however, the British colonial administration in India began introducing English prison models into India. Precolonial African societies, meanwhile, typically relied on noncustodial, community-based sanctions. As Great Britain, France, Portugal, and Belgium colonized Africa in the nineteenth century, they imposed their own criminal justice systems, including penitentiaries, which the postcolonial governments tended to retain.

South American governments sent representatives to inspect prisons in the United States as early as the 1830s, and the very few large-scale prisons built on that continent before 1870 were based on the Pennsylvania

model. Several more radial-design prisons were built in Latin America during the late 1800s and early 1900s, in Brazil, Argentina, Peru, Colombia, Ecuador, and Mexico.

Prison reform was one aspect of the westernization that took hold in Asia in the late nineteenth and early twentieth centuries, and the Pennsylvania style received wide acceptance. Between 1906 and 1918, China completely revamped its prison system with nearly forty institutions that combined the Pennsylvania system's radial architecture with certain operational elements of congregate-system facilities. As British colonies in the early 1900s, of course, Hong Kong and Burma also established Pennsylvania-style prisons.

Between 700 C.E. and 900 C.E., the principal criminal sanctions in Japan were whipping, caning, banishment, and death, although imprisonment at forced labor was sometimes meted out as punishment for minor crimes. Thereafter, imprisonment was abandoned under samurai feudalism, until the country began to adopt Western legal forms in the 1870s. In 1879 Miyagi Prison became the first of at least thirty-six Pennsylvania-style prisons erected in Japan.

Comprising only a minuscule portion of the inmate population, female inmates largely were ignored during the penitentiary era. The only time or place in world history where women made up more than about 10 percent of the inmate population was in mid-nineteenth-century Great Britain, where nearly 40 percent of the prisoners were women. More typical was the United States, where in 1845 there may have been fewer than two hundred female prisoners in the entire country.

Women usually were relegated to the attics, corners, or basements of prisons built for male offenders, where their primary activities included cleaning and mending for male inmates, and where they could be vulnerable to abuse by the male officers who supervised them. Not infrequently during the late eighteenth and early nineteenth centuries, women who were sent to prison were accompanied by their children. Auburn Penitentiary's facilities for women were typical: a single room in the administration building was all that could be spared in the sprawling prison.

There were significant exceptions, where prison administrators made determined efforts to provide suitable conditions for female inmates. Both Walnut Street Jail and Newgate Prison maintained separate cell blocks for women in the 1790s, as did the Maryland State Penitentiary in Baltimore in the 1820s. Eastern State Penitentiary hired a matron to supervise female inmates who was praised by prison and asylum reformer Dorothea Dix (1802–1887) for maintaining “neatness” and “good behavior” among her charges, and for providing books,

lessons, and constructive work assignments. Moreover, there were strong advocates for women in prison. Probably the most notable was the Quaker reformer Elizabeth Gurney Fry (1780–1845), who campaigned throughout Great Britain for better prison conditions for women (and their children), and established guidelines for the management of women's prisons.

In 1828 Sing Sing Prison in Ossining, New York, opened a separate building for female prisoners, with female staff members, space for religious and educational activities, a nursery, and high walls to provide ample protection from male inmates. Under the direction of Head Matron Eliza W. B. Farnham (1815–1864) in the 1840s, Sing Sing's women's facility, called Mount Pleasant, became a prototype for female reformatories of the twentieth century, emphasizing rehabilitation programs, relying on inducements to good behavior rather than punishment for misconduct, and attempting to create an atmosphere resembling an idealized middle-class home.

#### PRISONS AS CORRECTIONAL FACILITIES: THE REFORMATORY MOVEMENT

The promise of the penitentiary was that it would incarcerate offenders as punishment for their crimes, and that it would help offenders redeem themselves. In actual practice during the nineteenth century, penitentiaries lived up to their goal of punishment, but failed to achieve much in the area of redemption. By the 1830s, prison reformers and social critics in Europe were calling for prisons to offer more and better correctional treatments and to provide incentives that would encourage inmates to reform themselves. In the words of Frederick Hill, an English prison reformer, each prison should be a “moral hospital” where prisoners would be “cured of their bad habits.” Out of these criticisms and reform proposals, a new type of prison emerged by the late 1800s: the reformatory.

There were two short-lived precursors of the reformatory in the 1830s and 1840s: Norfolk Island penal colony in Australia, under Alexander Maconochie, and the Valencia Prison in Spain, under Colonel Manuel Montesinos. Even more influential were the sweeping initiatives of the Irish prison system, devised and implemented in the mid-nineteenth century by Irish prison director Joshua Jebb (1793–1863) and his successor, Walter Crofton (1815–1897). Jebb and Crofton introduced an ambitious regimen of religious, educational, and work programs; established a graduated classification system with greater privileges at higher levels; rewarded inmates demonstrating good behavior with advancement through the system; and allowed inmates to earn credits toward early release by showing progress in their

rehabilitation programs. The Irish prison system won international acclaim, but other European systems were slow to emulate it. Prison administrators in the United States, however, eagerly adopted many of the Irish reforms.

Inspired by the Irish system and the rehabilitation philosophies emanating from Europe, an aggressive prison reform movement was coalescing in the United States during the 1860s. It culminated in 1870 with the formation of the National Prison Congress (later called the American Correctional Association). At its inaugural meeting, delegates heard an address by Crofton, and went on to adopt a Declaration of Principles that endorsed the Irish system and the reformatory concept; supported inmate classification and separate facilities for men, women, and juveniles; called for abolition of convict leasing; proposed a variety of work and education programs; and declared that “reformation, not vindictive suffering,” was the purpose of incarceration.

In 1876 Warden Zebulon Brockway (1827–1920) attempted to put the Declaration of Principles into practice at a prison for younger, nonrepeat male offenders in Elmira, New York. Brockway’s prison became the first reformatory, and gave its name to an Elmira system that displaced the Pennsylvania and Auburn systems as the central focus of American prison philosophy.

Brockway’s Elmira system rejected the Auburn system’s stern disciplinary and inmate control practices, such as corporal punishment, striped uniforms, the lock-step, the silent system, and other measures aimed at degrading or humiliating prisoners. To maintain order, the Elmira Reformatory instituted an inmate classification scheme, ranging from a low grade affording minimum privileges to a high grade offering a variety of privileges and incentives; inmates could be moved up and down the classification scale, depending on their behavior and their responsiveness to the rehabilitation program. Indeterminate sentences, providing only a range of years to be served rather than single specific term, enabled Elmira Reformatory to release inmates early—again, depending on their conduct and their efforts to reform themselves.

The central feature of Elmira Reformatory was a multifaceted program of educational, vocational, and recreational opportunities. There were academic courses on general subjects, as well as on religion, ethics, and industrial arts, taught by instructors from nearby schools and colleges. A trade school offered courses in tailoring, plumbing, telegraphy, and printing. There was an inmate band, an inmate newspapers, daily calisthenics, organized athletics, and military drill practice.

Although Brockway attained legendary status in the history of American corrections, in many ways he failed

to live up to the ideals he espoused. While formally prohibiting corporal punishment at Elmira, in reality he permitted brutal physical punishments to be inflicted upon misbehaving inmates. There were other problems at Elmira. The traditional Auburn-style architecture was not conducive to Elmira’s rehabilitative programming; stronger inmates were allowed to terrorize younger ones; medical treatment was substandard; there was evidence of mismanagement at the facility; funding from the state was insufficient; and, despite the theoretical emphasis on rehabilitating tractable, first-time offenders in an environment where they would have no contact with career criminals, the courts committed many repeat offenders to Elmira.

Nevertheless, the Elmira system had a far-reaching impact on American prison development. Between 1876 and 1913, seventeen states built reformatories for adult males based largely on the Elmira model. The early reformatories relied on traditional, but unsuitable, Auburn-style physical layouts. By the 1920s, however, newer reformatories had moved away from massive, fortresslike Auburn designs toward more open and normalized campuslike settings.

Several states opened reformatories for women in the last quarter of the nineteenth century, most notably Indiana, Massachusetts, and New York, although, in general, living conditions for female inmates at that time remained far worse than those for men. The women’s rights movement played an important role in focusing greater attention on prisons for women. Quaker feminists Sarah Smith and Rhoda Coffin were particularly influential in lobbying the state of Indiana to open a women’s reformatory. Then, early in the twentieth century, Katherine Bement Davis (1860–1935) became the founding superintendent of Bedford Hills Women’s Reformatory in New York; by combining the Elmira model with innovative features for female convicts, Davis established a model facility for women’s prisons that would be adopted widely.

At the end of the nineteenth century, most prisons and jails in the United States were crude, overcrowded, and punishment-oriented. Discipline was harsh, the staff was poorly trained, and inmates either languished in idleness or were exploited for their labor. But the reformatory movement of the last quarter of the century, despite its flaws, raised standards, moved away from Auburn cell block designs, rejected excessive regimentation and physical discipline, introduced incentives to promote good behavior, and emphasized an array of restorative programs. The reformatory movement had a powerful impact on all types of prisons in the United States, and anticipated the program-oriented correctional facilities of the twentieth century.

As the reformatory era was unfolding in the United States, much of Europe was moving in a different direction. Rather than experimenting with new prison models, European countries increasingly were relying on suspended sentences, probation, parole, and other noncustodial sanctions. Apart from Italy, Russia, and Spain, which continued to emphasize imprisonment, European countries became so concerned over the harshness and expense of imprisonment that they began to regard it as a last resort for habitual criminals. With noncustodial sanctions in place, inmate populations in western Europe declined significantly after 1865, in contrast with the burgeoning inmate populations on the opposite side of the Atlantic Ocean. Between 1887 and 1956, for example, the inmate population in France was reduced by 50 percent.

#### “SCIENTIFIC PENOLOGY,” INDIVIDUALIZED TREATMENT, AND THE MEDICAL MODEL

During the first decades of the twentieth century, the social sciences, including psychology, sociology, and criminology, became fully established as academic disciplines. At the same time, the field of corrections was becoming more professional, and federal and state governments in the United States were creating large, bureaucratic structures to administer prison operations. The emergence of the social sciences gave rise to new theories of corrections. Greater professionalism and bureaucratization, meanwhile, provided the expertise and the apparatus to implement those theories.

A host of dedicated men and women devoted their careers to prison reform and administration during the penitentiary and reformatory eras, but they operated as individuals or as part of small groups. More typically, though, prison administration in nineteenth-century America remained highly political and nonprofessional, with leadership positions distributed as political plums, and staff positions filled with little regard for training or ability. Moreover, apart from the advice of well-meaning but usually weak boards of directors, oversight of prison operations was lax, and individual prisons were virtually autonomous.

By the 1910s, 1920s, and 1930s, however, the federal government and many state governments in the United States established departments of corrections to centralize prison operations, develop consistent and systematic policies, impose higher standards, and exercise strong supervisory controls. They began staffing prisons through civil service procedures rather than partisan appointment, and created staff training programs. And the top management at the new departments, such as Sanford Bates and James Bennett at the Federal Bureau of Prisons, Richard McGee of California, Austin

MacCormack of New York City, and F. Lovell Bixby of New Jersey, tapped into the insights of the social sciences to develop the concept of individualized treatment, which became the dominant theme in corrections for almost fifty years.

The goal of individualized treatment was to develop treatment plans for each offender based on scientific observations and precepts, and to carry them out in a prison environment that was therapeutic as well as geared toward meeting the specific security challenges posed by each offender. In the 1910s and 1920s, universities and clinical psychologists established research centers and laboratories connected with courts and prisons to collect and analyze data on offenders, and developed undergraduate and graduate courses that further promoted the study of criminal behavior and sanctions.

The social science-based rehabilitative ideal that became entrenched in American academic and corrections circles by the second quarter of the twentieth century gradually attained popular and political acceptance, reaching its apogee in the 1960s. By then, the fully elaborated and most sophisticated versions of individualized treatment had become nicknamed the medical model. The term was a metaphor suggesting that criminal behavior was like a disease, and further that the courts or prisons should apply social science methods to diagnose each inmate's condition and determine what caused the disease (inadequate education, poor social development, mental instability, substance addiction, etc.) and that the prison should then serve figuratively as a hospital responsible for curing the disease through the prescription of whatever nostrums best suited the inmate's needs (such as education, counseling, addiction therapy, or psychiatric treatment).

Individualized treatment entailed broad changes in prison design and programs. Classification by sex, age, criminal background, security risk, and other factors became the centerpiece of prison operations. By the mid-twentieth century, it was vastly more elaborate and important than it had been in the reformatory era, when it reflected little more than the individual inmate's institutional adjustment and resulted simply in permitting greater or fewer privileges. Staff compiled case histories on each inmate, and classification boards or assignment committees attempted to develop a mix of programs and place the inmate in the specific type of prison that would meet that inmate's specific needs or problems. Highly sophisticated classification modalities evolved by the 1960s, such as the Quay typology and the Megaree-Bohn model, based on the Minnesota Multiphasic Personality Inventory.

The emphasis on classification revolutionized prison design, as prison environments had to match the various

classification categories. Separate facilities were maintained for women and youthful offenders, of course, but a variety of different types of institutions was also developed for the adult males who made up the vast majority of inmates.

Rather than committing all male inmates to a traditional penitentiary, a range of institution types representing graduated levels of security enabled prison officials to focus resources by confining only the most dangerous inmates in expensive, high-security penitentiaries, while assigning less escape-prone or disruptive inmates to less expensive, medium-security correctional institutions, and the easiest-to-manage inmates to the least expensive option, minimum-security camps. Jails or detention centers were built to house short-term or pretrial inmates. Prison hospitals, psychiatric centers, and detoxification facilities (initially called “narcotics farms”) were available for special needs offenders. Some prison systems even established prisons that served exclusively as reception or diagnostic centers, where newly committed inmates could be classified and receive orientation. And during the last half of the twentieth century, many prison systems began utilizing halfway houses or prerelease centers, which were unwallled facilities in the community where inmates nearing their release dates could receive supervision and guidance while easing their way back into society.

Prison layouts took on an entirely new look. While Auburn-style inside cells remained the norm for maximum-security penitentiaries, lower-security facilities sometimes featured Pennsylvania-style outside cells (though without the policy of solitary confinement), honor rooms, and even open dormitories. There were expanded common areas for classrooms, workshops, and various activities related to rehabilitation programs. In the late 1960s and early 1970s, several prison systems adopted the unit-management approach, whereby prisons were subdivided into semi-autonomous housing and program units so that staff could monitor and interact with individual inmates more effectively. To facilitate unit management, old-fashioned cell houses were replaced with cottages or housing units within decentralized compounds, and the units themselves were designed to be easier to supervise yet not as demoralizing or oppressive.

Diversified housing served numerous purposes. It reduced costs, facilitated program delivery, and enhanced the control and supervision of inmates. Graduated security levels may have been the most critical benefit. The ability to move disruptive inmates to higher-security prisons offered a highly effective sanction against misconduct—in effect, maintaining prisons within prison systems. It also offered an incentive to encourage good behavior, as clear conduct could earn an inmate transfer

to less regimented and more desirable lower-security facilities. Finally, by moving the most violent and intractable inmates to the most secure prisons, prison systems were able to improve safety for staff and inmates alike, and maintain more normalized and less restrictive environments in the lower-security prisons that were more conducive to the operation of rehabilitative programs.

In many respects, the Federal Bureau of Prisons provided the model for correctional systems that followed the individualized-treatment concept. Spearheaded by Assistant U.S. Attorney General Mabel Walker Willebrandt (1889–1963) in 1929 to house offenders convicted of violating federal laws (as opposed to state laws), the bureau built a state-of-the-art system of prisons at all security levels, offering wide arrays of programs and featuring innovative designs.

At the security apex was the U.S. Penitentiary at Alcatraz, California—the most secure prison of its time, unquestionably the most famous prison in United States history, home to many of America’s most notorious and incorrigible criminals, and the prototype for what would later become known as supermaximum prisons. At the minimum-security end of the scale were unwallled road camps and forestry camps for minor, nonviolent offenders. In between were medium- and low-security reformatory-like facilities, such as the Federal Correctional Institution at Seagoville, Texas, which resembled a college campus and instituted one of the country’s first work-release programs. The women’s reformatory in Alderson, West Virginia, was emulated by state prison systems throughout the United States; its establishment, after considerable agitation by women’s groups, remedied decades of deplorable conditions for female federal offenders. The Bureau of Prisons also pioneered the use of halfway houses in the early 1960s, and unit management in the late 1960s and early 1970s. The bureau was not necessarily the first system to adopt some of those programs and designs, but it did so on such a well-funded, national scale that it had the greatest impact on other systems.

The Bureau of Prisons, along with several state prison systems, took important strides in the first half of the twentieth century toward solving the critical problem of inmate labor. For much of the penitentiary era, prisons funded a large portion of their operations through the public sale of products manufactured by inmates. This practice was highly controversial because it put prisons in direct competition with private sector enterprises, and prison labor in direct competition with law-abiding wage earners. Consequently, the federal government and several state governments enacted laws in the late nineteenth and early twentieth centuries that placed severe restrictions on the sale of goods from prison factories. Moreover, the convict leasing/contract labor

system that developed by the mid- and late nineteenth century subjected inmates to such extraordinary abuse that it precipitated a national outcry. Yet, at the same time, inmate labor was essential to smooth prison operations. The idleness that could plague prisons that did not employ inmates in constructive activities led to increased tension and misconduct—often with devastating results.

The solution was the state-use system of inmate labor. First tried by state prisons in New Jersey, New York, and Pennsylvania at the end of the nineteenth century, the state-use system provided for inmate-produced goods to be sold exclusively to government agencies—thereby maintaining a revenue-producing activity that could help manage inmates by keeping them constructively occupied, while avoiding competition against the private sector in the open market.

The most fully elaborated model of the state-use system was Federal Prison Industries, Inc., established by the U.S. Congress in 1934 as an adjunct to the Federal Bureau of Prisons. A government-owned, not-for-profit corporation, Federal Prison Industries employed inmates to produce goods for sale to federal agencies. Not only were the company's products not sold to the public, the product line was so diversified—everything from office furniture to military uniforms—that it did not even have an unfair impact on the federal sales of any one industry. Revenues were plowed back into inmate education and vocational training programs. And portions of the wages paid to the inmates helped support the inmates' families or pay fines or restitution related to their court cases. The program, in short, kept inmates busy, provided on-the-job training, paid for further inmate education opportunities, avoided damaging private sector interests, and inspired similar efforts in state prison systems.

The new theories, models, and prototypes, however, were not always followed—or necessarily effective even if they were followed. The various departments of corrections in the United States instituted policies regarding conditions in their prisons, the American Correctional Association issued national standards for prisons to meet, and by the late 1970s a national prison accreditation program was in place—yet overcrowded, unsanitary, and dangerous living conditions continued to prevail in many facilities. Many prison systems screened carefully to ensure that new hires were qualified, and then put them through intensive training courses—yet underqualified and poorly trained staff continued to be the norm in other prison systems; further, some prison systems resisted hiring many minority staff members until well into the 1970s, thereby helping to perpetuate a demographic and cultural gulf between correctional officers and the inmates they supervised. Vocational, educational,

and recreational programs were a vital component in twentieth-century American prisons, yet there was not always enough work to keep inmates employed, or enough money to fund other types of activities. Perhaps most important, departments of corrections instituted policies recognizing inmate rights, providing avenues for inmates to seek remedies for grievances, and prohibiting staff mistreatment of inmates, yet the policies were not always enforced adequately, and inmate abuse continued in some prison systems.

Partly because of these failures, American prisons were hit by several riots in the mid- and late twentieth century. Serious disturbances at more than a dozen prisons in Michigan, New Jersey, California, Massachusetts, and elsewhere flared up in the early 1950s, largely the result of post-World War II prison overcrowding and inmate idleness produced by declining government orders for prison-made products. There were more riots in the 1960s and 1970s in California, North Carolina, Michigan, and Pennsylvania. One of the bloodiest uprisings occurred in 1980, when inmates at the New Mexico State Penitentiary killed and mutilated dozens of fellow inmates, tortured several officers, and practically demolished the prison. The most horrific of the riots took place in 1971 at Attica State Prison in New York, where poor food and inadequate health care exacerbated years of escalating tension between the predominately rural, white officers and urban, minority inmates.

Prison systems responded with internally developed reforms intended to improve conditions, address grievances, and alleviate tensions. And, for the first time, the courts began intervening in prison operations.

Until the 1960s, courts in the United States had seldom exercised much authority over the prisons to which they committed offenders, generally following an 1871 Supreme Court opinion that prisoners were “slaves of the state” who enjoyed no constitutional rights. The American civil rights movement, however, gave rise to inmate advocacy groups, such as the American Civil Liberties Union's National Prison Project, that challenged substandard prison conditions and unduly restrictive prison operations on constitutional grounds. The riots gave further impetus to litigation. After the Supreme Court ruled in 1974 that there was “no iron curtain drawn between the Constitution and the prisons of this country,” prison systems were hit with tens of thousands of individual and class-action lawsuits.

Some of the lawsuits were frivolous. Others, particularly those filed against the Federal Bureau of Prisons, which had been able to prevent the sorts of objectionable practices and conditions that prevailed in some state prison systems, either were settled in the prison system's favor or resulted simply in minor adjustments to prison

operations. But many lawsuits revealed conditions and practices that were so unsatisfactory and even unconstitutional that the courts issued orders that mandated changes, appointed special masters to monitor conditions, and issued contempt citations for unsatisfactory compliance. By the 1980s, courts had imposed orders against prisons in more than forty states. One of the most notorious cases involved the Texas State Department of Corrections, which was found by a federal court to maintain such abusive conditions that it ordered the department to be completely restructured.

To the extent that European countries utilized the prison option during this period, they subscribed to a rehabilitation ideology similar to individualized treatment and the medical model. European prison systems relied heavily on criminology, psychology, and the other social sciences in developing programs that stressed inmate education, medical treatment, and social services. Europe emphasized staff training and inmate rights through a series of international penitentiary congresses in the early twentieth century, United Nations initiatives after World War II, and the so-called social defense movement of the 1950s and 1960s, which held that society could be protected most successfully by treating offenders rather than punishing them.

Except for the fascist countries before World War II, and the socialist countries thereafter, however, Europe continued the trend away from imprisonment that began at the end of the nineteenth century. Incarceration rates in Western European countries plummeted, due to increasing reliance on probation, fines, conditional sentences, and parole. In the Netherlands, for example, incarceration rates fell from sixty-six per 100,000 persons in 1950 to twenty-five per 100,000 in 1965. And what prisons existed were increasingly less prisonlike. Sentences were shorter, furloughs and work release were common, and inmate management was much more lenient than in American prisons.

#### THE BALANCED MODEL AND DEVELOPMENTS IN THE LATE TWENTIETH CENTURY

Prison officials and social scientists in the 1970s and 1980s began questioning the rehabilitation-oriented medical model that in the 1960s was the dominant theme of American corrections. The programs themselves did not come under attack. They were considered as valuable as ever, if only as a means to manage the inmate population. But two underlying theories of the medical model, that rehabilitation was the paramount purpose of incarceration and that it could be compelled through mandatory programs, fell from favor. The so-called balanced model attempted to place noncoercive rehabilitation in a more realistic framework as one of several coequal goals.

Two developments helped to undermine the medical model. First, researcher Robert Martinson published studies in 1974 and 1975 that suggested that rehabilitation programs in New York State prisons had failed to reduce recidivism, and set off a national debate over his assertion that “nothing works.” Second, prominent legal scholar Norval Morris was one of several critics who maintained that the medical model was naive in assuming that it was possible to diagnose and cure criminal behavior as a physician would cure a disease, and that the coercive nature of medical model programs encouraged inmates to dissemble or connive in order to give the appearance of reforming so they could win early release. Morris was a strong proponent of rehabilitation programs, but believed that to be effective they had to be voluntary. In fact, as many prison administrators conceded, prison was one of the least promising places to offer rehabilitation services; individuals ended up in prison only after all other institutions of society had proven ineffective at dissuading them from crime, and the only way programs could be effective was if offenders sincerely wanted to take advantage of them.

Federal Bureau of Prisons director Norman A. Carlson agreed with Morris, saying that his point of view “was the same thing that many of us had thought for a number of years: that we in corrections could not coerce or force change. We could facilitate change, however, and we had that obligation as part of our responsibilities.”

In 1975 the Bureau of Prisons formally abandoned the medical model. Apart from work assignments, considered indispensable to inmate management, rehabilitation programs would no longer be mandatory. Carlson emphasized, however, that the bureau was “not abandoning [its] efforts to assist inmates,” but in fact would “develop more and better programs” that would “interest inmates in helping themselves.” Throughout the last decades of the twentieth century, in fact, the Bureau of Prisons did just that, with new types of educational programs, upgraded mental health programs, and a landmark drug treatment program developed in concert with the National Institute on Drug Addiction.

In abandoning the medical model, the Bureau of Prisons stressed that rehabilitation was only one of several prison functions. The balanced model held that prisons had the equally important responsibilities of punishing offenders through humane incarceration, incapacitating offenders (i.e., preventing them from engaging in criminal activities during their imprisonment), and deterring others from committing crimes.

In 1976 the Bureau of Prisons opened what would be the model for the post-medical-model prison: the Federal Correctional Institution in Butner, North Carolina. Butner offered some of the most advanced programs available in



any prison, but, except for work assignments, inmate participation was voluntary. The open compound within a secure perimeter permitted free movement and a normalized environment for inmates, which Morris and others believed would be the most conducive atmosphere for successful programs. The Butner model attracted international attention.

Other developments in the closing decades of the twentieth century included establishment of supermaximum prisons to confine the 1 to 2 percent of the inmate population that was so violent that they would have been a threat to staff and other inmates even in high-security penitentiaries. At the other end of the spectrum was home confinement, under which pretrial detainees or nonviolent convicts were confined to their own homes; electronic ankle bracelets or other means were employed to ensure compliance. And through “privatization,” private companies built their own prisons and charged governments to house inmates in them—despite the dubious legal ethics of the arrangement, the even more dubious claims of economic efficiencies, and the fact that the inmates who were most expensive to confine (the violent, the ill, the psychotic) could not be sent to private facilities.

Although Western Europe continued to pursue non-prison options in the 1980s and 1990s, American prison models proved highly influential in the former dictatorships of Eastern Europe and in Latin America. The U.S. government provided governments in those countries with technical expertise on prison operations through the National Institute of Corrections. A subsidiary of the Federal Bureau of Prisons, the institute advised

foreign governments on prison design and operations, staff training curricula, protection of inmate rights, and program development.

As the century drew to a close, there was strong public sentiment in the United States for “get-tough” policies aimed at making imprisonment as onerous and humiliating as possible. Longer sentences, mandatory sentences, reduction or even elimination of parole, removal of hot meals from prison menus, the housing of inmates in tents, and reintroduction of such nineteenth-century relics as striped uniforms and chain gangs were adopted in many jurisdictions. Some of the more theatrical “hard-time” tactics contradicted safe correctional methods, however, and could only be instituted in county jails that housed short-term, nonviolent offenders.

During the more than five thousand years of prison history, the role of incarceration has encompassed non-punitive detention, punishment, and rehabilitation. The nature of incarceration has varied from indiscriminate crowding of all types of offenders into cages, to highly regimented custody of inmates in barred cells, to normalized environments emphasizing treatment programs. And the approach to incarceration of any given society has drawn on political ideologies, legal trends, cultural traditions, popular sensibilities, and academic theories; in short, as British statesman Winston Churchill (1874–1965) observed, it has always reflected the state of civilization.

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# Cross-National Correctional Health Care

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Several health-care structural frameworks exist, including: (1) a government-oversight model in which government interaction with the facility is assessed; (2) a rational-contingency model based on customer needs; and (3) a resource-dependency model in which resources are consumed according to availability.

Ezekiel Emanuel (1991) describes four “schemes” in which health care is provided within a government-oversight framework. As a continuum, this framework starts with the high-technology, ability-to-pay model of health care that is most identified with the United States. In such a system, not all individuals have health insurance, but they do have access to medical technology if they visit an emergency room. For those who are incarcerated, this type of health-care framework is analogous to all types of health care being provided either onsite or in an emergency room.

With a growing population of aging detainees, there is a significant need to deal with the chronic medical conditions that such detainees face. Emanuel describes the National Health Care System in Britain, in which all detainees have access to health care, but at the lowest possible cost. This system permits detainees access to such medical technology as x-rays or ultrasound, but not high-cost CAT or MRI scans.

In the rational-contingency model, a structure is created based on the differing needs of a variety of customers. For example, as the degree of customer homogeneity increases, there is less need for programs that address a diversity of health-care situations. In a heterogeneous customer environment, in contrast, there is a need for wide variations of programs. For correctional

facilities that house different types and genders of offenders, the need for more complex health-care programs is greater than in facilities that house only male or female detainees or only those who have committed minor infractions.

With the resource-dependency model, it does not matter what type of government oversight exists or what type of needs are represented by those who are incarcerated, since this type of health-care system depends primarily on the availability of funding allocated for the care of detainees. The resource-dependency model “emphasizes the importance of the organization’s abilities to secure needed resources from its environment in order to survive” (Shortell and Kaluzny 1997, p. 23). Although it is considered important to provide health care to detainees, it may be impossible when there are limited funds available for health care in correctional facilities. More importantly, the resource-dependency model emphasizes that the systems that succeed are those that plan and interact the most effectively with their sources of funding (Ouchi 1981; Pfeffer and Salancik 1978).

## NORTH AND SOUTH AMERICA

In the United States, a significant source of information on correctional health care is the National Commission on Correctional Health Care (NCCHC). The NCCHC accredits correctional health-care facilities, including clinics and stand-alone acute-care facilities. According to the NCCHC and other sources, the most pressing issues in correctional health care in the United States are HIV/AIDS, hepatitis, and tuberculosis.

In terms of structure, the U.S. correctional system employs the full range of health-care frameworks—government-oversight, government-managed, and various private arrangements, especially for those incarcerated for long periods. There are also many sources of funding in the United States for correctional health care; all levels of government (local, state, and national), as well as private funds, provide resources for correctional facilities. Compared to other countries, the U.S. prison system has the greatest variety of structures and resource sources. There are, however, many similarities in the ways U.S. institutions are attempting to meet the needs of incarcerated HIV/AIDS, hepatitis, and tuberculosis patients. The high rate of such chronic diseases among prisoners has a major impact on health-care costs in correctional facilities.

Like the United States, Canada employs a variety of models of government oversight and resource procurement for prison health care. However, there are only a small number of privately run facilities in Canada, and those exist only at the provincial level. Also like the United States, Canada has a problem with the type of outcomes relating to those who are incarcerated. A high percentage of the Canadian prison population is infected with HIV/AIDS and hepatitis C, and those rates are expected to increase.

In South America, Chile and Peru showed a growing trend toward privatizing the oversight of correctional health care. Information on Brazilian correctional health care is more readily available than for Chile and Peru. Brazilian correctional health-care systems are predominately government-run, although there is an increasing move toward privatization. As in many other countries, the prevalence in Brazil of incarcerated individuals with HIV is high (Tourinto and Dourado 2002). The number of prisoners in Brazil with hepatitis C was also high, and the infection rate has been found to increase due to incarceration (Brandao and Costa Fuchs 2002).

#### EUROPE AND THE MIDDLE EAST

The following countries in Europe and the Middle East were assessed: Israel, Switzerland, Romania, France, Italy, Spain, and Germany.

The Israeli Prison Service houses more than ten thousand inmates; about 20 percent are incarcerated for offenses against the state. According to Physicians for Human Rights, an American-based humanitarian organization, the prisons in Israel present hygiene and sanitation problems. Each of Israel's prisons has a clinic and medical staff, and inmates who cannot be treated at the institution are moved to the Israeli Prison Service Medical Center, which offers advanced medical care. After recording numerous complaints about the

conditions of medical care among prisoners in Israel, Physicians for Human Rights investigated, and found that many of the inmate complaints were legitimate. Some areas of concern included inappropriate medical treatment, protracted delays in treatment and surgery, intervention in treatment by nonmedical personnel, poor sanitary conditions, neglect of prisoners in need of nursing care or mental rehabilitation, and avoidable fatalities.

According to the European Institute for Crime Prevention and Control, prisons in Romania reported a significant tuberculosis problem in 2004. In 2003 nine Romanian prisoners died from tuberculosis. The Romanian Centre for Health Services and Strategy of the Open Society Institute funds HIV treatment in prison hospitals. This organization also funds tuberculosis clinics.

Switzerland, a country of nearly 7.5 million people, had a prison population of roughly six thousand in 2005, according to the International Centre for Prison Studies (ICPS). As such, Switzerland has one of the lowest incarceration rates in the world with 157 prison facilities that are both publicly and privately operated. Within these prisons, medical services are available for the mentally disabled and for those addicted to alcohol or drugs. Human rights groups have few complaints about health care in Switzerland's prison system.

The penitentiary system in Spain provides onsite health care, as well as specialized care through public hospitals and private organizations. The goal is to provide health care at a minimum cost to society. The Spanish prison system administers two psychiatric hospitals. However, the prison system suffers from many of the same problems facing the country's health-care system as a whole—in particular, long waiting lists for specialists and for nonurgent operations. Other problems include overcrowding; in 2005 the Spanish prison system was at 114.2 percent of capacity according to the ICPS, and questions persist as to who has oversight of the correctional health-care system.

Primary, secondary, and tertiary care are provided free to all French inmates. Legislation passed in August 2000 created interregional security-protected hospital units to provide care for prisoners at public hospitals. That care was sorely needed as the prison population grew and occupancy reached 110 percent capacity by 2005, according to ICPS. In 1998, 6.8 percent of France's prisoners were fifty to sixty years old and 2.6 percent were over sixty. The average prison time served in 1997 was just over eight years (Ministère de la Justice 1998).

Along with France's aging prison population and its potential need for both chronic and acute care, an analysis of 15,200 inmate records dating from 1989 to 1995 painted a dismal picture of their social and psychiatric

situation. The analysts found that 57 percent of inmates had been unemployed; 60 percent had no professional qualifications; 31 percent had a psychiatric history; 16 percent had made suicide attempts in the past; and drug abuse more than doubled from 24 percent in 1989 to 53 percent in 1995 (Ministère de la Justice 1998; Duhamel et al. 1999).

Health care in French correctional facilities is organized pursuant to legislation passed on January 8, 1994. The delivery of secondary levels of care is entrusted to hospitals within the framework of agreements signed between correctional facilities and public hospitals. Primary care may be handled by private medical teams or by public hospitals using ambulatory health-care units.

In 2005 Italy's prisons were overcrowded at 134.2 percent capacity according to the ICPS. During the 1990s, however, the correctional health-care staff was able to deal adequately with the inmates' psychiatric problems (Marasco et al. 1998). In Italy, primary, secondary, and tertiary health care is provided to all prisoners free of charge. A high percentage of Italian prisoners suffer from drug-related health problems, including HIV. Among European prisoners, HIV prevalence rates were highest in Spain and Italy. Fortunately for the Italian prisoners who are HIV positive, Italian law stipulates that all HIV-positive prisoners should receive the same treatment provided by the country's health service for all Italian citizens.

Germany's prisons face the aging of its incarcerated population, among other critical issues. For example, in 2003 a significant number of German prisoners were over the age of fifty, and approximately two thousand of them were serving life sentences. Another problem facing German authorities is that almost 30 percent of the prisoners in 2005 were from other countries, according to the ICPS.

## AFRICA

Few African countries provide reliable information to researchers investigating their prison health-care system. The most information is available from South Africa, Nigeria, and Botswana.

The HIV/AIDS problem is especially pronounced for South African prisoners. According to research by K. Goyer and J. Gow, "The issue of HIV/AIDS in prison has largely been under-researched and underanalysed in South Africa" (2001, p. 195). The South African prison environment is not conducive to good health and therefore also contributes to a pronounced high risk for the contraction of HIV. These conditions include gang violence, sexual violence that results in tearing and bleeding, and the use of needles or other instruments for injecting intravenous drugs and tattooing. The presence of

tuberculosis is also a major problem in South African prisons (Goyer and Gow 2001; Goyer 2002).

The South African prison environment is further challenged by conditions of poor nutrition, inadequate medical care, and overcrowding. The illness of an HIV-positive South African who is imprisoned will advance more quickly than someone who has access to a supportive environment, better nutrition, and good health care.

Many advocate for the availability of free condoms in South African prisons. South Africa began distributing condoms to prisoners in the 1990s, but not before prisoners had undergone HIV/AIDS education. "Constraints on the implementation of effective HIV prevention strategies include: bureaucratic inefficiency, lack of resources, and a reluctance by prison authorities to address the issue of HIV in prison" (Goyer and Gow 2001, p. 307). South Africa's Department of Correctional Services implemented a program in 1996 to establish clinics for sexually transmitted diseases (STDs) in all prison hospitals, to be run by nursing staff. These clinics were to provide "testing, treatment, counseling, and information regarding STDs" (Goyer and Gow 2001, p. 197). In November of 2003, the South African government approved a national HIV/AIDS plan to provide free antiretroviral drugs, although it was not clear if this policy would apply to prisoners (Baleta 2003).

A study examining the number and causes of death at one prison in South Africa reveals disturbing results related to HIV/AIDS and prison exposure. From 1995 through mid-1997, prisoners in South Africa who were HIV positive were segregated from the other prisoners. This resulted in a slight decrease in prison deaths. When the segregation policy was discontinued, a marked increase occurred in the number of prisoner deaths. The death rate rose from approximately ten per year to over sixty per year. Details of the deaths were not recorded until 1999, but at that point it became clear that the majority of the deaths were HIV/AIDS-related. Health staff revealed that two-thirds of the prisoners had received HIV testing and that 80 percent were HIV positive (Goyer and Gow 2001).

Nigeria's challenge is similar to that found in African prisons in general—the HIV/AIDS epidemic. The problem of how to manage such an epidemic is linked to many other health-care problems, one of the most important being a lack of professional medical personnel (Narasimhan et al. 2004). In Nigeria, the HIV/AIDS epidemic hit a country that already had a fragile health-care system, and adding to the problem is the government's longtime denial that HIV was a threat. As a result, there has been only minimal financial support from Nigeria's Ministry of Health to implement prevention programs.

A study of 252 inmates in the Kiri-kiri prisons of Nigeria examined knowledge about HIV/AIDS and about preventive practices and risks. The researchers discovered a considerable amount of ignorance regarding the transmission of HIV, with corresponding high-risk behavior. The prisons lacked educational and risk-reduction programs, nor did they make condoms available to prisoners (Odujinrin and Adebajo 2001). Another study of the prevalence of psychiatric morbidity among prisoners in Nigeria found a “fairly high level of psychiatric disorders” (Agbahowe et al. 1998). Most of the inmates developed these psychiatric illnesses while in prison. The rates are much higher than in developed countries.

A physician who had been imprisoned in Nigeria reported that in nine out of ten cases there was no physician who could prescribe medication or treatment to prisoners. The former Nigerian prisoner also stated that in the rare occurrence that a physician was present, he or she only had time to jot down prescriptions that the prisoners lacked the money to purchase. The physician further reported that the health of prisoners in Nigeria is abysmal because the minimum rules that should be in place for access to medical treatment are ignored (Oyo 1998).

Botswana is a relatively rich African country, but, like Nigeria, Botswana is hindered in administering adequate health care by a lack of medical personnel, much of the dearth being linked to the HIV/AIDS epidemic (Narasimhan et al. 2004). Another common health problem in Botswana’s prisons is tuberculosis.

## AUSTRALIA

The structure of the prison system in Australia varies from province to province. The Department of Justice and Corrections manages and oversees both publicly and privately run prisons. Regardless of whether the prison is publicly or privately run, all prisoners in Australia receive primary, secondary, and tertiary health care free of charge. All prisons, whether public or private, are responsible for insuring that primary-care provisions are available within the prison itself. However, when hospitalization is necessary, whether it be secondary or tertiary care, prisoners may be referred to specific hospitals that provide care for prisoners.

## CROSS-NATIONAL CORRECTIONAL HEALTH-CARE FRAMEWORK

Cross-national correctional health care takes a number of shapes and forms, and unique problems exist in every country. The trends in health care among prison populations tend to parallel that of the citizenry as a whole (e.g., HIV/AIDS, hepatitis, and tuberculosis). Problems appear to be correlated with access to resources and

governmental peculiarities found in different countries. For example, the United States has the greatest range of resources and government oversight, due to the range of federal, state, and local governments and the country’s status as the most free of the world’s free-market economies.

To summarize the cross-national correctional health-care trends:

- There is a significant problem with HIV/AIDS, and the prevalence is increasing.
- Hepatitis and tuberculosis are also major problems that will increase if overcrowding is not reduced in correctional facilities around the world.
- Funding for correctional health care and the variety of resources available are limited in most countries, with little, if any, private funding available in many countries.

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# History of International Collaboration in Corrections

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The German penologist Karl Krohne (1836–1913) spoke in favor of international collaboration in the field of criminology more than a century ago. At the time, many countries had experienced a substantial increase in crime, a phenomenon that was connected with an increase in industrialization and urbanization.

During the mid-nineteenth century, many countries were considering a reform of their penal system, partly due to an increase in the prison population and partly due to a desire for more humane and rational treatment of prisoners. Plans for new prisons were launched in many countries—new buildings would also make room for new methods of treatment. In an endeavor to improve European prison systems, many countries sent observers to the United States. The common interest in a new prison system gave rise to a need for an exchange of views and experience.

## EARLY INTERNATIONAL CONGRESSES

The first international congress on prison problems was held in Frankfurt, Germany, in 1846. It was attended by seventy-five people representing the United States and twelve European countries. The congress brought together lawyers, physicians, prison chaplains, wardens, and heads of correctional administrations. The discussions were concentrated on the merits of solitary or separate confinement as a treatment for inmates (Eriksson 1976).

The following year another international congress was held in Brussels, Belgium. The focus at this congress was the treatment of young offenders, and as a result a

system of correctional education was stressed. According to Krohne (1889), this congress attracted attention not only from corrections professionals, but also from several governments, which expressed an interest in exchanging ideas on the treatment of offenders.

In the early 1870s the time seemed right for concerted action at the international level, and the great engineer in the work of international collaboration was the American prison reformer Enoch Wines (1806–1879). In 1871 he was appointed the task of organizing an international congress, influenced by Vladimir Sollohub, governor of the penal institutions in Moscow. Wines intended to give the international congresses a wider scope by addressing the prevention of crime as well as the treatment of offenders. He believed that crime prevention should be founded on intergovernmental cooperation. The outcome of Wines's efforts was a world congress held in London in 1872 with four hundred delegates, one-fourth of whom represented governments. The agenda of this congress was practical, with general and more subtle matters pushed into the background.

The 1878 congress in Stockholm, Sweden, was given a firmer structure. The agenda was divided into three sections: legislative matters within the penal field, prison matters, and crime prevention. One of the main purposes was to gather worldwide information on prisons. Altogether, fifty reports were sent in from European countries, American states, several countries in Africa and Asia, and even Australia and New Zealand (Eriksson 1967).

The Swedish penologist Torsten Eriksson made this observation of the congress in Stockholm: "Beginning with this congress, the governmental delegates dominated the discussions and ran the resolution machinery. The rest of the delegates were kept in the background, whether they represented international associations or themselves. They were not allowed a voice until after the official delegates had expressed themselves" (Eriksson 1967). Nevertheless, the International Penitentiary Commission was founded at this meeting.

International collaboration was substantially broadened in 1889 with the foundation of the Union Internationale de Droit Pénale, a movement founded by three prominent penologists: the German Franz von Liszt (1851–1919), the Dutch Gerard Anton van Hamel (1842–1917), and the Belgian Adolphe Prins (1845–1919). These three distinguished scholars of penal law shared "the same values and concerns with respect to an emerging historical crisis at that time." They were deeply concerned about the increasingly repressive tendencies in penal law and decided to create a "forum which would permit scholars, academicians, and practitioners of criminal justice to gather, exchange views, and express their concerns, and ultimately to have a positive and constructive effect on the development of criminal justice policy" (Bassiouni 1984).

Not surprisingly, the agenda for their first meeting included suspended sentences, alternatives to short-term imprisonment (including the use of fines as a penal sanction), problems related to recidivists, and measures against young offenders. The program of this new organization aroused worldwide attention and led to the foundation of several Scandinavian associations for criminologists.

In 1924 the International Association of Penal Law (IAPL) was founded, continuing in some respects the work of the Union Internationale de Droit Pénale. The first international congress of the new association took place in 1926 in Brussels. While at first dominated by European delegates, it later expanded to include delegates from outside Europe.

In the late 1930s the International Society of Criminology (ISC) was founded. This organization furthered the development of scientific research on crime. The society held its first international congress in Rome in 1937.

#### THE INTERNATIONAL PENITENTIARY COMMISSION

Activities on the international level were for a long while dominated by the International Penitentiary Commission (IPC), which was formally organized at the 1878 international congress in Stockholm. This organization consisted of delegates nominated by nations that joined the

commission. The number of member nations increased after 1900, and at the outbreak of World War I in 1914 about twenty countries had nominated delegates.

The commission met once a year with one or two delegates from each member country to discuss penal problems. The headquarters was in Bern, Switzerland, with a permanent secretary-general. It was here that the regular periodical, *Select Papers on Penal and Penitentiary Matters*, was published.

Following its organization at the Stockholm congress, the IPC arranged six congresses until the outbreak of World War I. All but the last one, held in 1910 in Washington, D.C., were held in European capitals. World War I brought an interruption of international collaboration in the penal field, but due to the efforts of an active secretary-general, Professor Jan Simon van der Aa (1865–1944), the IPC was able to act as an efficient link.

In 1925 the IPC held its ninth international congress in London. In addition to the official delegates, university professors, lawyers, prison administrators, government officials, and well-known scholars were invited to participate. This congress is remembered for rejecting the concept of punishment as a deterrent. A differentiation of offenders was also strongly advocated, especially with respect to young offenders. Special attention was also paid to recidivists, mentally ill offenders, alcoholics, vagrants, and sex offenders.

In 1929 the commission changed its name to the International Penal and Penitentiary Commission (IPPC) in order to cover more penal and criminological issues. At the tenth congress in Prague in 1930, lengthy discussions took place dealing with young offenders. Special attention was given to the establishment of juvenile courts. The eleventh congress, held in Berlin in 1935, was colored by criticisms of the penal philosophies set up by the new regime in Germany.

The IPPC held its twelfth international congress in the Hague, Netherlands, in 1950 with about three hundred delegates from thirty countries—more than seventy were official delegates. This congress was the last to be organized by the IPPC. The time had now come for the new giant on the international scene, the United Nations, to take the lead in this field.

#### THE ROLE OF THE UNITED NATIONS AND THE IPPC

Deliberations between the United Nations and the IPPC, IAPL, and ISC had gone on for some time. Having agreed that the United Nations should take over the tasks hitherto performed by the IPPC, the organization held its last meeting in July 1951. Under the terms of the agreement, groups of experts would meet in different



regions of the world at least once every two years, and the first consultation group would be composed of the former members of the IPPC. The United Nations declared its willingness to organize a quinquennial congress in the manner established by the IPPC and to publish regular bulletins.

In 1955 the United Nations (UN) held its first World Congress on the Prevention of Crime and the Treatment of Offenders. The main topic of this first congress was the formulation of standard minimum rules for the treatment of prisoners. These rules originally were elaborated by the IPPC, which presented them to the League of Nations in 1934. The league recommended that member and nonmember nations implement the minimum standards to the fullest extent. At the request of the United Nations, the IPPC prepared a new draft of the standard minimum rules that had been approved by the commission on July 6, 1951. This set of rules was adopted at the first world congress.

At its dissolution, the IPPC had a large amount of money at its disposal, as each subscribing government contributed 120 Swiss francs annually for each million of its population. It was found to be impossible for the United Nations to receive funds earmarked for specific purposes under its statutes, and because the IPPC's own constitution required that its funds be expended only for purposes for which it was founded, the IPPC decided to create a foundation that would continue to expend the income from the fund for appropriate work in crime prevention and the treatment of offenders. The organization of the International Penal and Penitentiary Foundation (IPPF) was completed at the final session of the IPPC in July 1951. The foundation is registered in Switzerland and is a nongovernmental, nonprofit organization governed by the provisions of the Swiss civil code.

The foundation continues the scientific work of the IPPC in the prevention of crime and treatment of offenders. It sponsors conferences and publications, and has been given consultative status to the Economic and Social Council of the United Nations. The twenty countries represented at the IPPC at the dissolution of the commission are member countries of the foundation. Each country may have at most three members.

During the five-year period between UN congresses, the foundation arranges at least two international meetings—one for members only, the other as a colloquium open for other participants. For many years the foundation also arranged conferences for heads of prison administrations, partly as a tradition of the commission, which had a large representation of prison administrators. The arrangement of these special conferences was later taken over by the Council of Europe.

## THE BIG FOUR ASSOCIATIONS

In 1949 the IAPL, the IPPC (later the IPPF), and the ISC were supplemented by a new organization, the International Society of Social Defense. This group was particularly interested in developing a criminal justice policy divorced from the punishment ideology, emphasizing treatment and preventive measures. This new society proclaimed a twofold objective: provide protection for society against criminals, and safeguard members of society from falling into crime.

These four associations are often called the *four major associations*, or in more popular terminology, the Big Four. There has always been extensive collaboration between them. Since 1963 they have met every five years at Bellagio, Italy, for a joint colloquy, where one of the main topics of the forthcoming UN congress is discussed. During these colloquies each association gives its contribution to the topic under discussion, and the proceedings of these colloquies are published and distributed at the UN congress.

On the occasion of the tenth anniversary of the International Institute for Higher Studies in Criminal Sciences at Siracusa, Italy, in 1982, the Big Four established the International Committee for Coordination (ICC), consisting of the four presidents and the secretaries-general. Since its establishment, this committee has met several times, and its creation has greatly furthered collaboration between the four major associations. Collaboration among the Big Four has been especially strong and efficient in preparation for the periodic UN congresses on crime, including the Eleventh United Nations Congress on Crime Prevention and Criminal Justice, held in Bangkok, Thailand, in April 2005. Seminars have also been held for elaborating UN standards, and through the ICC and the institute in Siracusa a model agreement has been set up for the transfer of inmates.

For many years the four major associations have worked closely with the Council of Europe by sending observers to its most important meetings, and by giving suggestions and advice. The council is usually represented in conferences and congresses that are organized separately or jointly by the associations. According to the council's report on *Activities in the Field of Crime Problems* (1977), "The Council of Europe has always found a source of inspiration and encouragement in its working relations with the four associations and is grateful for the support which they have given to its activities."

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*Helge Rostad*

# Aviation Terrorism

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Aviation is an ineluctably international industry. Airports connect the world, and thousands of flights leave the United States and other countries each day bound for international destinations. Indeed, the degree to which the world is a global community is dependent on aviation. The global aviation industry moves some two billion people each year with a fleet of nearly 18,000 aircraft. Studies of global aviation's worldwide growth potential, even allowing for business downturns, project that the number of passengers will double by 2015.

The hijacking of an airplane has been described as the most dramatic and visible form of terrorism. High-profile hijackings allow terrorists to garner worldwide attention, as well as the opportunity to inflict a large number of casualties. However, the threat of aviation terrorism encompasses more than just hijackings. Over the last decades of the twentieth century, aviation-related terrorism evolved, and terrorists became much more deadly. In 2001 the United States experienced the horrors of aviation terrorism firsthand.

At about 8:00 A.M. on September 11, 2001, American Airlines Flight 11 took off from Boston's Logan International Airport bound for Los Angeles with eighty-one passengers and a crew of eleven. Shortly after Flight 11 left Boston, United Airlines Flight 175 also departed Boston for Los Angeles carrying fifty-six passengers and nine crewmembers. Neither of these flights would reach Los Angeles. At 8:46 A.M., American Airlines Flight 11 crashed into the north tower of the World Trade Center in lower Manhattan. Less than twenty minutes later, United Airlines Flight 175 hit the World Trade Center's south tower. The two attacks resulted in the deaths of about 2,750 people.

About a half hour after the second plane hit the World Trade Center, a third hijacked plane, American Airlines Flight 77 from Dulles International Airport in Virginia, crashed into the west side of the Pentagon building near Washington, D.C., killing everyone on board the plane and 125 people on the ground. A fourth hijacked plane, United Airlines Flight 93, heading to San Francisco from Newark International Airport in New Jersey, crashed at about 10:00 A.M. in a field near Shanksville, Pennsylvania, killing all on board. All four planes had been hijacked in a premeditated terrorist attack that caught the United States by surprise. Nearly 3,000 people lost their lives in the series of four coordinated attacks of aviation terrorism on 9/11.

Immediately after the 9/11 attacks, government officials from the U.S. Federal Aviation Administration (FAA) went on the defensive, expressing the impossibility of predicting the incidents that occurred that day. Despite the shock that many government officials, along with most American citizens, felt after the attacks, the idea of using planes as missiles was neither outlandish nor novel. As recently as 1994, an Air France flight destined for Marseille was halted when French authorities received intelligence indicating that someone intended to fly the plane into the Eiffel Tower in Paris. In 1993 a small airplane was stolen and crashed into the west side of the White House. Two decades earlier, in 1970, Israel downed a Libyan airliner after receiving information that the plane was going to be used as a missile for a suicide mission.

Only months before the attacks of September 11, 2001, the FAA had conducted an experiment at domestic airports designed to increase aviation security and reduce

the rate of lost and misrouted baggage. The experiment, known as Positive Passenger-Bag Match (PPBM), was based on the premise that bags checked in by passengers before takeoff could be identified if the passenger did not board the flight. It was hoped that this experiment would prevent acts of aviation terrorism where terrorists checked a bomb disguised as luggage, and simply did not board the flight. Prior to the 9/11 attacks, it was generally assumed that aviation terrorists were not suicidal. The 9/11 attacks invalidated this idea, and further illustrated that aviation terrorism is a deadly and ever-changing threat.

### TERRORISM COMES OF AGE

The aviation industry has long been a target for terrorists. In fact, the modern age of terrorism, characterized by the growth of Islamic fundamentalism, was precipitated by an act of terrorism committed against civil aviation: the July 1968 hijacking of an Israeli El Al commercial aircraft by members of the Popular Front for the Liberation of Palestine.

A number of significant acts of aviation terrorism, as well as disrupted plots, have been featured in news headlines since then. One example of a planned attack that was never carried out was the Bojinka plot. The mastermind was Ramzi Youssef, a skilled bomb maker who concocted the deadly mixture of urea-nitrate that was used in the World Trade Center bombing of February 1993. The name of the plot was derived from the Serbo-Croatian word for “big noise” and was adopted from Youssef’s experience with Muslims in Bosnia. The Bojinka plot was conceived in the early 1990s; the plan was to blow up several U.S. airliners flying over Southeast Asia, causing mass casualties. Youssef appears to have been cognizant that the aviation industry offered an appealing target to terrorists—a large number of people confined in a small space where even a limited amount of explosives could cause maximum casualties.

Although the Bojinka plot was foiled, it illustrates two important characteristics of aviation terrorism. First, Youssef chose a less-developed country, the Philippines, as his base of operations. Second, Youssef surmised that it was possible to indirectly hit the United States with a large-scale terrorist attack without stepping foot on American soil; the aviation industry offered terrorists the opportunity to conduct a coordinated attack against the United States from a remote location.

Another major aviation terrorism incident was the bombing of Pan Am Flight 103 over Lockerbie, Scotland, in December 1988. This act of aviation terrorism claimed the lives of 270 individuals. Eleven of the people killed were inhabitants of the village where the plane crashed after a powerful explosion. Libyan nationals were eventually tried and convicted for the Lockerbie bombing. Such a

bombing is the type of low-probability event that can cause large numbers of casualties. In fact, the Lockerbie bombing alone claimed 93 percent of the total American casualties from terrorist incidents worldwide in 1988.

As the above examples demonstrate, aviation-related terrorism is a problem that affects the entire world. It is not just airline passengers that face the threat of aviation terrorism, but people going about their normal lives on the ground or conducting business at a site like the World Trade Center. Additionally, the economic implications of terrorism against the airline industry are immense and have cost airlines and governments billions of dollars. The problem is compounded by the possibility of an airline going bankrupt after a terrorist attack, resulting in the loss of jobs and the destabilization of a country’s economy. Furthermore, acts of aviation terrorism may reach far beyond the main target of the attack. In most cases, the airliner itself is not the actual target, but rather a medium through which a larger constituency can be affected, whether it is the United States, Israel, India, or countless other possible targets.

### HIJACKING HISTORY

The first hijacking of an aircraft occurred in 1930 when a group of Peruvian revolutionaries seized control of an aircraft in order to flee the country. It would not be until 1947 that hijacking became more frequent. In July 1947, three Romanians hijacked a DC-3 aircraft in flight and ordered the pilot to land in Turkey. Between 1947 and 1950, a wave of fourteen hijackings occurred in Eastern Europe as citizens attempted to flee their countries.

In the late 1950s, coinciding with Fidel Castro’s Cuban revolution, a second wave of hijackings occurred that had a greater impact on the United States. In 1961 the first hijacked U.S. airplane was diverted to Cuba. Another sixty-six aircraft were hijacked by the end of 1968.

Although the majority of early hijackings were not strictly terrorist incidents, these events set the stage for the coming decades of aviation terrorism. In July 1968, three terrorists belonging to the Popular Front for the Liberation of Palestine (PFLP) hijacked an Israeli El Al aircraft en route from Rome to Tel Aviv. This incident ushered in the age of modern international terrorism. The PFLP hijacking differed from the dozens of previous hijackings in that the nationality of the aircraft held symbolic importance to the Palestinian terrorists. Additionally, the terrorists were not hijacking the aircraft to gain political asylum in a new country. They were seeking the release from prison of fellow Palestinian terrorists.

Though bombings of airplanes may prove to be more newsworthy, hijackings of aircraft by terrorist groups continue. One, more recent, example of aviation terrorism was the December 1999 hijacking of an Air

India flight. Members of a Pakistan-based terrorist group known as the Harkat-ul-Mujahideen (HUM) are believed to have been involved in the incident. Additionally, the act mirrored earlier hijackings in that the group managed to secure the release from prison of Maulana Masood Azhar, a former leader of the HUM.

## **BOMBINGS**

As with hijacking, the first recorded case of a bombing onboard an aircraft was not strictly an act of terrorism. The incident occurred on May 7, 1949, when what is believed to have been a time bomb detonated onboard a Philippines Airlines flight. Two criminals hired by a woman to kill her husband, who was on the flight, reportedly placed the bomb on the aircraft. Another flight was bombed the same year, this time in Québec, Canada. On September 9, a Québec Airways flight crashed after a bomb placed in the forward luggage compartment detonated. There were no survivors in either of these incidents. Between the first bombing of an aircraft and 1990, ninety-five reported cases of aircraft bombings occurred, and thousands of people died.

In Tokyo, Japan, on June 23, 1985, two baggage handlers were performing their normal tasks at Narita Airport when a suitcase ready to be loaded onto an aircraft exploded. Both of the baggage handlers were killed. On the other side of the world at almost the same time, an Air India flight en route from Canada to London exploded over the North Atlantic Ocean, killing 329 people. Canada, long thought to be safe from international terrorist attacks, soon learned that it was not immune to the worldwide phenomenon of aviation terrorism. In a move that at the time was unusual for acts of terrorism causing mass casualties, a Sikh group calling itself the Dashmesh Regiment claimed responsibility for the incident. In 2000, three Sikhs were arrested by Canadian authorities in connection to the incident.

On December 21, 1988, Pan Am Flight 103 left London's Heathrow Airport behind schedule. After the aircraft reached an altitude of 31,000 feet, it suddenly exploded over Lockerbie, Scotland, killing all passengers, crew, and eleven people living in Lockerbie. Although the PFLP was originally blamed for the incident, two Libyans, Abd al-Basit al-Megrahi and Lamem Fimah, were later arrested as the perpetrators. A lengthy investigation revealed that the two Libyans used the powerful Czech-made explosive Semtex to down the aircraft. Additionally, the Semtex was detonated using a sophisticated double detonator that consisted of a barometric switch that turned on a timer.

As with other forms of terrorism, the perpetrators of aviation terrorism have demonstrated the ability to improve their methods. This is illustrated by the

Lockerbie bombing, where the detonation device used was more advanced than earlier detonation methods. Earlier bombs placed on aircraft had employed a less-sophisticated barometric detonator that ignited the explosives after the plane reached a certain altitude. Such a device was used by the PFLP in 1970 to down a flight en route from Switzerland to Tel Aviv. Aviation terrorism incidents involving bombings have led some scholars to propose that terrorist attacks are becoming more deadly, though not necessarily more frequent. The notion that a terrorist attack is certain but with no certainty of when it will occur is an important aspect of aviation terrorism.

## **ARMED ASSAULTS**

The use of such weapons as AK-47 rifles or a surface-to-air missiles against aircraft in flight or on the ground is another way that individuals or groups commit aviation terrorism. Missile attacks against aircraft became an acute problem in the 1980s, in part because of increased security measures at airports to combat hijackings and bombings onboard aircraft. Missiles, such as SAM-7s (surface-to-air), also referred to as MANPADS (man-portable air defense systems), are widely available and in the possession of a number of terrorist groups, including al Qaeda, Hezbollah, and the National Liberation Army (ELN) in Colombia. Additionally, since the missiles are only 5 to 6 feet in length, they can be disguised, as alleged al Qaeda operatives proved in Mombasa, Kenya, during a failed attack in 2002. Some estimates place the number of available missiles worldwide at 350,000. With such a large number of missiles available, as well as the presence of these weapons in terrorist arsenals, some terrorism experts find it amazing that more missile attacks against aircraft have not occurred.

## **OBSERVATIONS SINCE THE EARLY 1990s**

Since the early 1990s, a pattern of increases and decreases can be observed in aviation terrorism. In addition, terrorism and nonterrorism-related hijackings can occur at any time during the year. The frequency of incidents categorized by day and month show that there is no particular day or month when incidents are more likely to occur.

The most common type of aviation-terrorism act committed since the early 1990s was a hijacking by a single perpetrator on a domestic flight. The perpetrator was most likely to demand that the aircraft be diverted to another location. Although the majority of incidents were resolved with the perpetrator being arrested, more than 58 percent of incidents caused the aircraft to reach a destination that was not scheduled. When a perpetrator made a threat, it was most often to blow up the plane. However,

in a majority of incidents where the perpetrator threatened to blow up the plane, there was no bomb onboard.

Along with such broad categories as ideology, training, and motivation, there are three essential ways in which terrorist incidents differ from nonterrorist acts perpetrated against aircraft: region, duration, and number of perpetrators. Terrorist incidents have a longer duration, involve more perpetrators, and are likely to occur in any region of the world.

The average duration for incidents of aviation terrorism that have occurred since the early 1990s is approximately sixteen hours. In contrast, the average incident duration for nonterrorist hijackings is only four hours. Accordingly, the first essential way that acts of aviation terrorism can be distinguished from other incidents committed against aircraft is by how long the incident lasts.

On average, aviation terrorism incidents involve multiple perpetrators, usually two or three individuals, whereas nonterrorist acts involve a single perpetrator. Thus, the number of perpetrators is the second characteristic that distinguishes acts of terrorism committed against aircraft from nonterrorist incidents.

Observed as a whole, terrorist and nonterrorist acts committed against aircraft are more likely to occur in Europe, the Middle East and North Africa, and Central and East Asia. However, when excluding nonterrorist hijackings, the observation can be made that acts of aviation terrorism can occur anywhere. Acts of aviation terrorism recorded since 1993 occurred in every region, without great differences. This observation runs contrary to the notion that acts of aviation terrorism might occur more often in the Middle East. Indeed, the highest number of incidents occurred in Asia. The world region with the most incidents was Central and East Asia. Europe had the second highest number of incidents. The Middle East and North Africa followed closely behind Europe.

## SUMMARY

Experts recognize that aviation is still high on the terrorists list of potential targets, both for its newsworthiness, as well as the ability to inflict mass casualties. Additionally, international terrorist groups such as al Qaeda that have professed the goal of killing Americans through mass-casualty terrorist acts have the resources to continue mounting a campaign of terror.

The threat that aviation terrorism poses to aircraft comes in a variety of forms that can change in an instant to become more deadly. The thousands of casualties caused by acts of aviation terrorism attest to the need to examine this problem more deeply. The various highly publicized acts of aviation terrorism, the international nature of the threat, the continuity of the threat represented by the continued vulnerability of the airline industry, as well as the presence of terrorists all too willing to conduct acts of terrorism designed to inflict mass casualties, make the subject of aviation terrorism important to researchers. To ensure that more lives are not lost, it is important to gain a better understanding of the problem on a global level.

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# Emerging Trends in Terrorism

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Terrorism probably presents a greater threat at the beginning of the twenty-first century than at any time in the history of the world. The attacks that occurred in the United States on September 11, 2001, and the bombings in Madrid in 2003 and London in 2005 made that all too clear. Advances in technology that occurred during the latter part of the twentieth century, and that will undoubtedly continue throughout the twenty-first century, have enhanced the ability of terrorists to strike accurately—and with extraordinary violence. Even worse, people who would previously have never resorted to the use of extreme violence are now capable of venting their dissatisfaction through the use of terrorism. Most special-interest or single-issue extremists fall within this category.

It is likely that throughout the ages at least some political malcontents have considered the idea of perpetrating an act of mass destruction as a vehicle to pressure the government and the population to adopt their demands. Fortunately for humankind, the capability to easily conduct such an action simply did not exist until the later twentieth century. During most of history, a military unit would have been required to kill thousands of people within minutes or to cause millions of dollars in damage in a single action. That all changed during the twentieth century.

In a May 17, 2000, commencement address to the U.S. Coast Guard Academy at New London, Connecticut, President Bill Clinton mentioned this issue. He advised, “the central reality of our time is that the advent of globalization and the revolution in information technology have magnified both the creative and the destructive potential of every individual, tribe, and nation on our planet.” He continued by noting that the miniaturization

of weapons will enable small groups or “free agents” to pose serious threats that were once possible only when initiated by hostile nations (Babington 2000).

So-called conventional weapons—weapons that do not incorporate chemical, biological, or nuclear payloads—have considerably improved and can now be used to cause catastrophic damage. Readily available explosives were used by relatively small numbers of people to bomb the World Trade Center in New York in 1993 and the Alfred P. Murrah Federal Building in Oklahoma City in 1995. In both these attacks, the death toll could have been much greater. If the World Trade Center tower actually had toppled in the 1993 attack, as was apparently the intent of the perpetrators, tens of thousands of people could have died. Similarly, if the Murrah Building had erupted into a flaming inferno—as certainly could have happened in an explosion of that magnitude—many of those who did survive the blast would have perished. Furthermore, modern technology has made it possible for violence-prone activists to deploy otherwise mundane objects as lethal weapons capable of horrific destruction. The use of commercial airliners as weapons on September 11, 2001, illustrated this danger.

Prior to September 11, one of the most costly terrorist attacks ever to occur on U.S. soil (financially) took place on October 18, 1998, when the Earth Liberation Front (ELF) used a flammable liquid to burn down buildings at a ski resort in Vail, Colorado. Despite the fact that no exotic weapons were employed in this attack, the damage exceeded \$12 million.

Nuclear weapons that were unheard of prior to the middle of the twentieth century are now found in many

countries around the globe. While it is unlikely that terrorists will have such weapons in their arsenals any time in the near future, the possibility does exist. Some terrorists who are assisted by nations identified as “sponsors” of international terrorism could conceivably obtain nuclear weapons or radiological materials through their supporters. In 2006 six nations—Cuba, Iran, Libya, North Korea, Sudan, and Syria—were designated as sponsors of international terrorism by the U.S. Department of State.

The likelihood that terrorists could effectively employ nuclear weapons in an attack is not high as of 2006. However, considering the devastating effects radioactive materials can have both on human health and the possible extensive fiscal costs for environmental decontamination and cleanup, authorities should pay particular attention to the threat of radiological and nuclear terrorism.

The Aum Shinrikyo (Supreme Truth) organization perpetrated an attack on March 20, 1995, of the kind that many law enforcement officials feared—deadly sarin gas was dispersed into the subway system in Tokyo, Japan. Twelve people died and thousands were sickened. The message was unmistakable: terrorists could employ chemical weapons with lethal results. Although deadly to handle, sarin gas can be produced with relative ease, and there are many terrorists living in the United States capable of obtaining and using this extremely deadly chemical.

Biological weapons also represent a real danger to society. Anthrax-laced mailings to members of the U.S. Congress and the news media occurred shortly after the September 11 attacks, resulting in five deaths. What relation, if any, these incidents had with the four airplane attacks remained unknown as of early 2006, and the exact perpetrators were yet to be identified. However, there have been scores of threats by dissidents to use anthrax against their targets. Abortion clinics have been frequent recipients of such warnings. In January 2000 police arrested Micky A. Sauer of Kenosha, Wisconsin, on charges that he mailed envelopes allegedly containing anthrax to over a dozen abortion clinics and other locations in southeastern Wisconsin. None of the envelopes contained actual anthrax.

Over the span of human history, millions of people have succumbed to naturally occurring biological agents, such as smallpox, bubonic plague, AIDS, and most recently, H5N1 avian influenza. These agents—or even more exotic ones—spread by a terrorist group might prove to actually be more deadly than when they have occurred naturally, since terrorists could specifically direct them to reach the maximum number of targeted people.

Obviously, anyone who attempts to use chemical and biological agents as weapons is placed in great jeopardy. The slightest mistake could result in the terrorist’s

demise. Nonetheless, the ability that these types of weapons provide to terrorists to hold a body of people “hostage” to their demands will likely be enough incentive to induce some terrorists to take the risks associated with chemical and biological agents.

The possibility of assassinations may be greater than ever before. Throughout most of history, the assassination of a prominent political leader was often regarded as a suicide mission. The weaponry was so rudimentary that, in order to ensure success, the assassin had to be close enough to see the victim with a naked eye. This difficulty usually resulted in the assassin being killed or captured—ultimately sacrificing his or her own life for the cause. Advances in technology, however, have dramatically altered the sacrificial nature of assassination, allowing for more clandestine accessibility and accuracy.

It is certainly not beyond the capability of some modern terrorist groups to assassinate several government leaders during a single attack. Terrorists have access to a wide array of firearms, such as rockets, that can be fired from great distances against a specific human target. Indeed, many hunters own weapons that are capable of striking a target that is out of the range of unaided vision. Explosives technology has also improved markedly. Of even greater significance are the rapid advances in detonating systems that permit remote and delayed initiations of bombs and rockets.

During the 1960s and 1970s current and emerging terrorist threats could be defined by the activities of specific groups and by advancements in communications and weaponry. Terrorism is much more complex in the twenty-first century. In order to fully explore the current threat situation, one must study not only the active groups, but also the political causes, the specific issues, and the violent tactics being employed. In some instances, the same issues are being targeted by differing groups. Similarly, divergent groups are using identical tactics to achieve their objectives.

Dedication to their cause is a trait that can be assigned to all terrorists. They are willing to place the promulgation of their political philosophy above almost anything else. The September 11 attacks illustrate that, for some, the dedication goes beyond the value of life itself. The very idea that nineteen extremists (or at least four of that number) were willing to commit suicide simultaneously, after a period of seemingly lengthy preparation, is difficult to digest. Yet, it happened. Politically motivated suicide attacks occurred with some frequency during the late twentieth century, especially in the Middle East and Sri Lanka, but they were never of this magnitude.

Because of this willingness to sacrifice one’s life, using a group member as an actual weapon offers a



terrorist group a unique ability to attack a target. For the first time in world history, it is now possible for a small group of dissidents to perpetrate catastrophic attacks, resulting in a degree of death and damage that previously required the involvement of an army.

#### THE THREAT FROM POLITICAL-CAUSE INTERNATIONAL TERRORISM

The attacks of September 11, 2001, brought the issue of international terrorism to the forefront in the United States and marked the beginning of the Global War on Terrorism (GWOT). The GWOT, a U.S. and international coalition aimed at fighting international terrorism, was formed immediately after September 11, 2001, when the United States and its allies agreed to fight terrorism worldwide. Some actions undertaken under the banner of the GWOT include the military campaigns in Afghanistan and Iraq, the seizing of financial assets and disruption of terrorist fund-raising programs, and the search, detainment, and arrest of known terrorists worldwide.

The terrorist attacks that had occurred in the United States during the previous quarter-century were largely domestic in nature and most often perpetrated by U.S. citizens. September 11 reinforced the message sent by the Islamic extremists who bombed the World Trade Center in 1993—they possess a hatred of U.S. foreign policy, and are both willing and able to attack the U.S. homeland and U.S. allies overseas.

Violent Islamic extremist terrorist groups appear to constitute the greatest international terrorist threat to the United States during the first decade of the twenty-first century. Intelligence analysis demonstrates that forces loyal to Osama bin Laden or in some way loosely affiliated with al Qaeda are continually planning additional attacks against the United States and its allies, both domestically but also on presences abroad, as occurred when two suicide terrorists bombed the USS *Cole* in Yemen on October 12, 2000, resulting in thirty-nine sailors being injured and the deaths of another seventeen sailors. Further international terror attacks against the United States, its allies, and GWOT partners have occurred in Bali, Indonesia; Madrid, Spain; and most recently, in London, England.

**The Bali Bombings.** On October 12, 2002, in the town of Kuta on the Indonesian island of Bali, members of the al Qaeda affiliated terrorist group Jemaah Islamiya set off three bombs in popular tourist locations. The first bomb was set off in a busy tourist bar, resulting in the evacuation of all the victims into the street, exposing the crowd to the full blast of the second bomb, which was planted in a van parked next to a neighboring club. Immediately after the second bombing a smaller bombing occurred about 300 yards from the U.S. Consular office in Bali.

The three bombings resulted in the deaths of 202 people and more than three hundred people were injured. A second terror attack in Indonesia aimed at Westerners occurred on October 1, 2005, at two popular tourist locations in Bali. The blasts struck the seaside area of Jimbaran Bay and the bar and shopping hub of Kuta, resulting in the deaths of twenty-three individuals, including the three suicide bombers, and injuring over a hundred more. Like the 2002 terror attacks in Bali, Indonesia, authorities believe members of Jemaah Islamiya carried out the attacks.

**Madrid, Spain.** On the morning of March 11, 2003, Spain became victim to a devastating terror attack when terrorists exploded ten bombs on four different trains during the morning rush-hour commute in Madrid. The attack, which left 190 people dead and over 1,500 injured, was the deadliest assault by a terrorist organization against civilians in Europe since the Lockerbie bombing in 1988, which killed 270 people, and the worst militant terror attack in modern Spanish history. Although authorities were quick to suspect the Basque armed militant group ETA as responsible for the attack, investigations led the authorities to members of an Islamic terror cell operating in Spain. Further investigation revealed that some members of the cell had met, assisted, or even trained with some of the terrorists that carried out the September 11, 2001, terror attacks.

**London Terror Attacks.** A terror attack in Europe aimed at the United States and its allies in the GWOT occurred in London, England, on the morning of July 7, 2005, when Islamic extremists attacked London commuters, detonating bombs in three crowded underground trains and one aboard a double-decker bus. Over fifty five people died in the bombing, including the three suicide terrorists, and over seven hundred others were injured. The bombings were attributed to Islamist terrorists operating in the United Kingdom. A second terrorist attack in London occurred on July 21, 2005, when four more incidents took place. Homemade bombs were placed in three subway trains and one on a bus in London, however, the explosive devices never completely detonated and no injuries or deaths were attributed to the incident. Through a thorough investigation, authorities determined that members of an Islamic extremist terror organization operating outside of London were responsible for the attempted bombings.

It is also important to note that not all terrorist activity is occurring outside of the United States. In January 1997 letter bombs were sent to the Leavenworth Federal Penitentiary in Kansas and to the offices of *Al-Hayat* newspaper in Washington, D.C. None of the dozen bombs detonated. The devices all

bore postmarks from Alexandria, Egypt. Although the motive behind the devices was never made clear, it is apparent that they were intended to be terrorist in nature. Given their place of origin, it would seem that the perpetrators were Middle Eastern extremists. The letters received media publicity and caused concern and increased security at both target locations. It is likely that an incident of this nature may be repeated in the future, because it is easily accomplished and almost impossible to solve. In September 2002, six American-born men of Yemeni descent were arrested in Lackawanna, New York, on charges of providing material support to al Qaeda. The arrest and subsequent convictions of the men highlight that domestic Islamic extremist groups are operating on U.S. soil and pose a continued threat to national security.

#### **ANIMAL RIGHTS AND ENVIRONMENTAL ISSUES**

Animal rights and environmental terrorist activity (often called eco-crime) will likely represent a common and widespread form of terrorism in the United States during the early part of the twenty-first century. It will also present law enforcement with a major terrorist challenge. The law enforcement community has had little success in combating animal rights extremism and ecoterrorism since the mid-1980s; most eco-crimes have not been solved. In those instances in which the perpetrators have been identified, the resultant punishments were minimal when compared with the damage the perpetrators caused.

Animal rights and environmental terrorists can strike anywhere and at any time. Whether in the heart of a major city or in a remote territory, there are numerous targets to attack throughout the United States. These targets include restaurants, grocery stores, laboratories, entertainment facilities, farms, government buildings, corporate entities, ranches, and logging operations—just to name a few. Fortunately, both animal rights and eco-extremists have directed their violence against property, instead of people; however, there have been some direct attacks against individuals by animal rights activists in England. It remains to be seen if this trend will continue, and if it will spread to the United States.

Animal rights and eco-extremists are unique because their philosophical causes have broad popular appeal—even among governmental officials and law enforcement officers. The fact is that most citizens abhor cruelty toward animals. Most people are also concerned about pollution and other environmental issues. What cannot be accepted are the violent, illegal methods that extremist groups employ to convey their messages. By contrast, many other terrorist causes do

not have broad popular appeal, and their causes are often not fully understood by the population or law enforcement community.

The exact number of animal rights-related attacks that have occurred in the United States will likely never be known. The U.S. Department of Justice, as well as overt supporters of such groups as the Animal Liberation Front (ALF) and the Animal Rights Militia, provide lists on the Internet that suggest that close to one thousand such attacks have taken place since 1980 in the United States. In addition, many hundreds of attacks have occurred in Canada, Great Britain, and elsewhere. Of course, many of the incidents cited as “actions” amount to no more than extended protests—as opposed to obvious terrorism in which extreme fear is generated by the violent nature of the incident. Nonetheless, there have been at least eighty incidents since 1984 that were of sufficient magnitude to qualify as true terrorist attacks. Most of these incidents caused damage in excess of \$100,000, and the combined damage from these eighty incidents exceeds \$40 million. Obviously, if the loss of business and the time required to make repairs were factored into these figures, the damage could approach \$100 million.

#### **ANTIABORTION**

Although attacks against abortion providers in the United States did not immediately commence following the 1973 *Roe v. Wade* Supreme Court decision that legalized abortions in all states, they have occurred with some regularity since the 1980s. Several abortion doctors have been assassinated, and a number of clinics have been firebombed or heavily vandalized. Two people were named to the Federal Bureau of Investigation’s (FBI) Ten Most Wanted Fugitives list for perpetrating fatal attacks on abortion clinics during the latter part of the 1990s. Eric Rudolph, a longtime fugitive, was arrested in 2003 for the 1998 killing of police officer Robert Sanderson, who was guarding a Birmingham, Alabama, abortion clinic when Rudolph bombed it, and for the Centennial Olympic Park Bombing in Atlanta on July 27, 1996. After pleading guilty to this and several other bombings, Rudolph was sentenced to consecutive life terms in prison. James Kopp, who was sought for the 1998 shooting death of Dr. Barnett A. Slepian, was arrested in France in 2001. Kopp was convicted of second-degree murder in 2003 and sentenced to twenty-five years to life in prison. On June 11, 2001, the Westgate Family Clinic in Tacoma, Washington, was firebombed in the middle of the day when it was occupied by medical staff and patients. On January 28, 2001, an effort was made to burn a Kalamazoo, Michigan, Planned Parenthood clinic that was closed at the time. In

addition, at the beginning of January 2001, someone fired at least twenty-five shots into a closed abortion clinic in Overland Park, Kansas.

While abortion terrorists do not represent a direct threat to overthrow the U.S. government and are unlikely to even consider perpetrating attacks similar to the World Trade Center incidents or the bombing of the Murrah Federal Building, they nonetheless must be afforded investigation by law enforcement agencies. Such extremists will likely remain a problem for many years.

#### THE PUERTO RICAN INDEPENDENCE MOVEMENT

The issue of independence has not varied much in Puerto Rico since the mid-twentieth century. Referendums held in 1993 and 1998 reaffirmed that the vast majority of residents of Puerto Rico want to continue their commonwealth status or become a state of the United States. A small but vocal minority of the island's residents, however, continues to seek independence. Some of them believe that violence is necessary to achieve their goal. Bombings and other terrorist attacks have occurred in Puerto Rico for decades. On March 31, 1998, the clandestine Macheteros group claimed credit for firebombing the Superaqueduct Project in Arecibo. On June 9, 1998, the same group claimed credit for bombing the Banco Popular in Río Piedras.

Supporters of the Puerto Rican independence movement were also active in protests against the U.S. military's use of the Puerto Rican island of Vieques for training exercises. A round of demonstrations at Vieques began on April 19, 1999, when an off-target bombing mission killed a Puerto Rican security guard. Puerto Rican activists physically occupied Vieques until they were forcibly removed in 2000. The U.S. government subsequently agreed to discontinue the use of the island as a training site.

FALN—Armed Forces of National Liberation, a Puerto Rican pro-independence group known by its Spanish initials—claimed responsibility or was blamed for 130 bombings and arson incidents, mostly in New York and Chicago, in the 1970s and early 1980s. It is believed that the lengthy sentences given to FALN members during the 1980s produced a chilling effect on those who would like to commit attacks on the U.S. mainland. It remains unclear, however, how President Bill Clinton's September 1999 commutation of the sentences of most of the incarcerated FALN members will affect the overall Puerto Rican independence movement.

#### RIGHT-WING EXTREMISM

Although right-wing extremism in the United States is found in a variety of forms, and even though there is no

overall umbrella for this ideology, right-wing terrorism nonetheless represents a threat that deserves law enforcement attention. This was clearly illustrated by the April 19, 1995, attack by two right-wing extremists on the Murrah Federal Building in Oklahoma City that killed 168 people and injured more than 500.

Right-wing extremism in the United States encompasses a number of philosophies and beliefs. Some groups address a variety of issues, while others dwell largely on a single concern. Most of the issues that drove the right wing during the last two decades of the twentieth century continue into the twenty-first century.

**Hatred of Nonwhites and Support of the "White Race."** Some right-wing extremists advocate violence toward nonwhites. Others want separation from nonwhites while some want immigration restricted in order to maintain the "purity" of the "white race" in the United States, while others would prefer moving nonwhites out of the country.

*The Ku Klux Klan.* Many right-wing activists dwell on the concept of preservation of the "white race." This is certainly not a new issue. The Ku Klux Klan (KKK), founded in 1866 in Pulaski, Tennessee, was based on hatred of former slaves. Although the revived KKK, which became active again around 1915, addressed a variety of issues and prejudices, hatred of blacks remained a part of its philosophy. The modern version of the KKK is small and badly splintered; however, it still harbors an antiblack philosophy. Although the KKK may be able to trace its lineage over 150 years, it is not a dominant force in right-wing politics in 2006.

**Religious Justification for Hate.** Some right-wing extremists, including adherents to the Christian Identity movement, Aryan Nations, the Phineas Priesthood, and the Order, base their racial views on religion.

*Christian Identity.* The "Christian Identity" religious doctrine teaches that the white Aryan race is God's chosen race and nonwhite people are less than human and are not the chosen people descended from the biblical Adam. It also teaches that people who claim to be Jews are in actuality from the seed of Satan (Bushart et al. 1998). Various people associated with the Christian Identity movement have been involved in violence. Christian Identity adherent Buford O'Neal Furrow Jr. was charged with firing on children during an August 11, 1999, shooting spree at the North Valley Jewish Community Center in Los Angeles. Furrow was also charged with murdering Filipino-American mail-carrier Joseph Iletto in Chatsworth, California. Furrow pleaded guilty to these attacks on January 24, 2001. Eric Rudolph was also influenced by Christian Identity teachings, as were members of the Aryan Republican Army who

committed numerous bank robberies to raise funds for right-wing causes during the early 1990s.

*Aryan Nations.* The Aryan Nations group is based on Christian Identity beliefs. Former Aryan Nations leader Richard Butler was also the pastor of the Identity-oriented Church of Jesus Christ Christian that long had its sanctuary located on the now-defunct Aryan Nations compound in Idaho. In 2006 the Aryan Nations headquarters was located in a rural area in Pennsylvania and August B. Kries III was the national director of the Aryan Nations and James P. Wickstrom was the world chaplain.

*Covenant, Sword, and the Arm of the Lord.* The Covenant, Sword, and the Arm of the Lord compound, which straddled the Arkansas-Missouri border in the 1970s and early 1980s, closely followed the Christian Identity religion. One of the right-wing martyrs of the 1980s, Richard Wayne Snell, was a Christian Identity member. Snell was executed on April 19, 1995, the same day the Murrah Federal Building was bombed. He was convicted of murdering a black Arkansas state trooper, Lewis Bryant, and a pawnshop owner, Wayne Stumpp, whom Snell mistakenly believed was Jewish.

*The Order.* Many members of the clandestine terrorist group known as the Order were followers of the Christian Identity religion. In the early 1980s, members of the Order committed armed robberies and participated in hate crimes, including the assassination of Jewish radio talk-show host Alan Berg.

*Posse Comitatus.* James Wickstrom, a long-time right-wing activist and leading proponent of the Posse Comitatus movement, is a Christian Identity minister and world chaplain of the Aryan Nations. Wickstrom was jailed for impersonating a municipal judge in 1984 and for possession of counterfeit currency in 1990. Other leading Posse Comitatus members, including the movement's founder, William Potter Gale, were also Christian Identity adherents.

*The World Church of the Creator/Creativity Movement.* People have often questioned if the Creativity Movement, formerly known as the World Church of the Creator (WCOTC), is actually a religion, since members do not worship a deity. However, the group publicly calls itself a religion, and some of its leaders employ "reverend" as a title. This group stresses the importance of the white race to the detriment of nonwhites and, like the Christian Identity religion, advocates disdain toward Jewish people. There have been a variety of violent acts committed by people associated with this group. Shortly before founder Benjamin Klassen committed suicide in August 1993, a minister of the church, George Loeb, was arrested for murdering a black

Gulf War veteran, Harold Mansfield Jr., in Florida. In 1998 four armed members robbed a video store in south Florida, supposedly to raise funds for the group.

Over the holiday weekend of July 4, 1999, a WCOTC follower, Benjamin Nathaniel Smith, went on a shooting spree in Illinois and Indiana that resulted in the killing of Ricky Byrdsong, a former basketball coach at Northwestern University (who was African American) in a Chicago suburb, and the murder of Korean graduate student Won-Joon Yoon in Bloomington, Indiana. Just an hour before killing Byrdsong on July 2, Smith also shot several Jewish men, including a fifteen-year-old boy, who were leaving synagogues in Chicago. On the following day, he shot an African American minister in Decatur, Illinois. Smith was active in the WCOTC organization prior to the shooting escapade and was named "Creator of the Year" in 1998 by Matthew Hale, the leader of the church. Smith committed suicide on July 4, when confronted by local law enforcement officers in Marion County, Illinois. Creativity Movement leader Hale was convicted in 2004 for solicitation of murder and obstruction of justice; he was sentenced to forty years in prison.

*The Phineas Priesthood.* There are small cells of right-wing extremists who refer to themselves as the Phineas Priesthood. They literally translate certain parts of the Bible as a justification for taking violent actions they believe promulgate the teachings of God. They seek to emulate Phineas (also Phineus, Phinehas, and Phinees—depending on the Bible used) who is chronicled in Numbers 25 in the Old Testament. According to scripture, Phineas took up the sword and slew Zimri and his foreign concubine for violating God's laws; this was at a time when his fellow Hebrews were generally ignoring the situation. For being a man of action, it is said that God rewarded Phineas. People calling themselves Phineas priests think they are justified in taking action in support of what they believe are God's commands against such matters as racial mixing, homosexuality, and abortion. One group of Phineas priests operated in the states of Idaho, Oregon, and Washington during 1996. Members Robert Berry, Charles Barbee, and Verne Jay Merrill were involved in bank robberies and the bombings of a Planned Parenthood building and a newspaper office. Another proponent of the Phineas Priesthood was Paul Hill, who was convicted of murdering Dr. John Bayard Britton outside a Pensacola, Florida, abortion clinic on July 29, 1994. Hill had previously written in support of the Phineas concept (Anti-Defamation League 1999).

*Odinism.* The Norse religion of Odinism (or Wotanism) is favored by certain right-wing extremists. A large number of skinheads and other white extremists proudly adorn their bodies with tattoos related to Odinism. Many extremists turned to this religion as a

rebellion against Christianity. They believe that their distant “Aryan” forefathers followed this religion before Christianity spread into northern Europe and was forced on the people. Odinists claim that Christianity’s golden rule, “love thy neighbor,” and its “turn the other cheek” philosophy have made white people weak, allowing Jews to dominate them and nonwhites to intimidate them. By contrast, the gods Odin (Wotan, Wodin), Thor, Hel, Heimdahl, Frig, Balduin, and others represent strength and pride in the “white race.”

Although the clandestine right-wing terrorist group known as the Order was largely composed of Christian Identity followers, certain important members were Odinists. There is also good information to suggest that leader Robert Mathews, who died in a standoff with law enforcement authorities, was an Odinist, although his wife and girlfriend dispute this.

**The Militia Movement.** A good number of right-wing extremists fear that the United Nations, or some other international entity, will take over the sovereignty of individual national groups and eventually formulate a “one-world” government that will destroy the American way of life. Some right-wing radicals fear the U.S. government and believe that it is continually increasing its efforts to limit the rights of citizens and strongly oppose the U.S. Patriot Act, which was originally signed into law in 2001. Opponents of the Patriot Act—which expands the authority of U.S. law enforcement, including the Central Intelligence Agency and Federal Bureau of Investigation, for the stated purpose of fighting terrorist acts in the United States—argue that it is unconstitutional and takes away from personal freedoms, including freedom of speech and privacy. The Patriot Act was renewed by President George W. Bush on March 9, 2006. Some of these right-wing extremists, especially proponents of *Posse Comitatus*, would be happy if all forms of government (federal, state, and formalized local) were eliminated.

A few right-wing extremists believe either that the government needs help in protecting the rights of the people, or that people need something to protect them from the government. These people become involved in militias (more properly referred to by members as “unorganized militias”), which they view as citizens’ armies. William Potter Gale championed the militia concept in the 1980s; however, he died before the idea gained full momentum. Activists involved in militias believe that their units are lawful, and that the U.S. Constitution authorizes them.

In the early 1990s, militias were forming across the country. The fatal confrontations with federal agents at Ruby Ridge, Idaho, in 1992, and Waco, Texas, in 1993, as well as the passage of restrictive firearms legislation,

including the 1993 Brady Bill, served to highlight the purported need for militias to protect the common person. It was not, however, until the 1995 bombing of the Murrah Federal Building in Oklahoma City, and the well-publicized investigation thereafter, that the concept of the citizen militia became universally known in the United States. Although neither Timothy McVeigh nor Terry Nichols, the perpetrators of the bombing, were active members of a militia, many in the media tended to link them and their violent attack to the militia movement. This led to national television and print stories on militias. It also caused local media outlets to identify and publicize militias operating in their areas. The publicity proved to be a double-edged sword for the militia concept, resulting in people joining existing militias and promoting the creation of new units. However, the publicity also forced law enforcement agencies to investigate militias. This led to various group members being arrested for crimes ranging from firearms violations to major criminal conspiracies, such as the plot to attack Fort Hood, Texas, on July 4, 1997. Consequently, the later 1990s was not a period of growth for the militia movement.

Private militias continue to exist and could present a threat, in that members are armed and fearful of many things they believe will beset the country. These militias are not as open as many were in the 1990s, making them more difficult for law enforcement to monitor and infiltrate.

**Sovereign Citizens.** Some right-wing extremists accept the concept that at one time all residents of the United States were sovereign citizens, not under the control of a central government. They are convinced that supporters of a strong central government have, over time, changed the very nature of the United States, forcing citizenship and its restrictions onto the residents of the land. These activists seek to reverse the situation by declaring themselves “sovereign citizens,” not under the control of the government. As such, they reject various permits, registrations, and other obligations that they believe place them under the control of the government. Some refuse to use driver’s licenses, license plates, Social Security cards, or any other documents that are issued by the government. They will not obey zoning laws and they will not pay taxes.

Some “sovereign citizens” have established “common-law courts” to listen to grievances, settle disputes, and relieve them from obeying certain governmental regulations. Clearly, these tactics pose a threat to law enforcement. Not only may sovereign citizens become violent when confronted, they commonly harass investigators by filing liens against their property, suing them, and having common-law courts issue arrest warrants. They may also

submit forms to the Internal Revenue Service (IRS) that claim an officer was paid money or transacted large sums of money at a bank. This often results in the IRS initiating an investigation of the unsuspecting officers. These harassment tactics have also been used against judges, local officials, and others.

Sovereign-citizen advocates are likely to reside in rural areas. Continuing hard times in the farming community, especially with respect to the loss of family farms, are often catalysts for people becoming involved in common-law courts and other sovereign-citizen concepts.

**Tax Protest.** Tax protest is a popular right-wing activity, and some extremist groups concentrate on this issue. Unlike many tax protesters of the 1960s and 1970s who opposed the war in Vietnam and refused to pay taxes as a challenge to that engagement, most right-wing extremists are not concerned about how tax money is spent. Instead, they claim that the federal government has no legal right to levy an income tax. They argue that the Sixteenth Amendment to the U.S. Constitution was never lawfully ratified.

Tax protesters have been known to behave violently. On February 13, 1983, for example, Gordon Wendell Kahl killed a U.S. marshal and a deputy U.S. marshal in Medina, North Dakota, when they attempted to arrest him. Kahl, who died later that year during a standoff with law enforcement officers in Arkansas, is still regarded as a hero and martyr by many right-wing tax protesters. Kahl, who was a decorated World War II veteran, had earlier served a federal prison term for failure to pay income taxes (Corcoran 2005).

**One-World Government, Globalization, and the New World Order.** Opposition to globalization, “one-world government,” and the “new world order” gained adherents in the United States during the latter part of the twentieth century. Many feel that the citizens of the United States would end up as only a small minority if a world government consisting of the planet’s six billion residents were to rule the world.

Opponents to the concept of a single world government come from a variety of groups. Many right-wing extremists and survivalists live in constant fear that the U.S. government is going to be taken over by (or given to) the United Nations. Some, such as adherents to the *Posse Comitatus* philosophy, who do not even want the U.S. government to have control over them, abhor the notion of world-government rule. A more recent philosophy, known as the ‘Third Position,’ claims it is neither right- nor left-wing in ideology and promotes nationalism based on ethnic similarities. This growing movement opposes people of one background ruling people of another background, as well as the notion of

a single world government. The Third Position is not a violent philosophy per se, and has not been linked to any terrorist attacks. The Third Position draws from various elements, including the animal rights and environmental movements because it vehemently opposes cruelty to animals and supports protection of the environment.

Opponents of one-world government are especially concerned about economics. They believe that countries should be self-sufficient and not financially dependent on other nations. They also oppose what they believe are powerful countries like the United States taking financial advantage of less-developed governments. As a result, law enforcement agencies have been forced to address security during world economic meetings. Violent demonstrations, such as the one that took place in Seattle, Washington, during the World Trade Organization conference in 1999, were subsequently staged in other cities. Indeed, around seven hundred protesters were arrested in Washington, D.C., in April 2000 as they demonstrated against the International Monetary Fund meetings held in that city. The Seattle riots caused \$2.5 million in property damage and the loss of upwards of \$17 million in sales. The chief of police in Seattle, Norm Stamper, was forced to resign as a result of the violence. An estimated forty thousand people were involved in Seattle’s protests, and almost six hundred activists were arrested.

What was apparent in both the Seattle and Washington, D.C., protests was that the demonstrators were well organized and schooled in methods of impeding the travel of conference participants to meetings. They were also prepared to obstruct the law enforcement officers assigned to maintain order. An entity that calls itself the Ruckus Society, and claims to be nonviolent, openly admits that it trains activists to participate in demonstrations such as those staged in Washington, D.C.

Violent protests are likely to accompany any world financial conference taking place in the United States or involving the United States. Important gatherings like the Democratic National Convention in Boston and the Republican National Convention in New York City in 2004 were targets of antiglobalization and world economy protesters. Protesters routinely demonstrate during the annual economic summit held by the G8 countries. The possibility that terrorism, including bombings and arsons, will take place as an outgrowth of these protests must be considered.

**Zionist Occupied Government (ZOG).** Some right-wing extremists believe that people of Jewish origin have taken control of the U.S. government. They refer to the Jewish-run government as ZOG, or sometimes JOG for “Jewish occupied government.” Some of these groups, including the Creativity Movement (formerly WCOTC), have released lists of government officials whom they believe

are Jewish. The lists they publish tend to indicate that each succeeding presidential administration employs more Jewish people, many of whom occupy influential positions in government. The sources upon which these lists were compiled are usually not given, and their accuracy is questionable. Some right-wing groups also claim that Jewish people control the media in the United States. The National Alliance publishes lengthy documents outlining the perceived Jewish domination of electronic and print media in the country.

The right-wing extremists who adhere to a belief in a Jewish conspiracy tend to blame the nation's problems on those of Jewish descent. Farmers losing their land and small-town business owners facing bankruptcy are ripe candidates for recruitment by groups who claim that rural economic woes are caused by a Jewish conspiracy. Some believe that moves toward a one-world government and a new world order are part of the conspiracy.

**Land Use.** Land-use issues developed rapidly during the latter portion of the twentieth century, and such concerns are expected to become even more significant in the future. Land-use issues involve several factors that are not necessarily compatible.

Environmentalists and animal rights activists want the government to take action to protect the environment and its inhabitants. They would prefer laws that limit the use of undeveloped land and restrict such industries as mining and lumbering, along with motorized vehicles, dams, and hunting. Absent such laws, activists may take matters in their own hands and perpetrate violent attacks. A shocking example involved the 1998 arson attack at Vail, Colorado, which was intended to stop expansion of a ski resort where an endangered animal, the lynx, was native. An estimated \$12 million in damage resulted from this attack.

Another example was the January 23, 2000, attack involving a house under construction in Bloomington, Indiana, in an area that ELF believed should be left in a natural state. Damage from this arson incident was \$200,000. Several months later, on April 30, 2000, ELF claimed credit for an attack on road construction equipment near the town of Ellettsville, Indiana. On July 21, 2001, ELF claimed credit for attacking fifteen vehicles at a power plant construction site in Oldham County, Kentucky. On April 15, 2001, ELF torched three cement trucks in Portland, Oregon, to protest mining operations by the company that owned those vehicle. ELF is also suspected of causing of \$30,000 worth of damage to equipment at the West Old Town Landfill in Maine on September 15, 2005.

In contrast, some ranchers and farmers want to be able to use the land as they see fit. In the case of ranchers, many want continued free access to public lands for

grazing and the movement of livestock. They also want to minimize governmental involvement in private property. Some have objected to action by the federal government that placed additional undeveloped lands, including national parks and national forests, under federal protection. Right-wing groups can be expected to appeal to a fraction of those concerned with such land-use issues—especially if standoffs develop as the government attempts to seize property.

Zoning problems also fall within the category of land-use issues. Some people violently resist efforts by local governments to restrict the manner in which land-owners can use their property, particularly with respect to building or subdividing.

**Immigration.** Immigration is another issue that draws people to extremist groups. Many right-wing groups believe that the recent waves of immigrants to the United States are endangering the country as a whole and the white race in particular. Attacks on immigrants by right-wing extremists occurred during the latter part of the twentieth century, and there is every reason to believe these attacks will continue in the twenty-first century.

**The Right to Bear Arms.** The issue of gun ownership and the Second Amendment to the U.S. Constitution are favorite rallying cries for the extreme right wing, as well as for many other Americans. For many extremists, the issue involves far more than the mere right to own firearms; for them it is a question of survival. They believe the “new world order” or the “Jewish conspiracy” will ultimately take over the government if they, as loyal Americans, do not have the ability to protect the country and themselves. They are opposed to the idea of limitations being imposed on gun ownership. Although many dispute the point, some extremists believe that the Constitution specifically gives Americans the right to own firearms, and that any effort to abrogate that right represents only the beginning of an effort to limit other liberties contained in the Constitution.

#### THE THREAT BY TACTIC

As the twenty-first century gets underway, various extremist movements in the United States are stressing the concept of “leaderless resistance” as a vehicle to advance their causes. Right-wing, animal rights, environmental, religious, and antiabortion extremists have all employed this tactic and will likely continue to do so.

**Leaderless Resistance and the “Lone Wolf.”** Leaderless resistance involves a small contingent of individuals perpetrating violent, cause-related attacks without the knowledge of anyone else involved in the movement. The concept is not new. Well-known white supremacist

and Aryan Nations supporter Louis Beam promoted this approach as a means of avoiding the mistakes that led to the downfall in the mid-1980s of the right-wing extremist group the Order. Beam purports that the Order became too large and that more people than necessary knew of its clandestine actions. He proposed that so-called phantom cell networks or autonomous leadership units be established that would operate independently of one another in perpetrating violent attacks. Beam envisioned that eventually these units would join together to create a chain reaction that would lead to a nationwide white-supremacist revolution (Hoffman 1998).

The “lone-wolf” concept is a form of leaderless resistance in which a single person perpetrates violent, cause-related action without the direct knowledge of anyone else in the movement. Buford Furrow’s 1999 rampage at a Jewish community center in Los Angeles fits this definition, in that he made it clear that his actions were intended to be “a wake-up call to America to kill Jews.” Eric Rudolph, who apparently acted alone in a series of bombing attacks in the mid-1990s, is another example of a lone wolf.

William Pierce’s 1989 novel *Hunter*, written under the name Andrew MacDonald, depicts the actions of Oscar Yeager against nonwhites and Jews. This narrative of leaderless resistance and lone-wolf tactics has been read by thousands of people with right-wing sympathies. Pierce also authored the *The Turner Diaries* (1978), which is regarded as a “bible” by many right-wing terrorists in the United States. The popularity of leaderless resistance can be traced to the Vietnam War era in the United States. The *Minimanual of the Urban Guerrilla* (1969), written by Brazilian revolutionary Carlos Marighella, describes the need for guerrilla forces within a movement that could perpetrate terrorist attacks and escape because no one within the movement knew of their activities. Leftist extremists in the United States during the 1960s and 1970s treasured Marighella’s pamphlet as a kind of “bible” for operations. Fortunately for law enforcement, many of the radical left-wing groups of the era, including the Weather Underground Organization, were structured in such a manner that their leadership dictated or approved the violent actions of their members. This was an indication that the cherished concept of leaderless resistance was not widely employed during that time.

ALF openly encourages people to conduct cause-related attacks under its banner. ELF also urges people to conduct actions on their own. ELF claims that its cells “control their own destinies” and there is no centralized organization to give them direction.

In the area of antiabortion violence, investigative agencies have been unsuccessful in efforts to link the various violent attacks on abortion providers with an

organizational hierarchy. It appears that many of the actual or attempted assassinations and attacks on abortion providers have amounted to leaderless resistance in that few, if any, within the antiabortion movement had prior knowledge that the attacks were to occur.

Clearly, leaderless resistance and lone-wolf tactics, if actually employed (as opposed to the lip service sometimes given to the concept during the Vietnam War era), present a significant challenge. Law enforcement has been able to successfully combat terrorism by developing intelligence through overt support groups and the penetration of clandestine groups. In this manner, they have been able to develop information about planned actions. When members of a group follow the principle of leaderless resistance, however, law enforcement is unlikely to learn of impending attacks. Even after an attack, it will be difficult to identify the perpetrators because even the organization’s leaders may be unsure of the specific perpetrator’s identities.

This is not to suggest that investigators should abandon efforts to penetrate overt and covert groups with informants, undercover operatives, and electronics. Such methods may well lead to the discovery of the actual perpetrators of a terrorist attack. This was the case in Missouri when undercover state police investigators encountered a group of extremists who were convinced that the “new world order” was soon to take over the U.S. government. On their own, without direct orders from anyone of prominence in the overall movement, this small contingent, including undercover officers, plotted a series of violent actions that were to include a July 4, 1997, attack on Fort Hood in Texas. The small group planned to kill thousands of people. Through the intelligence gathered by the undercover officers, authorities were able to apprehend the conspirators just hours before the attack was to take place.

Another example of leaderless resistance uncovered through outstanding law enforcement efforts involved a group called the New Order, which was founded in southwestern Illinois near Saint Louis in 1997. Members of this group were preparing to carry out assassinations, bombings, and other attacks when they were arrested in early 1998 (Farrow 1998).

**The Internet.** Virtually all terrorist groups have come to realize that the Internet is a vehicle through which they can convey their political messages to the world and communicate with each other. Furthermore, extremists have employed the Internet to raise funds and sell cause-related merchandise.

The Internet has enabled relatively small, and sometimes obscure, extremist groups to appear as though they pose a significant challenge to the government. This was seen in some of the elaborate militia Web sites that



appeared during the 1990s. An unknowing person could easily believe that a particular militia was composed of hundreds of members and operated from an expansive compound. In actuality, that militia might consist of only a handful of members and function from a farmhouse bedroom in an unincorporated area. Virtually all right-wing extremists, as well as animal rights and ecoterrorist groups, either have their own Web sites or are supported by Web sites operated by “front groups” and boosters. Groups such as Aryan Nations, Posse Comitatus, National Alliance, White Aryan Resistance, various KKK groups, Creativity Movement, and ALF and ELF fall into this category.

**Music.** Certain right-wing extremists have discovered the value of employing popular music in their recruiting efforts. Young people in the United States have traditionally enjoyed music, and dancing has long been a means for socializing. During the late twentieth century, skinheads evolved a distinct type of music that gives them a common bond. Right-wing leaders realize that messages of philosophy and hate can be transmitted through music. Extremist religious messages can also be conveyed through music.

Recruitment through music is not necessarily restricted to right-wing extremism. The Straight Edge movement also utilizes music to publicize its beliefs. The very name of this movement emanates from the title of the 1981 song “Straight Edge” performed by Ian Mackaye’s punk-rock group Minor Threat. Straight Edgers oppose alcohol, tobacco, meat, and drugs, since they are also staunch defenders of animal rights. Many have been involved in violent animal rights attacks, including arsons and bombings, especially in the state of Utah.

The company known as Resistance Records is an example of the importance that right-wing extremists place on music. The company, founded in 1993 by Canadian skinhead George Burdi, experienced a myriad of problems when Burdi was sentenced to a one-year jail term on an assault charge. The company subsequently passed through several hands before being purchased by William Pierce in 1999. Pierce moved the company’s operations to his National Alliance compound in Hillsboro, West Virginia, and became involved with Resistance Records in order to recruit young people to his cause of white supremacy. Pierce, who died in 2002, was quoted as saying, “I don’t care for the music myself. But if it helps move people in the right direction, I’m for it” (Segal 2000).

Resistance Records advertises itself as the “pro-white alternative.” Its advertising promotes CDs by such performers as Angry Aryans, Attack, Before God, Blue Eyed Devils, Bound for Glory, and Prussian Blue. Pierce also promoted his cause through a magazine titled *Resistance*

and through racist neo-Nazi pins that were advertised when people purchased CDs from Resistance Records. Another record company that markets to such extremists include Free Your Mind Productions. There are also numerous independent sites and radio stations operating that cater to “white alternative” music. Law enforcement should expect that right-wing groups will continue to capitalize on political music that appeals to young white people who adhere to these beliefs. Extremist groups will continue their efforts to recruit members through music sales and concerts they stage.

**Shortwave Radio.** Right-wing extremists in the United States and in foreign countries have used citizens-band radios for several decades to convey their political philosophies. Militias also employ shortwave radio for communications and transmission of their philosophies. Possibly the most prominent shortwave broadcaster was William Pierce, who spoke over shortwave radio each Saturday. Pierce also broadcast on several AM-FM stations in various parts of the United States.

One can expect that right-wing extremists, and possibly others, will continue to employ shortwave radio to transmit their thoughts. It is possible that they will also attempt to capitalize on any low-power television stations that are awarded licenses to operate.

**Unconventional Terrorist Weapons of the New Millennium.** The September 11, 2001, attacks were not carried out by weapons that were created or designed to cause mass destruction. Instead, commercial passenger airplanes were employed to create the same result. It does not take a great deal of imagination to identify other facets of modern culture that could be used in such a manner. A truck driven into a national landmark at high speed, a train diverted onto the wrong track, or a ship being sunk at a strategic location all could fall within this category.

**Computers.** By the time the twentieth century closed, it was apparent that computers had crept into most aspects of the lives of every resident of industrialized nations. Virtually all the utilities people utilize—including power, water, heat, and cooling—are controlled in some way by a computer. Walking is probably the only form of transportation not heavily reliant on computers. Even the family car is run by a maze of computers. Sizable retail outlets rely on computers to stock their shelves and dispense their products. Mom-and-pop grocery stores may still use cash registers; however, the merchandise they receive has been directed to them through computers. Of course, the profusion of home computers and their access to the Internet has had a profound impact on how people live. By the end of the first decade of the twenty-first

century, it will be difficult to find a residence in the United States that does not have a home computer.

Although computers were little more than a dream in the minds of some scientists in the middle of the twentieth century, fifty years later they were an integral part of life. In many ways, computers have enhanced the way people live; however, if used improperly, a computer can also destroy lives in ways never before imaginable. The May 2000 "I Love You" virus that infected computers worldwide demonstrated the extent of damage that can be inflicted by one, or possibly, a handful of people.

It is easy to imagine the various ways a diabolical mind could transform a relatively sterile collection of transistors into a weapon of mass destruction. If something is directed or managed by a computer, it can likely be misdirected or mismanaged by that computer. If something is directed or managed by one computer, it is also probable that another computer can be programmed to make it take an undesired action. Even if a certain process or utility is not under the control of a computer, it is possible that someone could place it under a computer's control.

A dam, for example, could be "commanded" to release enough water to suddenly inundate an entire town. A jumbo jet could be electronically misdirected to crash into the center of a city. Excessive electricity could be sent through power lines at such a rate as to burn out circuits and start fires. Gas lines could also be overloaded, which would result in explosions. Computers could be induced to add toxins to foods being produced at a cannery. Medicine could be transformed into poison by a computer controlling production in a laboratory. Records of corporations, banking institutions, or governmental agencies could be wiped out or altered.

*Unconventional Weapons.* Advances in unconventional weaponry, including nuclear, biological, and chemical devices, render just about any part of the United States vulnerable to terrorist attack. In March 1995 the Aum Shinrikyo cult demonstrated in the Tokyo subway that a chemical agent, sarin gas, could be used as a terrorist weapon. In 1991 law enforcement officers in Minnesota apprehended a small band of right-wing extremists (calling themselves the Patriot Council) as they conspired to employ a biological agent, ricin, to kill a deputy U.S. marshal and a sheriff. The subjects had produced enough ricin to kill more than one hundred people. On February 28, 1995, conspirators Douglas Allen Baker and Leroy Charles Wheeler were convicted, and on October 25, 1995, Richard John Oelrich and Dennis Brett Henderson were convicted. These four men became the first people in the United States to be found guilty under the Biological Weapons Anti-Terrorism Act of 1989. In late September and October 2001, an unknown individual or group sent

anthrax-laced letters through the mail to both political and media targets, causing nationwide panic and resulting in five deaths, and in February 2004, officials in Washington, D.C., announced that ricin, a toxin made from castor oil beans, was found in an office mailroom of U.S. Senate Majority Leader Bill Frist.

The military in the United States and in other countries continually develop "space age" weaponry. Laser, heat, cold, magnetic, electric, and sound weapons are among the few that are, or will soon be, viable for use. The ability of terrorists, especially those who are foreign-based or sponsored, to procure military weapons has been demonstrated many times in the past. Indeed, there is a sizable black market for military weapons that terrorists could use.

#### TERRORIST TARGETS OF THE TWENTY-FIRST CENTURY

Terrorists will strike targets they believe will help them accomplish their objectives. Modern terrorists may spend considerable time selecting targets that clearly represent something important to their cause. Throughout most of history, however, terrorists have been restricted in what they could attack. The lack of transportation limited targets to those that could be easily reached. Limited communication sources restricted the publicity that terrorists could expect to receive from an attack. If they hoped to get widespread attention, a prominent target had to be selected. Poor communications also made it difficult for terrorists to recruit for their cause. Throughout most of history, terrorists' choices of targets were contingent on the availability of weapons.

The twenty-first-century terrorist has a larger variety of available weapons than any terrorist in history. Targets can be chosen depending upon what best suits the terrorist's political cause. Distance is no longer a factor; in fact, sonic terrorists have found that it is better to attack something far from their home base. Today's communications make it possible for terrorists to attack anywhere and still create mass publicity. No longer are attacks restricted to large cities or high-profile sites, as illustrated by the distant and sometimes obscure targets of animal rights and environmental terrorists in the United States, Canada, and Europe. Recent developments have made it possible for terrorists to kill large numbers of people in a single attack. Such a situation occurred on September 11, 2001, and is expected to happen again as the twenty-first century progresses.

There are enough conventional explosives, and enough information on the Internet and in books concerning their construction and usage, to make it possible for a terrorist cell to bomb a major structure. Buildings today are larger than ever and, unlike their counterparts

of fifty or more years ago, they have massive windows, basement parking garages, elaborate internal air and heating systems, and much thinner walls—especially at lower levels. Many are located in congested areas. If a large structure is heavily damaged from a modern explosive device, it could fall on other buildings, and thereby add to the number of deaths and injuries.

Governmental and law enforcement structures will continue to be targets for terrorist attacks because they often directly represent the source of the terrorists' irritation. For many terrorists, big business and financial firms are also ideal targets. Such buildings as the World Trade Center are symbols of strength of a nation, even though they are not officially government structures, and are likely to be targets for terrorist attacks. In addition, considering that many people are fearful that a single government will soon take control of the entire world, anything that suggests a nexus to globalization might become a terrorist target. Law enforcement must become extremely security-conscious with respect to any world economic or trade meetings. At best, dissidents will picket such sessions. At worst, these meetings may be targets for terrorist attacks.

Although terrorists, especially animal rights and ecoterrorists, are known to focus their attacks on a wide variety of targets that will further their cause, law enforcement officers must consider researchers and producers of genetically modified foods as logical targets for these terrorists. Attacks on laboratories and farmers' fields have already taken place. Ecoterrorists destroyed a field of genetically modified strawberries on January 20, 2000, in Watsonville, California. On February 9, 2000, ELF claimed credit for destroying genetically altered oats at the University of Minnesota campus in Saint Paul. However, these incidents were dwarfed by the dual ELF attacks of May 21, 2001. The University of Washington's Merrill Hall was gutted in a fire that caused an estimated \$2.5 million to \$3 million in damage. On the same date, ELF claimed credit for a \$500,000 attack on the Jefferson Poplar Farm in Clatskanie, Oregon. Both actions were in opposition to genetic tree research.

It is also likely that ecoterrorists will attack companies that they believe are enabling expansion into tracts of land that they think should be left in a natural state. On January 23, 2000, ELF members caused \$200,000 worth of damage to a \$700,000 home being constructed near Bloomington, Indiana, because they believed the Lake Monroe Watershed was being disturbed. On June 11 to 12, 2001, an individual or group using the initials CSP claimed credit for torching four luxury homes in the Pima Canyon Estates community in Tucson, Arizona, causing some \$2 million in damage. The motive appears to have involved an effort to prevent housing expansion into the desert. Although these types of crimes are often

not immediately associated with terrorists, law enforcement officers must be ever alert to the fact that terrorism may be a factor in any criminal attack that involves farms, laboratories, or projects on previously undeveloped land. In January 2006 the U.S. Department of Justice announced indictments of eleven environmental and animal rights activists for attacks carried out between 1996 and 2001 in five western states. The charges included arson, conspiracy, and destruction of an energy facility. Those indicted were allegedly acting on behalf of ELF and ALF.

#### **THE LAW ENFORCEMENT RESPONSE TO MODERN TERRORISM**

The first Joint Terrorism Task Forces (JTTF) were created in Chicago and New York in 1981. Unlike many law enforcement cooperative initiatives in which various agencies pool the results of their investigative efforts or concentrate on a single case, JTTFs address the overall problem of terrorism in a given geographic area. Investigators who make up the JTTF come from those law enforcement bodies in the area that would conduct terrorism investigations. Most actual investigative procedures are conducted jointly, and all investigative results are shared.

JTTFs presently exist throughout the United States, and the JTTF concept has now become a basic foundation block in the U.S. law enforcement community's approach to terrorism. The process for creating such task forces has become refined. In his address before the Coast Guard Academy on May 18, 2000, Bill Clinton pledged that a portion of some \$300 million in proposed new spending would go to boost the JTTFs. Following the September 11, 2001, attacks, the U.S. attorney general instructed each U.S. attorney to become involved in the creation of terrorism task forces to ensure that all the agencies involved in terrorism investigations are functioning cooperatively.

#### **Enhancements in the Use of Investigative Techniques.**

The same advances in modern technology that caused the increase in the threat posed by terrorists have also enabled the law enforcement community to better meet the challenge. Although the basic investigative techniques may not have changed much over the history of law enforcement, the methods for employing them have markedly improved. Even the "mother" of all investigative techniques, the interview, is different today than it was a hundred years ago. Increased knowledge about psychology and sociology has better equipped investigators to understand how humans think and respond. Advances in technology now allow officers to film subjects prior to, during, and following an interview. The polygraph will continue to become more sophisticated, and other

mechanical methods for determining the truthfulness of a person's statements will be introduced.

Computers and word-processing technology are common in the law enforcement community. Investigators even have the ability to prepare reports using computers in squad cars. Some officers use handheld recorders to transcribe an interview in progress or to make notes immediately following an interview. In the near future, voice-activated computers may permit an investigator to produce a neat, professional document by merely speaking into a microphone. In fact, it may soon become possible for an entire interview to be recorded and converted to written form by an investigator pushing several buttons on a recorder-processor-printer.

The use of electronic tracing devices has already made it possible to monitor, to a certain extent, a subject's activities without an investigator even leaving the police station. Video cameras mounted in surveillance vehicles will likely become commonplace during the early part of the twenty-first century. Rear-mounted cameras feeding to dash-mounted screens will make it possible for a surveillance officer to view the activities of a subject while driving in front of that individual. It is also likely that surveillance vehicles will be routinely equipped with monitors that will depict ever-changing maps of the surveillance area, so alternate and parallel routes can be taken to better avoid detection.

Air support has greatly enhanced the effectiveness of surveillance during the latter part of the twentieth century. Advances in aviation technology will improve and increase the ability of aircraft to assist surveillance officers. Surveillance radio communications have also greatly improved, particularly with respect to encryption. Further advances can be expected, especially in the use of "hands-off" transmitters. Surveillance logs will likely become audio, rather than handwritten, and surveillance reports will be printed directly from audio logs, without the need for someone to type them.

Electronic monitoring devices with concealed microphones and systems designed to intercept telephone, fax, and computer communications will improve rapidly during the twenty-first century. Some devices are so small they can be discovered only through a strip search of the person suspected of wearing one. Advances will make the devices even less conspicuous, yet more effective in range. Law enforcement will see the development of a truly useful parabolic microphone in the not-too-distant future. This will prove to be extremely effective against terrorists who now are often able to evade law enforcement monitoring by holding open-air conversations away from any location where a microphone could be placed.

The courts will undoubtedly be forced to deal with the issue of actually "bugging" a subject. As technology

continues to advance, law enforcement can expect to be presented with a monitoring device so small it can be placed on a person in such a manner that the subject would be unaware of its presence. If statutes permit and the courts concur with the legality of such a device, it would mean that law enforcement could monitor everything a subject says or hears during the entire period of coverage.

Camera technology has made extraordinary strides and will have an increasing impact on the ability of law enforcement to monitor the activities of subjects. When the Omnibus Crime Control and Safe Streets Act of 1968 was passed in the United States, its Title III provisions considered only oral interceptions. The idea of being able to install an entirely concealed camera within a targeted structure was largely speculation. By the 1980s, however, advancing technology made that a reality. This was clearly demonstrated in 1983 when investigators on the Chicago Terrorist Task Force observed members of the Puerto Rican FALN organization constructing bombs in a Chicago apartment. The camera lens was so small that the security-conscious terrorists were unaware of its presence—despite their efforts to detect monitoring devices. Since that successful case, technology has advanced with extraordinary rapidness. Closed-circuit television will become a routine part of surveillance of the twenty-first century. Many law enforcement officers are already using digital cameras successfully, and this technology will also advance rapidly in the early twenty-first century.

Cameras are now mounted in many areas for security purposes. It is becoming a common law-enforcement practice in some parts of the country for one of the initial investigators at a crime scene to be assigned to identify and review all logical private and public security cameras in the area for clues. In the future, expect more crimes to be solved utilizing this technique.

Obviously, advances in such techniques as surveillance and electronic camera monitoring will permit more effective undercover operations. It will become considerably easier for support officers to protect undercover operatives, and for the operatives' actions to be documented, thereby reducing the potential for the defense to use an entrapment argument. The technology can also enhance the use of informants.

It is almost impossible to compare what can be done with physical evidence today with what could be accomplished a century ago. During most of the history of law enforcement, crime scene investigations consisted largely of picking up clearly observable articles left near the site of the crime or in a location associated with a suspect. In many bombing sites of the 1960s and 1970s, evidence recovery was minimal at best. It was often assumed that

nothing of value could have survived the blast, and frequently only what could be quickly retrieved from the scene was recovered. After that, the area was rapidly cleared so that the observable impact of the attack could be minimized.

**Advancements in Organizing the Results of Investigations.** One of the most important changes in the field of criminal investigation has been the enhanced capability to coordinate and correlate information. The computer age has made it possible to easily accomplish what was at one time impractical. Within minutes, thousands of telephone numbers connected to a case can be arranged in a meaningful order. The results of numerous surveillances can be analyzed and crunched on a chart that reflects a subject's pattern of activity, associates, and contacts. Some computers will even predict, based upon previous surveillances, what the subject will do in the future. Reports generated by undercover officers and informants can be similarly analyzed. Indeed, it is now possible to correlate the products of several different investigators in a single report, graph, or chart. Things investigators would have never considered doing, even as recently as the 1980s, are now accomplished with regularity.

A major weakness in employing computers to organize investigations has been the time required to enter data into the system. Various developments occurred during the 1990s and early 2000s to speed the process, and even more advances can be expected to help resolve previous shortcomings. No area of criminal investigation will be more positively affected by these advancements than terrorism. These cases are often complex because they deal with highly trained and security-conscious subjects. To be successful, investigators must rely on a variety of investigative techniques that will generate huge volumes of documentation that need to be organized into meaningful evidence.

**Recognizing Terrorism as a Unique Investigation.** Terrorist investigations are unique. The specific crime may not be unusual, but the perpetrators are different in many ways from the criminals usually encountered by law enforcement. This factor was not universally recognized in the 1960s and 1970s in the United States. In fact, even the word *terrorism* was not employed to describe many of the politically inspired violent attacks of that era. The perpetrators of such incidents were often referred to as "revolutionaries," "insurrectionists," "agitators," "commies," "pinkos," or "hippies." Without even a common term to link these people, it was difficult for law enforcement to view terrorism as a unique criminal science. This had changed by the mid-1980s.

By the beginning of the twenty-first century, virtually the entire law enforcement community had come to

regard terrorism as a specialized form of crime. This acceptance will allow better training to continue. It will also allow both social and physical scientists to focus on the phenomenon, which will in turn assist investigators.

## CONCLUSION

Although terrorism has continued throughout history, modern terrorism has changed drastically since the 1980s. Advances in technology have made it possible for a single person or a small group to commit catastrophic acts of violence. Previously, such extreme actions were not feasible. The present terrorist threat comes from several directions. In view of the events of September 11, 2001, everyone in the United States and in the industrialized Western world must be alert for international terrorist attacks either in their homelands or to their foreign interests.

Islamic fundamentalist terrorism represents the foremost concern to the United States. Although left-wing violence largely vanished in the United States by the last decade of the twentieth century, there is evidence from anarchist protesters and some eco-activists and animal rights activists that this form of activism is reemerging and also represents a threat. Right-wing extremism is present and based on several causes, including white pride, fear of a world government, opposition to a strong central government, firearms issues, land-use questions, and immigration. Religious-based terrorism is present in the United States, both in certain right-wing extremist movements and in the area of international terrorism. Religious extremism is also manifested in the antiabortion movement. Many modern terrorist groups have moved away from a strong, controlling central organization in favor of the lone-wolf or leaderless-resistance approach.

Terrorists will undoubtedly explore the use of more unconventional weapons during the twenty-first century, including nuclear, chemical, biological, and computer devices. However, improvements made in widely available conventional weapons will induce terrorists to continue to employ them as well. The use of the atypical, yet quite conventional, passenger aircraft as a terrorist weapon on September 11, 2001, illustrated to the world that, with a little imagination and planning, commonplace objects can be transformed into weapons.

The U.S. law enforcement community has been remarkably effective in addressing domestic terrorism since the 1980s. With the exception of animal rights and ecoterrorist attacks, most instances of extreme violence have been quickly solved. The law enforcement community should be able to come together in a coordinated effort against animal rights groups and ecoterrorists during the early part of the twenty-first century. Several major convictions resulting in lengthy prison

terms will likely have a chilling effect on these movements. Law enforcement has greatly improved and become more sophisticated, and fortunately has been able to quickly adopt modern technology in its battle with terrorists. Furthermore, the use of such technology in the field of terrorism will probably grow, due to increases in federal funding in response to the September 11 attacks.

Above all, the spirit of cooperation that exists within the law enforcement community in the United States—due in no small part to the existence of Joint Terrorism Task Forces—will continue to allow investigators the opportunity to successfully address the threat posed by terrorists. The extent of cooperation between U.S. investigative agencies and those of other nations that developed after the September 11 attacks, which involved perpetrators with ties to a number of countries outside the United States, will undoubtedly result in a trust that will endure for many years.

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*William Dyson*

# Global Trends in Juvenile Crime and Justice

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The involvement of children and adolescents in serious crime is a global concern. The extent of such involvement varies from nation to nation, but the majority of nations have determined methods for dealing with young offenders in the context of a juvenile justice system. This essay will describe both juvenile crime and juvenile justice from a global perspective.

Although nations vary both in principle and practice, the majority define *juveniles* as persons under the age of eighteen. Justice is an elusive concept to understand and a difficult one to define, and it is often beneficial to use a broad definition of justice when adopting a global emphasis on children; however, the use of the term at present will be confined to its use in descriptions of various nations' juvenile justice systems. Although *juvenile justice* and *juvenile court* are terms often used interchangeably, the meaning of juvenile justice used here includes juvenile courts, as well as those agencies that have substantial contact with juvenile offenders: law enforcement agencies, juvenile probation agencies, and juvenile correctional and detention facilities. Scholars also debate what constitutes "crime," as well as its objective and subjective characteristics. For purposes of comparison, this essay will use those definitions of crime employed by international sources of data on crime, which tend to rely on objective and legal definitions (i.e., crime as a violation of penal codes). The term *delinquency*, a commonplace in the criminological literature, is used interchangeably with *juvenile crime*.

The problem of crime is one that plagues just about every nation in the world. Although crime has become transnational, within each nation there are crimes against persons and property that have required the people of

that nation to determine how to deal with criminal offenders. One class of offenders is made up of delinquents, who in most countries are under the age of eighteen, and are responsible for a share of crime disproportionate to their representation in the total population. For example, in the United States, juveniles (defined as ten to seventeen years of age) represent about one-eighth of the total population. According to Federal Bureau of Investigation's reports, however, juveniles were implicated in roughly 17 percent of arrests in 2004, as well as 16.5 percent of arrests for serious violent crimes and about 28 percent for property crimes.

## TRENDS IN JUVENILE CRIME

Comparisons between countries on rates of juvenile crime are made difficult by the quality of international data sources available on crime. Each data source has its strengths and weaknesses. The following discussion of juvenile crime trends highlights three major sources of data: official data collected by government agencies and compiled by international agencies, self-report survey data collected across several countries, and historical data. The first two sources are quantitative in nature; the last may be both quantitative and qualitative.

**Official Data.** The majority of cross-national criminological studies of juvenile crime have relied on data compiled from national reports of law enforcement, judicial, and correctional statistics. One of the most well known of these official data sources is the United Nations Surveys on Crime Trends and the Operations of Criminal Justice Systems, or UNCJS. Begun in 1977, the UNCJS solicits tabulations from individual nations—through the use of a

**Table 1. Juvenile Suspects in Selected Nations, 2000**

Nation	Juvenile Suspects	Rate (per 100,000 population)	Ratio of Male to Female Juvenile Suspects	Ratio of Adult to Juvenile Suspects	Age of Full Adult Responsibility
Germany*	687,516	844.22	3.2	2.6	18
New Zealand	31,324	817.69	3.4	4.8	18
Finland	40,766	787.44	4.7	7.6	21
United States of America*	1,295,537	466.02	2.6	4.7	18
Chile	67,521	444.22	5.7	9.4	18
Uruguay	14,167	424.54	6.0	3.9	18
Canada	113,598	368.82	3.4	3.8	18
Mauritius	3,739	315.22	5.6	6.8	18
Korea, Republic of	143,018	302.36	6.9	12.3	20
Netherlands*	47,960	295.36	6.6	4.6	18
Panama*	7,258	258.20	4.0	6.6	—
Hong Kong**	12,694	186.76	3.8	2.2	21
Czech Republic	17,804	172.85	10.1	6.3	18
Norway	6,671	148.54	5.2	4.1	18
Slovenia	2,937	147.74	7.1	5.4	18
Estonia	1,920	140.25	9.3	5.9	18
Latvia	3,227	136.05	12.0	4.6	18
Iceland	378	134.52	3.3	11.2	18
Russian Federation	177,851	121.82	10.7	8.8	18
Hungary	11,081	110.81	7.9	10.1	18
Denmark	5,734	107.46	4.7	8.1	18
Japan	132,336	104.20	3.5	1.3	20
Lithuania	3,578	96.83	19.1	6.0	18
Belarus	7,769	77.69	4.7	7.8	18
Tunisia	7,327	76.61	5.7	17.6	—
Bulgaria*	6,245	76.08	9.7	10.5	18
Spain	27,117	68.65	13.7	9.7	18
Moldova, Republic of	2,865	66.91	14.9	5.4	18
Ukraine	29,615	59.83	15.0	9.4	18
Sri Lanka	10,877	56.07	3.2	27.5	17
Thailand	27,111	44.66	4.9	40.4	—
Morocco*	11,267	39.95	5.0	0.2	16
Singapore	1,598	39.77	1.9	10.1	17
Kyrgyzstan	1,713	34.85	11.5	12.6	18
Venezuela	2,636	10.89	16.5	5.0	18
Zambia	846	8.38	7.1	34.1	18
Azerbaijan	557	6.92	36.1	19.8	18
India*	11,871	1.19	3.0	218.1	16
Yemen*	162	0.95	12.5	81.3	—

SOURCE: Seventh United Nations Survey of Crime Trends and Operation of Criminal Justice Systems (UNCJS), Question 4

\* Data are for 1999.

\*\* Special Administrative Region of China

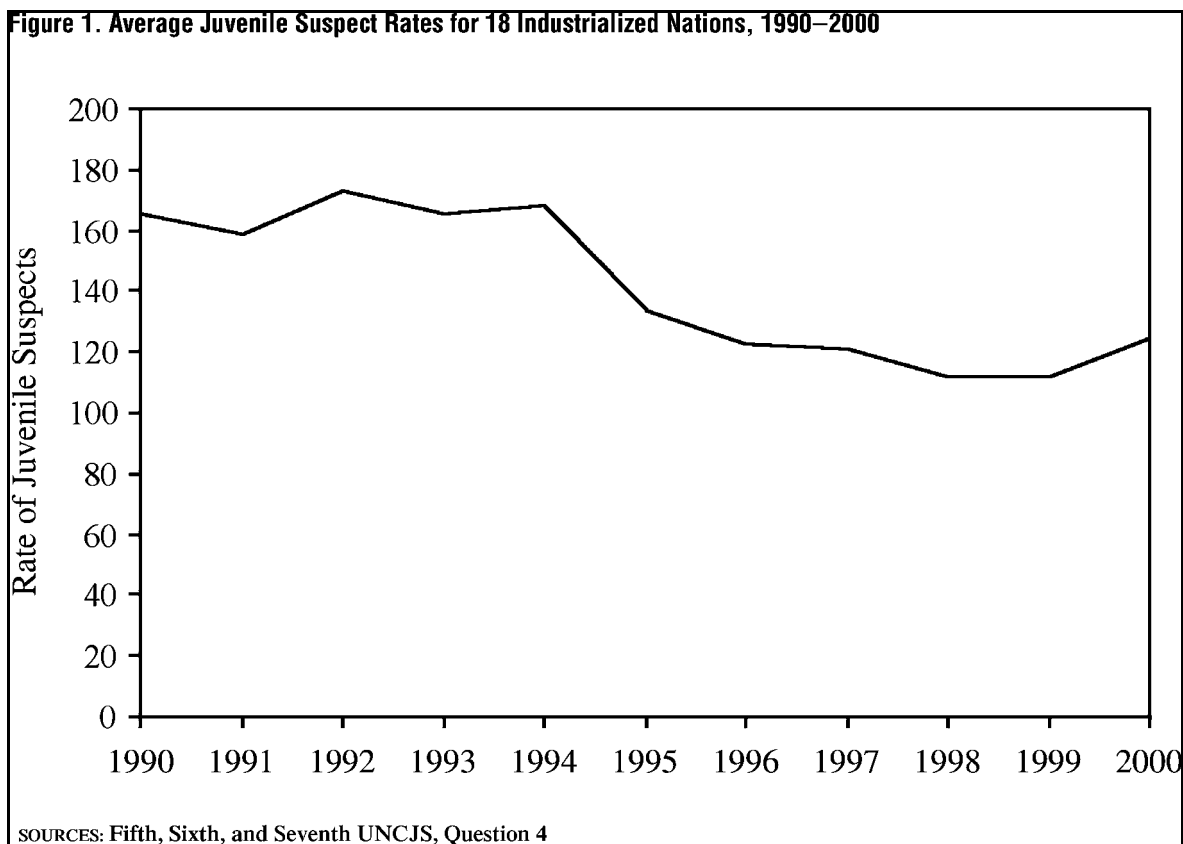
self-administered questionnaire—on such items as crimes known to the police, suspects taken into police custody, prosecutions, prison admission rates, and the resources devoted to the criminal justice system. The UNCJS is the only global source of official data that allows for analyses of trends in juvenile crime. Seven waves of surveys, each containing several years worth of statistics, are available to researchers.

UNCJS data include the age and gender of juveniles who had some formal contact with law enforcement agencies in each country. Formal contact could include a custodial arrest, being placed under suspicion, or being cautioned by police officers. For simplicity's sake, the UNCJS uses the term *suspect* in its reports. Table 1 provides information on juvenile suspects in those nations with complete data in either 1999 or 2000. These totals

represent all juvenile offenses. The UNCJS does not ask nations to provide data on suspects by type of offense. The data, for example, give a manslaughter suspect the same weight as a youth arrested for stealing a candy bar. Besides the total number of juvenile suspects identified by police agencies, the UNCJS data include the rate of juvenile suspects per 100,000 population, ratios of male to female juvenile and adult to juvenile suspects, and the minimum age in each nation at which full responsibility for criminal offenses applies. Four industrialized nations—Germany, New Zealand, Finland, and the United States—reported the highest juvenile suspect rates in the 2000 survey. Yemen, which has a population of close to twenty million, reported the lowest rate: about one juvenile suspect per 100,000 people.

In examining gender differences in the numbers of juvenile suspects, it is interesting that several of the





nations with the highest male-to-female differential are former Soviet states. This is despite the fact that the juvenile gender ratio in the total population in most of these countries is at or near 1:1. Many of the lowest gender ratios are observed in Western democracies, although this is by no means a perfect association.

When the numbers of juvenile suspects are compared with adult statistics, many of the democratic nations with low juvenile gender ratios also have relatively low ratios of adult to juvenile suspects (e.g., Germany, the United States, Canada, Hong Kong, and Japan). The largest adult-juvenile differential, 218:1 in India, is an even more staggering figure if one considers that people under the age of eighteen make up about one-third of India's immense national population.

The information provided in Figure 1 is an attempt to put delinquent involvement into temporal perspective. Using data from the fifth through seventh UNCJS surveys, the figure provides data on the juvenile suspect rate from 1990 to 2000, averaged across eighteen industrialized nations. The dramatic reduction in the number of nations between Table 1 and Figure 1 is almost entirely due to the lack of complete data across these eleven years. Due to the

very small number of developing nations with complete data, these nations are excluded from the analysis. The eighteen retained nations are all European, with the exception of Japan.

The trend line is indicative of independent crime reports from around the world, suggesting a high rate of juvenile crime in the early 1990s, with rates dropping substantially as the decade moves further along. There is considerable variation among the eighteen nations' rates, particularly in the early 1990s. Finland tops the distribution with a rate of 1,430 juvenile suspects per 100,000 in 1990, but it also experienced the most dramatic decline over the decade (note the rate of 787.44 in Table 1). At the other end of the distribution, Japan reported an average juvenile suspect rate of thirty-five per 100,000 over the eleven-year period.

This leads to a discussion of the limitations of the UNCJS. Some of these limitations are unique to the UNCJS, while others are common to data sources that rely on police reports of crime (for a more complete discussion of these issues, see Graeme Newman [1999]). First is the issue of incomplete data. As autonomous political entities, nations have a choice whether or not

to reveal their crime trends and criminal justice resources to the global community. In his extensive report on international crime, Newman suggests that industrialized nations are overrepresented in the UNCJS data because many developing countries face obstacles (political or otherwise) with recording and reporting their own crime statistics. This makes comparisons between countries more easily stated than achieved. Nations have a tendency in the UNCJS to report data incompletely—some leave blank spaces across several years—making analyses within countries difficult as well.

Second, and specific to the UNCJS, the population data upon which the suspect rates in Table 1 are based are not disaggregated by age. Thus, rate-based comparisons between countries are problematic, given that age distributions across countries are known to vary widely.

Third, police reports of crimes and suspected offenders rely on accurate reporting and recording of crimes. The decision to report crimes to police is particularly important because it “activates” the criminal (or juvenile) justice process. Results from the United Nations International Crime Victim Survey reveal that the majority of criminal victimizations are not reported to the police. In general, crimes against persons, such as auto theft and burglary, tend to be more reliably reported than other crimes of theft or violence against women (Newman 1999).

**Self-Report Data.** Given these limitations, it is doubtful that the UNCJS is providing a complete picture of juvenile crime in these nations. The second major source of data on international juvenile crime—an alternative source to the UNCJS—is produced from self-report surveys. Criminologists consider such surveys to have distinct advantages over official data based on police statistics. Given the worldwide tendency to underreport crime, measuring delinquency based on reports gathered directly from juvenile offenders is one means to crack the “dark figure” of crimes unknown to authorities. Victimization surveys have this advantage as well, but cannot provide data on juvenile suspects. It is therefore left to the self-report survey.

By far the most useful data source in this regard is the International Self-Reported Delinquency Study (ISRD). The ISRD is based on a common survey instrument used across eleven countries. The study’s sponsors modeled the survey after reliable instruments already in existence—particularly the National Youth Survey used in the United States. They designed the survey to measure the existence and frequency of thirty-three types of delinquent offenses and problem behaviors (e.g., status offenses), items tapping concepts relating to dominant theories of delinquent behavior (e.g., social bonding theory), self-reports of reactions to offenses by formal and informal authorities, situational characteristics of

self-reported delinquent acts, and background information on the juvenile respondents to the survey. Although the self-report method is a common one to measure juvenile delinquency, the ISRD represents the first effort to make comparisons across more than a few nations (Junger-Tas et al. 2003).

The eleven nations that took part in the study are all industrialized nations in Europe and North America. A total of 10,858 surveys were administered between 1991 and 1992. Although methods of sampling juvenile populations differed in each country, most of the surveys were completed using face-to-face interviews.

The analysis of Josine Junger-Tas, Ineke Haen Marshall, and Denis Ribeaud (2003) of the combined survey responses provides interesting contrasts to the UNCJS statistics. Based on common socioeconomic characteristics between countries, Junger-Tas, Marshall, and Ribeaud placed the eleven nations into three comparison groups: (1) northwest Europe, including Belgium, Finland, Germany, the Netherlands, and Switzerland; (2) Anglo-Saxon countries, including England and Wales, the United States, and Northern Ireland; and (3) southern Europe, which included the remaining countries of Portugal, Spain, and Italy.

To summarize their findings briefly, they established clearly in their analysis that there appeared to be more similarities than differences across the three comparison groups. In every country the majority of delinquent behavior was committed by youths fourteen to eighteen years old. But some of the differences between nation groups are intriguing. First, the peak age for offending was fifteen in the Anglo-Saxon group, one year less than in the other two groups. Second, they found the rate of property offending to be higher in the Anglo-Saxon and northwest European nations, and the highest rates of violent delinquency in the United States. Third, males self-reported greater involvement than female juveniles in serious delinquent behaviors (e.g., burglaries, assaults, drug trafficking). However, Junger-Tas and colleagues found that such variables as familial bonding, which tends to be a negative correlate of delinquency, work similarly in predicting male and female delinquency. Finally, most delinquent offenses self-reported in the ISRD were reported by their perpetrators to have gone undiscovered by both police and parents. For two-thirds of the behaviors measured, less than 10 percent reported that the police discovered the act. Those offenses with higher rates of police discovery tended to be more serious in nature. “This supports the generally accepted belief that police statistics are useful indicators of more serious delinquent behavior” (Junger-Tas et al. 2003, p. 128).

Like official data on juvenile crime, the ISRD has its limitations. Differing definitions of juvenile delinquency

found their way into the study due to dissimilar interpretations by researchers of worded survey items in the national survey. More importantly, cross-national differences in sampling methods led to significant reductions in the number of cases available for analysis. Perhaps most importantly, the high cost of a data-collection effort like the ISRD may prohibit future attempts to extend the study into a longitudinal one (i.e., with several time points of data collection), particularly if researchers want to include nations outside of Europe and North America.

**Historical Studies.** A third approach to studying juvenile crime trends is a historical one. Both the UNCJS and ISRD lack the ability to analyze juvenile delinquency over a lengthy period. Criminal justice historians have published an array of books and articles that allow researchers to take the long view of history, if only for one or a few countries at a time. One example is Sarah Fishman's *The Battle for Children* (2002), an examination of juvenile delinquency and juvenile justice in twentieth-century France. Emphasizing World War II as an anchoring time period, Fishman uses two types of historical data: writings on French delinquency and justice published during the relevant time period, and archival materials, including policy documents and juvenile court records. Although Fishman did not produce a time series of French juvenile delinquency trends, her interpretations of the historical data have their own merits. Fishman's analyses provide an interesting description of the nature of public concern with juvenile delinquents and how this concern led to changes in juvenile justice policy. France and many other European countries experienced increases in juvenile delinquency during World War II. In France, concern with this problem led directly to the establishment of a law in 1945 that more clearly outlined rules for juvenile procedure and the rights of juvenile suspects.

Mimi Ajzenstadt used historical documents on juvenile delinquency in Israel published in the 1950s and 1960s to study the "ways in which forms of public discourse on male juvenile delinquency and the socio-legal response to this behavior contributed to the process by which social categories [middle-class European-immigrant juveniles and working-class juveniles of Arab, Turkish, and North African descent] were historically constituted and ranked" (Ajzenstadt 2002, p. 586). Ajzenstadt found that members of the latter group were relegated by Israeli society to an "other" position outside the cultural mainstream, which led to harsher treatment of them by the juvenile justice system in comparison to members of the former group. The exclusionary treatment of Arabs in general may also have had an impact on the academic discourse, as some scholars "took the position that the causes of Arab juvenile delinquency differed

from that of Jewish offenders" (p. 595). An important lesson from studies like Ajzenstadt's is that perceptions of juvenile crime trends may resonate more with policy-makers and the public than actual data, and may be more influential in shaping juvenile justice policy.

## JUVENILE JUSTICE

It is not possible to provide here a comprehensive overview of the world's juvenile justice systems and all international issues of juvenile justice. Accordingly, the essay is selective in its approach. The following material provides a brief overview of global juvenile justice; gives the reader a sampling of some of the diverse approaches to juvenile justice by examining England and Wales, France, and China; and concludes with a discussion of two key international issues in juvenile justice: capital punishment and the restorative justice movement.

The origin of formal juvenile justice systems is found in the industrial revolutions that occurred in Europe and North America in the nineteenth century. Prior to that century, children older than seven in many parts of the world were considered to be almost miniature adults. The class of individuals we now label adolescents served as an important source of labor for their families. But with the gradual shift from an agrarian economy to an industrial one in much of the Western world, new patterns of work and family life emerged. Progressive reformers pushed to make formal schooling a broader priority for societies' young inhabitants. At the same time, juvenile involvement in crime seemed to be on the rise, particularly in the growing cities of industrializing nations. Many of the same progressive reformers who were interested in "saving" young people from the cruelties of a poor, urban existence through education also pushed for reforms in the ways that juveniles were treated by the courts and correctional institutions.

The efforts of progressives in the United States played a major role in the creation of the world's first juvenile court in Illinois in 1899. Emulations of this court appeared shortly thereafter in other parts of the United States and in other countries. Although individual nations differed in their approaches (and still do), the newly created juvenile courts all shared the ideas that children and adolescents should not be held as accountable as adult offenders, and that the objective of the juvenile justice system is to help the child, to treat and rehabilitate rather than punish.

On the world stage, the United Nations (UN) has embraced these ideas in a set of treaties and covenants passed over the course of the late twentieth century. In 1985 the UN General Assembly adopted the Standard Minimum Rules for the Administration of Juvenile Justice, also known as the Beijing Rules. These rules are

an example of “soft,” or nonbinding, international law, meaning that nations are not obligated to abide by the rules, and a nation’s nonadherence to the rules carries no sanction. These rules provide nations with a blueprint for designing a juvenile justice system that adheres to “hard,” or binding, international law regarding children’s rights. The Beijing Rules also lay out procedural safeguards recommended for all juveniles suspected of delinquent or more minor offenses.

Like juvenile crime, comparisons across juvenile justice systems can be complicated. Some observers have found it easier to talk about “models” of juvenile justice into which nations can be classified. For example, Nicholas Bala and his coeditors (2002) compare nations that employ a “welfare” model emphasizing the care and protection of juveniles with nations asserting a “justice” model in which due-process rights and other trappings of the adult system are applied to the prosecution and adjudication of juveniles. These models also are useful for historical analyses of individual systems.

**Juvenile Justice in Selected Nations.** Because juvenile justice systems are based on varying philosophies on how youth should be treated, and even those nations working from a similar philosophy will differ in the actual operation of their systems, it is helpful to provide more specific information. What follows are brief profiles of juvenile justice in three nations: England and Wales, France, and China. These nations were chosen because they each represent separate legal traditions in the world. England and Wales (treated here as one nation) has a common legal tradition (and is, in fact, the “mother” of common law systems). France’s legal system is civil, or code-based, and modern China is one of the few remaining exemplars of the socialist legal tradition. Although these countries represent neither “model” juvenile justice systems nor models of juvenile justice, they provide interesting contrasts in the treatment of youthful offenders.

**England and Wales.** The modern history of juvenile justice in England and Wales is highlighted by a number of key pieces of legislation, beginning with the passage of the Children Act of 1908, which created the first juvenile court in the nation. In the half-century preceding this act, judges had the option of diverting juvenile delinquents from the formality of the adult court, or sending them to institutions where treatment was akin to that received by incarcerated adults. The Children Act mandated the classification of juvenile suspects as those between the ages of seven and fifteen years old for all offenses except murder. It gave court magistrates the ability to dispose quickly of minor infractions, and provided juveniles with many of the procedural rights enjoyed by adults at that time. The juvenile incarceration rate dropped dramatically in only a few years’ time.

In more recent times, the Youth Courts, which have replaced the juvenile courts, extend jurisdiction to sixteen- and seventeen-year-olds. A law passed in 1991 divided juveniles into two groups: ten- to thirteen-year-olds are deemed “children,” and those fourteen to seventeen are “young persons.” The magistrates who preside over these courts are volunteer judges. But the majority of juvenile suspects in England and Wales never see these courts. The police have a great deal of discretionary power when it comes to juvenile offenders, and may opt to “caution,” or divert, juveniles into home- and community-based forms of intervention (e.g., community service, restitution, or treatment programs). In 1998 police cautioned about two-thirds of all juvenile suspects (Graham 2002). Custody in a secured setting is restricted to young persons.

England and Wales also make use of “parenting orders.” Youth Courts have the option of sending a juvenile offender’s parents to counseling sessions designed to help them be better parents. The parenting order is reserved for select types of violations, including truancy, that are facilitated by the parents. Preliminary observations suggest that these orders have been well received by parents, particularly those who might not have the ability to pay costly fines (Graham 2002).

**France.** France’s modern juvenile court came into existence under the Fourth Republic in 1945, the same year the Ministry of Justice took over the duties of correctional administration from the Ministry of the Interior. The juvenile justice system in France more closely resembles the welfare model of juvenile justice than does that of England and Wales, emphasizing treatment over punishment.

In 1906 France raised the age of full adult responsibility to eighteen, with criminal provisions retained for sixteen- and seventeen-year-olds, depending on judicial discretion. Six years later the French Parliament set a lower age boundary of thirteen on formal proceedings against juveniles. This classification is still followed today. Juvenile suspects aged sixteen and seventeen face hearings in special courts of assize for juveniles (courts of assize are the major trial courts in France). The majority of delinquency cases are heard in juvenile courts presided over by a judge and two lay assessors (regular citizens). Following the inquisitorial system in all French courts, the juvenile judge actively questions the suspect, and determines with the juvenile the most appropriate disposition. Courts follow the guideline of *excuse de minorité* with juvenile offenders aged thirteen to seventeen, meaning they receive half the punishment that an adult would for a similar offense. Most adjudicated delinquents are not incarcerated, but some are sent to *foyers*, which are small, unsecured facilities where juveniles may receive treatment or educational training.

As in England and Wales, the French police have the ability to divert juvenile offenders from the juvenile courts. One development is the formation of “juvenile squads,” which are staffed by police officers trained to deal with juvenile problems and to counsel juveniles regarding their misbehavior (Terrill 2003). Whatever disposition juveniles receive, the French system emphasizes *protection judiciaire de la jeunesse* (judicial protection of youth). Although several highly publicized cases of violence in the 1990s led to calls by some for juvenile justice reform, Sarah Fishman notes that “the evidence suggests that in France today, strong mechanisms—intellectual, political and institutional—resist abandoning the therapeutic approach for a repressive one, in spite of pressures in that direction” (Fishman 2002, p. 220).

**China.** Between 1949 and 1979, the Chinese government erased formerly existing legal codes under the Chinese dynasties and fully embraced a socialist legal tradition. The ruling Communists put a new set of rules and regulations in place to control criminal and antisocial behavior. The government under party chairman Mao Zedong (1893–1976) stressed a lack of education and knowledge of the party as major causes of crime. Punishments for criminal offenders emphasized reform through labor and education. Since 1979, China has returned to legal codes as part of a gradual move toward increased trade and diplomacy with other nations. With regard to juvenile delinquency, Article 14 of China’s Criminal Law holds that:

Offenders above 16 years of age are punishable by law, whereas offenders age 14 to 16 are liable only when they have committed serious crimes such as homicide, robbery, mayhem, arson, and repeated theft. Chinese authorities typically refer to crimes committed by youth younger than age 25 as “youth delinquency,” whereas crimes committed by minors between the ages of 14 and 18 are described as “juvenile delinquency.” (Wong 2001, p. 492)

Unlike the two nations described above, China has a brief history when it comes to dealing with juvenile crime. Delinquency rates became significant only in the last decades of the twentieth century, and they remain a fraction of what is reported in Western industrialized nations. As Dennis Wong states, “many observers rightly describe China’s social control orientation as a mixture of informal control and formal control” (2001, p. 297). On the informal side is the neighborhood committee that exists at the local level to deal with juvenile offenders, and the *bangjiao*, which is a panel made up of community members (e.g., the juvenile’s parents, a member of the neighborhood committee, and a public security officer) who intervene to help prevent juveniles who have

committed minor offenses from getting involved in more serious behavior (Terrill 2003). Juveniles dealt with formally are treated the same as adults, whose cases are heard by the People’s Courts, but juvenile delinquents between the ages of fourteen and seventeen are supposed to receive lighter punishment due to their age. Adjudicated delinquents may participate in educational programs and hard labor if sent to one of China’s many juvenile reformatories.

In the future, it will be interesting to see if China implements more of the UN rules of juvenile justice administration adopted in its own backyard (the Beijing Rules described above). Wong argues that this will be a challenge for several reasons, including the fact that the judiciary and the *bangjiao* remain closely tied to Communist Party politics.

#### **Global Issues in Juvenile Justice: Capital Punishment and Restorative Justice.**

Either on a de jure or a de facto basis, capital punishment has been abolished in about half of the countries in the world and in most industrialized nations. Yet even in those nations that have retained the right to impose the death penalty, only a few extend that right to individuals who committed their capital crimes as juveniles. Still fewer impose the penalty on such individuals. According to Amnesty International, since 1990 only eight countries are known to have carried out executions of juvenile offenders: China, the Democratic Republic of the Congo, Iran, Nigeria, Pakistan, Saudi Arabia, the United States, and Yemen. The United States leads the world with nineteen such executions since 1990 (these offenders had committed their crimes when they were sixteen or seventeen years of age, but had reached their twenties or thirties when they were executed). International law prohibits the application of the death penalty to those who committed their crimes prior to age eighteen. In 2005 the U.S. Supreme Court ruled in *Roper v. Simmons* that it was unconstitutional to execute an offender who was less than eighteen years old at the time of the crime.

A recent trend in juvenile justice in many industrialized nations has been the increased use of restorative justice programs. Restorative justice is a model of justice that emphasizes personal trust and mutual dependence between parties involved in acts of wrongdoing, over the adversarial or inquisitorial approach embodied in the major legal traditions, which tend to emphasize the dominance of the state in resolving matters of crime and delinquency. Some argue that restorative justice has its roots in older, indigenous legal traditions, which may explain why restorative justice programs have proliferated in countries with large indigenous populations or long-standing traditions of tribal law (e.g., Australia, New

Zealand, Canada, the United States, and some African countries).

Put into practice in juvenile justice, restorative justice programs typically involve some setting whereby the juvenile offender has the opportunity, often with family members present, to face the victim(s) of the offense and take part in a process that involves arriving at a settlement agreed upon by all parties. These conferences may take place in an intimate setting involving the immediate parties, or before panels of interested citizens (e.g., probation and police officers, judges, and community members). The juvenile offender may receive punishment similar to those handed out in traditional settings (e.g., probation), but he or she will usually be required to provide some restitution directly to the victim.

The restorative justice approach is seen by some juvenile justice practitioners as a necessary reform for systems that in many countries have shifted to an adult-like, “get-tough” approach to juvenile crime. Some countries in Latin America have used restorative justice as a tool to overhaul juvenile justice systems that are not in line with minimum UN standards. Nevertheless, there is an unwarranted tendency to regard restorative justice as a panacea for juvenile justice reform. Critics warn that restorative justice programs are difficult to establish in socioeconomically ravaged communities, where a lack of community integration can present problems for programs that rely on community participation. Still others label the restorative justice approach as too “softhearted” on young criminals.

## CONCLUSION

Future trends in juvenile crime and justice are, like many social indicators, uncertain. Demographers point to worldwide birth-rate statistics that foreshadow decreasing juvenile populations in many nations, coupled with an increase in the size of minority-group birth cohorts. Nicholas Bala et al. suggest that “the combination of the changing age and racial composition in [some countries] means that juvenile justice issues are likely to be more important and more divisive in coming years” (2002, p. 257). In addition, any changes in how societies view childhood and adolescence may possibly lead to broad reforms, or, in some nations, the abolition of separate mechanisms for dealing with juvenile delinquents.

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*Michael O. Maume*

# Transnational Organized Crime

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Transnational crime must be linked to basic changes in modern societies, changes that affect labor markets, the economy, and mechanisms of social integration. Transnational crime is therefore also linked to migration and immigration and those processes that have led to multicultural or multiethnic societies in both Europe and North America. These changes concern not only the emergence of transnational enterprises and a global economy, but also the emergence of transnational ethnic communities that bridge borders and possibly also cultures. Transnational crimes, that is, crimes affecting more than one country or nation at a time, as well as crimes characterized by their cross-border nature, are not new. Transnational crimes have always been part of the crime phenomenon. What has changed is the quantity and quality as well as the structures of transnational crime, which today are determined by the market economy, organizations and networks, rational choice, and migration.

With cyberspace, a completely new environment emerged in which crime is bred in forms that have come to be called cybercrime, but which could easily be conceptualized as a another form of transnational crime. Cyberterrorism, cyberstalking, and cybervandalism, as well as numerous varieties of property crime, such as money laundering, that make use of the Internet, create a sort of globalized threat that fuels insecurity. Cybercrime further fuels demands to establish security and safety through expanding social control, in particular, electronically based systems of control.

International and national criminal-law reforms and police strategies are geared toward better control of transnational crimes. Along with cybercrimes, the transnational crimes that attract policy attention include trafficking and

smuggling of illegal immigrants, a variety of economic crimes, environmental crime and cross-border pollution, drug trafficking, trafficking in women and children, money laundering, international corruption, and transnational terrorism, which emerged in the 1970s.

Transnational crime is characterized by either a criminal who perceives opportunities to commit crimes beyond national borders or by the cross-border transfer of illegal commodities. The motivation to cross borders and to engage in transnational crime are twofold. First, transnational criminals sometimes are enabled by the exploitation of the established national legal and administrative frameworks, which differ from country to country. Second, certain cross-border crimes, such as drug trafficking, simply cannot be accomplished without crossing national borders because supply and demand are located in different countries and regions.

The term *transnational crime* refers to networks of criminals or organized crime groups. Moreover, and from a methodological perspective, transnational crime is not accessible through the conventional instruments of criminological research, such as surveys, interviews, or participant observation, which are routinely deployed to study such conventional subjects as youth crime. The United Nations is investigating methods for incorporating the variables of transnational crime into its surveys on international crime trends.

However, the phenomenon of transnational organized crime is part of a trend toward the integration and convergence of social, cultural, and economic systems. It is, in particular, subcultural systems that display symptoms of globalization and integration, with transnational

terrorism being an exception because it aims at disintegration. The process of integration is based on well-known general trends, such as the mobility and globalization of economy.

#### THE CONCEPT OF TRANSNATIONAL ORGANIZED CRIME

Transnational crime can be classified into four groups based on the forms the crime takes, the control and investigation problems it poses, and the means by which societies can or should respond to it. These categories are:

1. Crimes related to the market economy.
2. Organized crime.
3. Crimes related to immigration and migration.
4. Crimes involving ethnic minorities and the social and ethnic segmentation of modern societies.

#### CRIMINAL MARKETS

Transnational crime is related to the market economy. All transnational crime is a response to an economy that is regulated by demand and supply. Along with markets for illicit commodities, there are markets for licit goods that stem from such acquisitive crimes as subsidy and tax fraud. There are also markets for illegal risks (e.g., illegal waste disposal or various types of investment fraud) and markets for illicit services, such as gambling, prostitution, money laundering, illegal immigration, software piracy, and the transfer of restricted or controlled technology.

Modern societies in Europe and North America have produced an enormous demand for an undocumented labor force that exists outside of the regulated labor market. This demand for undocumented labor continues to attract illegal immigrants. Illegal immigration has created a major market for transnational crime groups. It is estimated that approximately three-quarters of illegal immigrants had the support of organized groups in traveling to Europe and in crossing European borders. Some experts estimate that the number of immigrants illegally smuggled and trafficked stands at about four million per year.

Brokerage of illegal immigrants into labor markets concentrates on the construction industry, domestic service, sweatshops, and agriculture, as well as various types of shadow economies. Conventional organized crime groups, in particular the Chinese triads, are heavily involved in trafficking immigrants. In Germany, estimates put the number of illegal immigrants in the construction business at approximately 500,000. Several million illegal Mexicans live and work in the United States (most of them in parts of the South, where agriculture plays a major role). International adoption practices also point to an illegal market for children. The

emergence of shadow economies leads to the accumulation of capital, which, in turn, demands the reallocation of such illicit capital into legal markets.

The law enforcement response to shadow economies and black markets has been multifold. However, the most important responses are: (1) disruption of local retail markets through zero-tolerance and proactive policing; and (2) disruption of the global economy of illicit goods and services through strategies that pursue the proceeds of crime.

Anti-money laundering and confiscation measures rank high on the policy agendas of European countries. Demands to prevent organized criminals from profiting from various types of illegal activities, especially drug trafficking, have led to legislation facilitating the seizure and the freezing and forfeiture of crime proceeds. Along with the Council of Europe's Convention on Money Laundering, the guidelines issued by the European Commission oblige member states to enact laws forbidding money laundering and to establish systems of control that enhance the potential for identifying, freezing, and confiscating criminals' money. Moreover, the 1988 United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances emphasizes the need to crack down on illegal profits. Article K of the 1992 Treaty on European Union makes the problems of international crime, drug trafficking, and money laundering major aspects of European Union (EU) police and justice cooperation. The 2000 United Nations Convention against Transnational Organized Crime also gives special attention to money laundering and forfeiture policies.

Anti-money laundering measures and confiscation techniques represent the most powerful weapons available in the fight against drug trafficking and other types of organized crime. It is even argued that the traditional punishments for crime, such as imprisonment and fines, are ineffective against transnational organized crime, the better alternative being to follow the money trail. Since the 1990s, most European countries have amended their basic criminal codes and procedural laws to facilitate the seizure and forfeiture of ill-gotten gains.

Both confiscation and anti-money laundering policies have instigated significant changes in criminal law. National policies covering transnational crime have developed into international policies. Policies designed to combat organized crime are backed up by commitments to uniform legislation and joint efforts in law enforcement, as expressed in international treaties and supranational directives.

Analysis of confiscation policies and anti-money laundering measures must focus on the process and potential problems of implementation of these policies. It can be assumed that similar problems to those



encountered during the implementation of other branches of modern criminal law (e.g., environmental criminal law) will surface, although the type of actors and activities involved will differ. This assumption is based on the central role of information and information exchange for enforcing criminal laws. Crime profits and money laundering are part of systems (e.g., black markets, financial institutions, banks, and commerce) that are not easily penetrated by law enforcement. Obtaining access to these systems is crucial for the implementation of the law enforcement.

In cases of traditional street crime, for example, initiation of criminal investigations depends on victims reporting the crime. Moreover, successful investigation is primarily dependent on the victim's ability to give a clear account of what has happened, and, more importantly, some information on the suspect, which can then be used to track down the offender. The victim's role in social control has been compared to that of a gatekeeper of the criminal justice system. However, money laundering and crimes such as drug trafficking that generate huge profits cannot be easily traced to a particular victim or victims. It follows that someone else has to take care of collecting and passing on intelligence. The functions normally fulfilled by the victim in the investigation of ordinary crimes have to be assumed either by the private sector, which is engaged in financial transactions, or by administrative authorities who have routine access to the needed information. The success or failure of confiscation and anti-money laundering policies are essentially dependent on whether relevant information can be provided for law enforcement purposes.

Two options are available for criminal justice agencies attempting to cope with the deficit of information caused by the lack of a reporting victim. The first option consists of criminal justice agencies becoming proactive and acquiring for themselves the knowledge and access necessary to produce meaningful information. Their goal is to initiate criminal investigations, prepare solid charges, and finally reach a verdict. This option has been used extensively against drug-related crime, where proactive policing has become a major mechanism for controlling drug markets.

The second option consists of criminal justice agencies creating "artificial victims" or of private law enforcement staff making use of the intelligence on money laundering available in other systems that would not usually be involved in law enforcement. This option is in use against environmental crimes where particular administrative agencies are responsible for implementing administrative environmental law. The creation of artificial victims supposes that persons or institutions can be made interested in reporting suspicious cases or suspects, just as individual victims of crime do. Persons or

institutions, such as cultural or financial institutions, that are relevant to the money laundering process must be persuaded that they are victimized by the crime. Financial institutions, in particular, desire to maintain an image of honesty, trust, confidentiality, and respect for customers' privacy, and banks and their employees can to some degree be assigned the functions of police deputies, which amounts to a form of private policing.

## ORGANIZED CRIME

The concept of organized crime is based on two theoretical approaches. One approach views organized crime as linked with the traditional subcultures of the modern metropolis. These subcultures are also dependent on shadow economies that serve as the economic basis for what once was called the professional criminal (in particular, the professional thief) and that provide an environment for a network of criminals on the basis of deviant norms and values. In fact, much contemporary literature on these subcultures of organized crime describe an underworld, which sometimes is conceived as a competitor to conventional society. However, in many societies there exists a multitude of arrangements between these underworlds and the conventional society. These arrangements are functional insofar as the underworld and the shadow economies operating within it provide some commodity or service that is in demand in the conventional society. The demand for drugs, prostitution, or gambling emerges outside of shadow economies and keeps these economies alive. The arrangements vary and include various types of corrupt relationships.

The second theoretical approach to understanding organized crime considers crime as a rational and well-organized enterprise. According to this view, the enterprise-related characteristics of organized crime prevail, and the subculture-based characteristics are declining. Organized crime thus displays the forms and the structures of conventional economic behavior. The once-clear differences between criminal and noncriminal activity have faded, and organized crime has become indistinguishable from other types of economic behavior. For example, in money laundering, nothing in the appearance of the offender or in the act itself can serve as a clear identification of the act as criminal or deviant. The offender and the criminal act do not exhibit the traditional signs of crime or deviance. The difference between organized and conventional crime, therefore, has led to the emergence of new investigation problems in identifying the changes in rational and organized criminal enterprises. Such changes consist of getting closer to conventional society and abolishing subculture-related and therefore visible differences. Organized crime creates problems for law enforcement because such crimes use the forms and procedures of

conventional society, making identification of criminal acts and suspects difficult. New types of criminal legislation, such as money-laundering statutes, take perfectly legitimate behavior (e.g., the handling of assets or money) and mark it with an illegality that is invoked only by the criminal origins of the assets.

## IMMIGRATION

Immigration and migration represent the third “pillar” in understanding transnational crimes. Immigration has always been associated with issues of safety and crime. Immigration in Europe since the early 1960s has been associated with a number of social problems; therefore, immigration has also become a central topic in the debates on safety in EU countries. As was demonstrated through the implementation of the Schengen treaties, which regulate immigration between EU countries, immigration has become a significant part of the EU’s policies with respect to crime and crime control. Control of immigration is even equated with control of crime and the creation of stable social conditions. The particular relevance of the relationship between safety and immigration results from the process of globalization in the economy, the shrinking of the first labor market, mass unemployment, and the rapid expansion of shadow economies, the consequences of which become visible in EU citizens’ sense of insecurity, segregation, and the emergence of inner-city ghettos. It also results in the loss of social solidarity and signs of bias, hate, and violence. In this environment, the concern is that immigrants (and other ethnic minorities) may: (1) contribute to instability and violence either actively as offenders or passively as violence-provoking victims; and (2) exploit host countries and host societies either through the marketing of illicit goods and services or by living on social security and property crime.

This view is reinforced through other signs of disintegration and conflict displayed by immigrant groups. It is, in particular, their statistically high share of unemployment and low achievement in training and education that make immigrants (in particular, those from non-EU countries) a social group living at the margins of society. In some EU countries, unemployment rates among non-EU immigrants are at least twice that of the majority group.

During the 1950s and 1960s, immigration took place almost exclusively on the basis of labor immigration (finding its expression in active recruitment of labor immigrants in most Western European countries), as well as on the basis of postcolonial relationships. Immigration in the early years of the twenty-first century is, predominantly, an involuntary movement triggered by military conflicts, civil wars, and rapid processes of economic and cultural transformation in less-developed countries. The process of

constructing immigration as a social, economic, political, and criminal problem has gained momentum with the sociopolitical and economic changes that occurred in Eastern Europe in the 1990s, and the opening of the former tightly controlled borders between Western and Central European countries.

At the beginning of the new millennium, estimates put the number of non-EU nationals in EU countries at approximately ten million, representing some 3 percent of the resident population of the EU. Interviews with migrants and nonmigrants from five countries (Turkey, Egypt, Ghana, Senegal, and Morocco) indicate that the main motive for migration is economic (however, there are also clear gender patterns, with women being motivated primarily by family reasons). The migration destination is determined by the presence of family and friendship networks. This explains why there are, despite the same motives for emigration and varying conditions of immigration, clear preferences that remain the same for legal and illegal immigrants—with Turkish people choosing mainly Germany; Moroccans choosing Spain or France; and Egyptians, Senegalese, and Ghanaians choosing non-EU destinations. Information relevant for migration is provided primarily by family and friends living in the country of destination, with information covering economic and labor conditions considered most important, and the statutory conditions of immigration seen as least important. Interviews carried out in the sending countries, as well as in Spain and Italy, reveal that there is a significant proportion of immigrants reporting experiences with undocumented entry or overstaying a legal period in receiving countries. The main motive for nonmigration is, not surprisingly, family bonds. A certain bar is also set by economic resources because migration demands the availability of economic means.

The links between immigration and crime can be summarized as follows:

- Some immigrant groups exhibit much higher proportions of crime participation or crime involvement than does the majority group.
- Some immigrant groups display the same degree of crime involvement or even less participation in crime than does the majority group.
- First-generation immigrants of the 1950s and 1960s were less involved in criminal activities than were second- or third-generation immigrants and those arriving in the 1980s and 1990s.
- Most immigrant groups have in common their socially and economically disadvantageous and precarious position, which puts them at risk of becoming involved in shadow economies, drug markets, and acquisitive crime.

- Cultural differences between groups that are socially situated in similar positions can result in different crime patterns—different in terms of both the structure and the magnitude of crime involvement.
- Cultural differences between immigrant groups include the capacity for community building and the preservation of cultural and ethnic homogeneity.
- Cultural differences are important in explaining varying degrees of social and economic opportunities, be they legal or illegal, in different ethnic or immigrant communities and social groups.
- Immigrants are at as much at risk of becoming victims of crime as they are of posing risks in terms of deviance and crime. In this, they are not different from the majority group.

### MULTIETHNIC SOCIETIES

Ethnic minorities and the ethnic segmentation of modern societies contribute to the distinct features of transnational crime. With changes in immigration patterns and in the economic and social structures of modern societies, immigrants move into a precarious position of marginality and exclusion. Such marginality contributes to ethnic segmentation, as well as a group loyalty that supports shadow economies and creates new law enforcement problems.

Successful immigrants to Europe and North America during the nineteenth and twentieth centuries managed to work hard and integrate (economically and culturally) into mainstream society. Several waves of Polish immigrants settled at the end of the nineteenth and the beginning of the twentieth centuries in western Germany, mostly in coal mining areas; they melted rapidly into mainstream society and became invisible as a distinct group within half a century. The traditional conception of immigration and cultural conflict that was developed to explain social problems related to immigration in North America does not fit the European situation, where immigration creates new networks of migration and a pluralism of “transnational communities.”

The disappearance of low-skilled jobs and the transformation of industrial societies into service-and-information societies dependent on highly skilled workers have contributed to a drastic change in labor markets and in the traditional mechanisms of social integration, which were always based on labor and employment. Shadow economies and black markets, particularly in metropolitan areas, now offer precarious employment opportunities for new immigrants.

Political changes in Europe, then, have had an impact on the legal status of immigrants. In the 1960s and 1970s, most immigrants entered European countries legally as labor immigrants or on the basis of family

reunification. In the first decade of the twenty-first century, the legal status of new arrivals to Europe is more tenuous. Immigrants may be asylum seekers or refugees, or they may be merely tolerated, subject to strict administrative controls, and threatened by criminalization as a consequence of noncompliance.

With the transformation of labor markets, immigrants in general came to be unemployed and dependent on social security. Crime policies related to immigration must address the assumed precursors of crime and deviance, including family problems, unemployment, and lack of education and professional training. Immigrants tend to concentrate in inner-city ghettos. Migration and immigration in Europe is mostly directed toward metropolitan areas and areas that are increasingly plagued by numerous social problems, including the emergence of ghettos.

There are important changes in the types of immigrants entering Europe and North America. Labor immigrants of the 1950s and 1960s came predominantly from rural areas, while immigrants arriving after 1980 were mainly from urban areas where resources for migration are more readily available than in the disadvantaged areas of developing countries. Migration and immigration during the second half of the twentieth century led to the fast-developing phenomenon of ethnic and migration networks, as well as the establishment of transnational communities that provided ample opportunities to move. These developments represented an alternative to the EU plan for the free movement of goods and people.

### NEW CHALLENGES FOR POLICE AND POLICING

New challenges for the policing of transnational crime have several sources. Some challenges are related to changes in police work itself—in particular, the emergence of zero-tolerance-style policing and related strategies that focus on the disruption of local expressions of transnational crime (i.e., local shadow economies and black markets). These strategies have given rise to the question of how crime can be controlled without increasing the police abuse of power and illegitimate violence, a question that can be boiled down to how to organize the relationship between police and ethnic minorities. Research on zero-tolerance policing has revealed that such strategies are associated with a parallel increase among police in the abuse of power, illegal behavior, and sometimes illegitimate violence, a development that has led to the question of how irregular conduct can be reduced without sacrificing strict policing advantages. The problem is well known to all agencies that pursue several objectives at the same time. Policing encompasses the goal of reducing crime but also must respect the value of human life and human dignity while guaranteeing the

basis of a civil society. Police must also enforce the law impartially. They aim to strike a balance between crime control and due process.

An important aspect of the attempt to make police departments take a balanced approach to crime control and in particular a fair and impartial approach to ethnic minorities has been the representation of minorities themselves in police forces. However, European police forces have only recently adopted policies of active recruitment of ethnic minorities. Research on the recruitment of minorities into police forces in England and Wales shows that despite an active commitment toward an ethnicization of the police, the proportion of minorities is still low. The details demonstrate that there is obviously an inverse relationship between the size of the ethnic general population and the proportion of ethnic police.

The second challenge follows from the attempt to balance efficiency in crime control with the need to protect privacy and human rights. Demands for increasingly sophisticated electronic forms of communication, as well as compensation for growing mobility, globalized threats, and weakening border controls, reflect the decline in informal control of crime. In the face of transnational crime, control remains limited. There is a growing tension resulting from conflicting perspectives between the right of privacy and law enforcement objectives.

The third challenge concerns cooperation between police forces, an increasing demand for intelligence about policing, and international variation in police organizations, police laws, criminal procedural laws, and policing models. Such intelligence is needed to understand the problems that arise in police cooperation and to develop remedies in international treaties on transnational crime control.

#### INTERNATIONAL COOPERATION AND INTERNATIONAL POLICING

On the international level, the political will to focus on transnational organized crime in Europe and to work on instruments to combat these types of crimes was first expressed in the 1988 Vienna Convention. The Vienna Convention focused on three areas perceived to be of paramount importance for the control of transnational drug trafficking, including harmonization of criminal law related to drug trafficking and harmonization of money laundering legislation. The streamlining of international judicial cooperation was also sought. Of marginal importance were attempts to make investigative techniques uniform from country to country. The 2000 Vienna Convention was followed by the United Nations Convention against Transnational Organized Crime, with an additional protocol dealing with trafficking in human beings.

The United Nations Convention against Transnational Organized Crime, adopted in 2000, defined transnational and organized crime beyond drug trafficking and attempted to establish a framework within which all types of transnational crimes could be dealt with effectively. According to Article 2 of Annex 1 of the convention:

“Organized criminal group” shall mean a structured group of three or more persons, existing for a period of time and acting in concert with the aim of committing one or more serious crimes or offences established in accordance with this Convention, in order to obtain, directly or indirectly, a financial or other material benefit.

The definition remains vague about the various phenomena that constitute transnational crime. The convention also covers offenses regarded as core transnational crimes, such as money laundering, corruption, trafficking in humans, and all “serious offenses” committed by organized crime groups. A *serious offense* is defined as a criminal offense carrying a threat of punishment of at least four years imprisonment. Membership in a criminal enterprise or organized criminal group as defined in the convention was made an important tenet, and signatories to the convention were urged to introduce legislation making such membership a criminal offense. The convention also suggested introducing various types of communication control and covert operations, as well as witness-protection programs and corporate liability.

With this convention, a trend was reinforced in Europe in which cross-border cooperation is dominated by police, provoking criticism of “policization” of the criminal procedure and the marginalization of the judiciary in international law enforcement. In fact, the system of liaison officers, which has been strengthened considerably since the 1980s, has created a dynamic in police cooperation that has no parallel in judicial cooperation. A process is underway that aims at harmonizing special investigative techniques and sanctioning strategies, while expanding their application beyond drug trafficking to other serious types of crimes. The focus is on efficiency in crime control and law enforcement; policing and law enforcement have become international, while the judiciary and judicial procedures remain national.

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*Hans-Jorg Albrecht*

*Countries*

# Afghanistan

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**Official country name:** Republic of Afghanistan

**Capital:** Kabul

**Geographic description:** Completely landlocked country covering an estimated area of 260,000 sq. mi.

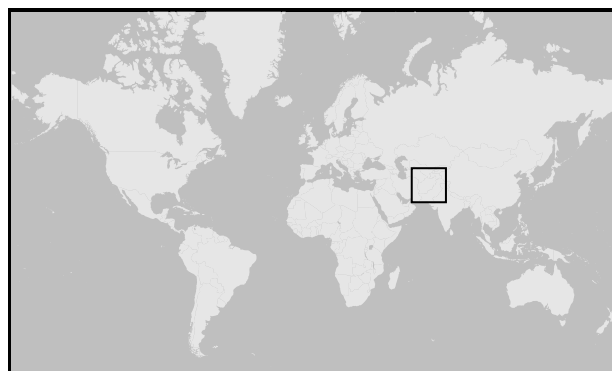
**Population:** 27,750,000 (est. 2005)



## LAW ENFORCEMENT

**History.** For centuries until the accession of Abdur Rahman Shah in 1880, public order on a countrywide basis was nonexistent. Each tribe defined proper behavior for its members, trying and punishing offenders for violations of tribal codes. Intertribal relations, more often than not, are governed by armed force. Tribal chiefs and village leaders regarded themselves as independent rulers over their respective areas. Brigands and robbers preyed with impunity on travelers and passing caravans.

Abdur Rahman (ca. 1844–1901) was a strong and forceful ruler who established the first institutions of a civil society. He set up a police force in the modern sense, including a network of informers and agents. In Kabul, the force was so large that one out of every four able-bodied adults was engaged in police work. He organized Muslim courts and tribunals to deal with crimes against the state, property and person, and personally presided over the trials in all serious cases. His punishments were harsh and capricious. Common punishments included amputation of hands or foot and blinding. There was an official “blinder” attached to the royal court. The death penalty was common and included such forms of execution as death by starving and stoning and being blown from a cannon.



Abdur Rahman’s efforts to modernize the state were continued under his successor, Habibullah Khan. A modernization program, initiated by Nadir Shah (r. 1929–1933) and developed by his son King Mohammad Zahir Shah, included provisions for rebuilding the police. The police force took over internal security responsibilities from the army. Later, control of the police was transferred from the Army to the Ministry of the Interior. The *Gendarmerie* was established in 1942 and it took over law and order responsibilities in rural areas. The police were limited to the major cities, such as Kabul, Herat, Kandahar and Mazar-i-Sharif.

In 1957 the Afghan government signed an agreement with the United States designed to improve the operational effectiveness of the civil police through technical assistance and training. Under this agreement English-language training was instituted at the National Police Academy in Kabul. For the first time, the Afghan police received fire-fighting apparatus, scientific crime-detection

devices, laboratory materials, photographic supplies, bicycles, and jeeps. This program laid the groundwork of a modern civil police department. After the program was terminated in 1959, it was replaced by a similar program under the auspices of the Federal Republic of Germany.

Much of the structure of the police and legal system was destroyed in the civil war that followed the overthrow of King Zahir Shah and the establishment of a democratic republic. The state of political instability lasted for nearly 22 years until collapse of the Taliban in 2001 and the establishment of an Afghan International Administration (AIA) under the auspices of an international coalition led by the United States. The AIA abolished the Taliban's religious police, the principal law enforcement agency that functioned under the Ministry for the Promotion of Virtue and Suppression of Vice. The Religious Police committed numerous serious violations of human rights in areas under Taliban control. The interim government of Afghanistan under Hamid Karzai has reestablished a functioning, but still rudimentary, police system in the country. Security in Kabul is maintained by an International Security Assistance Force. Outside Kabul, the warlords maintain their own private armies, which dispense a primitive form of law and order.

**Structure and Organization.** Police functions are performed by the National Police and the Afghan Gendarmerie, both agencies controlled by the Ministry of Interior's Police and *Gendarmerie* department. In general, the police work in large urban areas and the *Gendarmerie* in rural areas. The Traffic Police function independently under the Provincial Administration Department of the Ministry of the Interior. This structure has remained intact under the post-Taliban interim administration with a few modifications.

The National Police fall into two categories: municipal and provincial. The Municipal Police maintain public order in towns and cities and also operate prisons and jails, arrest criminals, investigate criminal cases, serve summonses, guard government buildings, and escort government vehicles. The Provincial Police also serve the provincial governments and maintain law and order in towns without a formal municipal government. All civil forces wear the same uniform, patterned after that of the army, but with certain distinguishing police patches. Normally the police are posted in pairs and carry side arms. On night patrol or emergency missions provincial police usually carry a rifle as an additional weapon.

Each of the larger cities, except Kabul, has a civil police under a chief of police, an official on the staff of the mayor. They function as a city police force and are paid from the municipal funds. The Kabul Police enjoys

a special status because of its metropolitan character and is under the general supervision of the State Department of Police.

The Afghan *Gendarmerie* is the rural and frontier police force and operates in those areas not covered by the National Police. Its tasks include garrisoning of the less-important garrison posts, patrolling sensitive stretches of the border, manning important road checkpoints, and settling or suppressing disturbances in rural areas. The gendarmes are usually mounted, but some safety patrols along the main roads employ small trucks or jeeps. In addition to these patrols, manned posts are established at various intervals in the difficult mountain pass regions. Other duties assigned to the *Gendarmerie* include escorting government convoys, guarding vital installations, providing emergency aid, checking on military exemptions and deferments, collecting conscripts for the Army, and apprehending deserters and conscript evaders.

**Education and Training.** In the prewar police force most of the recruits came from the dominant Pushtun tribe. The National Police Academy established under U.S. and later German auspices ceased to function during the civil war, and was reconstituted under American auspices after the fall of the Taliban. Police training is provided at the Kabul Police Academy that opened in 2002. For the first time, police recruits at the Academy include women. There are two courses at the Academy: the Stanman course for subordinate officers and the Saran course for higher level officers.

#### **Police Statistics.**

- Total Number of Police Officers: 51,500
- Population per Police Officer: 540

#### **HUMAN RIGHTS**

After the fall of the Taliban, the human rights situation remained extremely fluid. In areas where the Coalition forces are present, standard human rights practices are enforced, but large parts of the country are subject to the warlords who maintain their fiefdoms in defiance of the Kabul government.

#### **CORRECTIONAL SYSTEM**

Almost all cities and towns have jails, and the larger administrative and population centers have prisons. In the villages where *Gendarmerie* posts are located, a lockup room is maintained for the detention of prisoners pending their final trial. Provincial and central government officials make periodic inspections of jails and sentences.

In the post-Taliban era, the government has emphasized the rehabilitation of prisoners through expanded



*An Afghan police officer oversees the burning of seized drugs in Kabul, Afghanistan, June 26, 2005. A United Nations program, launched in 2005, targeted the illegal drug trade in Afghanistan, the world's largest producer of opium and heroin. Through teams of investigators, lawyers, and judges, the program started prosecuting major narcotics cases as part of international efforts to rebuild the country. AP IMAGES.*

training programs and reform schools for juvenile delinquents. In certain provinces, private associations conduct rehabilitation classes for women prisoners. Prison labor is used to produce wares, especially clothing for the military. Inmates are taught trades and handicrafts and they are permitted to retain part of the money earned from the sale of their products. Stone masonry, pottery making, and rug and carpet weaving are among the most common trades and crafts taught.

Just as in the judicial system, corruption is rampant in the corrections system. Bribes to police and corrections officers procure the release of prisoners without the knowledge of higher officials. Record keeping is primitive and no statistics are collected.

**Prison Conditions.** Prison conditions are poor and prisoners lived in overcrowded, unsanitary conditions

in collective cells. The prisoners received no food from prison authorities; prisoners' relatives were allowed to visit them once or twice a week and bring them food. Prisoners with no relatives had to petition the local council or to rely on other inmates. Prisoners are subject to torture and beatings with rubber- and plastic-bound cables. Sometimes they are forced to do hard and dangerous work, such as digging trenches in mined areas.

**Prison Statistics.** In 2005 there were 6,000 prisoners in 34 jails and hundreds more in an unknown number of provincial prisons that are under the jurisdiction of the warlords. The U.S.-led coalition forces maintain a number of detention centers.

*George Thomas Kurian*



# Albania

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**Official country name:** Republic of Albania

**Capital:** Tirana

**Geographic description:** Southwestern Balkans bordering the Adriatic Sea and the Ionian Sea

**Population:** 3,166,000 (est. 2005)

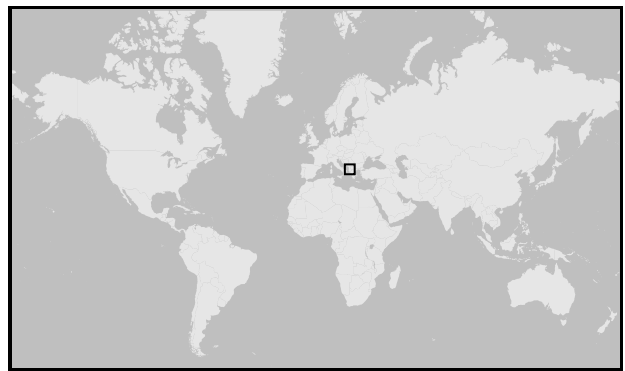


## LAW ENFORCEMENT

**History.** In a government that is about twelve years old and operating under a constitution that is five years old, the law enforcement is constantly evolving. Due to these quick changes and the fact that Albania is the most isolated country in eastern Europe and only began to open up a little in the 1990s, getting a grasp on the current law enforcement system is not an easy task.

Under Communist rule, one police force, the People's Police, had extremely broad jurisdiction that shouldered the bulk of the burden of law enforcement duties. Today, the law enforcement system is believed to be more specialized. From the outside perspective, since 1997, the Albanian society has been showing steady improvement likely attributed to Albanian law enforcement. But, with the emergence of the Albanian Mafia into the world as a very legitimate and quickly expanding organized crime outfit, Albanian law enforcement's job is not getting any easier.

In 1997 the Albanian National Police was formed and next year the new Ministry of Public Order for Police and Human Rights was in place along with a new law on state police in 1999.



## Structure and Organization.

**Local Police.** The General Police of the People's Police performed the duties of regulating traffic and performing local criminal investigations. Their powers often overlapped with the Security Police, but as a rule, the General Police had local jurisdiction.

**Special Police.** The People's Police had five branches to their police force:

1. Police for Economic Objectives act as guard police for state buildings, factories, construction projects, and similar government enterprises.
2. Communications Police protect Albania's lines of communication, which included bridges, railroads, telephone, and telegraph network.
3. Fire Police act as the fire department.
4. Detention Police serve as prison and labor camp guards.

5. General Police serve as the local police force, performing traffic regulation and criminal investigations.

After 1989, information on the operation, staffing, and training of the People's Police is generally not known outside the borders of Albania.

**Auxiliary Police.** The Auxiliary Police assisted the People's Police under Communist rule. In 1948 a law was passed requiring all able-bodied men to put in two months service with the police and this is the avenue often chosen to fulfill this obligation. They worked with the People's Police in their particular localities. They were to be the link between the community and the police forces.

**Border Police.** Frontier Guards of Albania was one of the most prestigious forces in the old government because of its closed borders. They work much like the border patrol or immigration departments in the United States, but are organized along military lines. This 7,000 troop agency would neither let people in nor would they allow for people to leave the borders. Although the society is slowly beginning to open up, their job is not becoming any easier. Albania has historically had terrible relations with its formerly Yugoslavian neighbors, namely Serbia and Montenegro and the Kosovo region. They also have a great deal of responsibility in controlling the smuggling and other ventures of the Albanian Mafia. Due to this important task, the frontier guards had probably the best training and strictest prescreening process for admission. The Frontier Guards were moved to the Ministry of People's Defense under the new government.

**National Information Service.** The National Information Service replaced the hated Directorate of State Security (Sigurimi) in 1991. The National Information Service objective is to enforce the constitution and laws of Albania and the civil rights of its citizens. Its predecessor, Sigurimi, was a corrupt agency that ended up only serving the purpose of enforcing Communist ideals. It is because of this that political activities are banned in the organization.

**Judicial Police.** Judicial Police are the police officers of the state police force directed and controlled by the prosecutors. The prosecutor directs the judicial police based on orders handed down from judges concerning the procedural duties (Republic of Albania Assembly Law 2000).

**Organized Crime Police.** Albania's organized crime investigation team was created in 1998 to help address the nation's biggest threat. They work with law enforcement agencies throughout Europe, but especially with the Italians due to the intense relationship between the Italian and Albanian Mafias (Galeotti 1998).

**Riot Police.** Riot Police are often a norm in a new unstable society. In 1997 the Riot Police had their hands full when failed pyramid schemes lost an enormous amount of money for the investors. The Riot Police were called into battle to control 35,000 protesters in the capital city of Tirana.

**Traffic Police.** The People's Police's General Police have the traffic jurisdiction within the municipalities.

**Uniforms.** Auxiliary Police, required to serve with the People's Police under the Communist government, wore the uniforms of the People's Police. They were distinguishable by a red band worn around their arm. Judicial Police may be exempt from wearing uniforms with the approval of their director, but as with most police officers in Albania, they must have a numbered badge kept with them if it is not on their uniform.

**Community Relations.** The former Communist government of Albania had recognized the need for better community relations with law enforcement. This task was put largely in the hands of the Auxiliary Police. They were charged with the duty of giving the population a familiarity with and a better understanding of police activities and problems.

Community relations took a turn for the worse at the end of the twentieth century. About half of the country's population admitted to paying bribes and two-thirds of public officials acknowledged bribery as commonplace in the system. In 1998 the World Bank named Albania as the most corrupt nation in Europe. Although the problem of corruption still is a huge problem, it is being addressed. Under pressure from lending agencies and donor countries, the Albanian government has established an Anti-Corruption Monitoring Board to get a handle on the problem. Since the board was established, corruption in Albania has steadily declined in most areas.

**Education and Training.** Albania's crime problem spans far outside the nation's borders. Albanian organized crime has affected the entire globe, and, thus, it is in the world's best interest to contribute to Albania's ability to counter it. European countries and the United States have aided in everything from weapons to manpower. The United States has taken the lead in aid with the training of Albanian law enforcement, namely the Albanian National Police (ANP).

The United States, through the International Criminal Investigative Training Assistance Program (ICITAP), is providing the ANP leadership with strategic planning management training to help them more closely resemble law enforcement agencies in democratic societies.



**Albanian police control crowds as aid workers hand out food in the main square of Kukes, Albania, April 9, 1999.** The crowds consisted of ethnic Albanians who fled from Kosovo during a war that pitted Serbians against Albanians. An estimated 320,000 ethnic Albanians who fled Kosovo are living in Albania. AP IMAGES.

The ICITAP are giving civil disorder management training to the Rapid Reaction Unit that is responsible for the Albanian-Kosovo border. Their efforts continued through assigning advisers to key police executives and created the Inspectors General's Office to counter corruption. The ICITAP has assisted the ANP with training and technical assistance in election security as well as in their battle against all organized crime, including preventing human trafficking and investigating alien (U.S. Department of Justice 2003).

#### Police Statistics.

- Police Staff for Every 100,000 People: 300–399 (1995)

(Source: *European Source Book*)

**Police Officers Killed in the Line of Duty.** In a country where the two biggest problems are corruption of government officials and crime, it might be expected that a

police officer may have a risky profession. In 1999, 142 police officers were among the 657 people murdered in the country of Albania.

#### HUMAN RIGHTS

Historically, an issue continually brought to the attention of the world has been Albanians' disregard for human rights. Environmental dangers, serious mistreatment of prisoners, and labor camp workers have all been alleged. However, the country appears improving on these fronts.

A good measure of the improvement of the nation can be attributed to the freedom of the press. The amount of freedom the press has is often a mirror of how free a country is.

The expansive domestic issue paralyzing the nation is that of the Albanian Mafia and other organized crime. Albania has become an increasingly active transshipment point for the trafficking of illicit drugs from Asia to

Western Europe. Along with this activity also comes associated crimes like money laundering and other illegal activities.

### CRIME

Crime in Albania continues to trouble the developing nation. They do not have a severe problem with conventional crimes. However, Albanian organized crime has caused the entire globe stress and heartache.

**Organized Crime.** Although in the big picture they have not been around for very long, the Albanian Mafia exploded onto the organized crime scene. The Albanian Mafia controls 70 percent of the heroin market in Switzerland, Germany, Austria, and the Scandinavian countries, and 40 percent of the heroin market throughout Europe. This organization also participated in smuggling cocaine, oil, contraband cigarettes, refugees, body parts, and guns (Roslin 2000).

It has recently come to light that the Albanian Mafia has been a large player in human smuggling for the slave and sex trade world. Albanians' criminal networks included the smuggling of migrants as well. Although the country appears to have opened up to some degree, there is still a big market for assistance in leaving the nation. In the first eight months of 2001, 54% of migrant smugglers arrested in Greece were Albanians (Antonopoulos 2003). In fact, a report by the International Crisis Group estimates that half of the gross national product is accounted for through criminal activity (Wood 2003).

**Crime Statistics.** Crime was listed as the second-largest problem in the country behind corruption, and the trend only seems to be getting worst. Albania is in the upper third of the world in sexual assaults. The U.S. Department of State warns of instances of armed robberies, assaults, and bombings outside of Tirana, as well as putting special emphasis on carjackings. Pick-pocketing and other misdemeanors are not uncommon in the nation (U.S. Department of State 2002).

### CORRECTIONAL SYSTEM

As a whole, Albanian corrections is no stranger to scrutiny. They are often under fire for human rights violations. However, the reforms after 1997 are steadily improving the corrections system. During the Communist reign over the country, the corrections facilities were overrun

with political prisoners who did not fall in line with the Communist regime. At the time, 32,000 prisoners were jammed in 29 prisons or labor camps. It was evident that reforms to the system were desperately needed.

**Prison Conditions.** Although Albania is still far from meeting standards in the realm of corrections, it seems to be making strides in a positive direction. Reforms in the area of human rights and the death penalty have the system on the rise in the eyes of Europe and the rest of the Western world.

**Prison Statistics.** Some 3,075 prisoners are housed in seven institutions. 44.9% are pretrial detainees or remand prisoners. 4.4% of the total population are female and 1.2% are juveniles (under 18 years of age). 90 per every 100,000 are institutionalized in Albania. Based upon the capacity of the institutions (2,241), the facilities are 136.2% full (International Centre for Prison Studies 2004).

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# Algeria

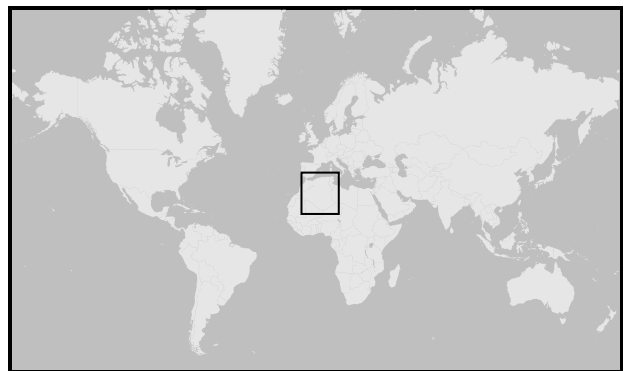
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**Official country name:** People's Democratic Republic of Algeria

**Capital:** Algiers

**Geographic description:** Located on the North African littoral, between Morocco and Tunisia, with a total area of 919,595 square miles, of which more than four-fifths is desert

**Population:** 32,531,853 (est. 2005)



## LAW ENFORCEMENT

**History.** Modern Algerian police dates only from French occupation and is modeled on the police force of metropolitan France. For many years much of the equipment of all police units was supplied by the French who also provided instructors and technical advisers.

**Structure and Organization.** Primary responsibility for the maintenance of law and order is exercised jointly by two separate organizations: the *Gendarmerie Nationale* and the *Sûreté Nationale*.

The *Gendarmerie* is a component of ANP, the National Liberation Army, and is the main rural police force. Operationally, it has been described as a combination of rural security force and national guard always on active duty. Because of its size, training, equipment inventory, and tactical deployment capability, it is regarded as a competent and versatile paramilitary force. The chief responsibilities of the *gendarmerie* are to maintain law and order in rural areas, to conduct security surveillance of local inhabitants, and to symbolize the authority of the

government in remote regions where tensions and conflicts have occurred periodically. The *Gendarmerie* is organized into battalions, with companies and battalions stationed separately in villages along the coast, in such remote mountainous regions as the Kabylie and the Aures and in the plateau villages between the coast and the desert. A highly mobile force, the *Gendarmerie* uses both motor and animal transport and a modern communications system interconnects its various units with each other, with the army, and with the Ministry of the Interior. *Gendarmerie* equipment includes light infantry weapons and armored cars mounted with machine guns or light cannons.

For administrative purposes, the *Gendarmerie* units are allocated to the five military divisions, with headquarters at al-Boulaida, Oahran, Bechar, Ouargla, and Quacentina.

The *Sûreté Nationale* is the primary policing authority in the principal cities and other urban centers. It is charged

with the maintenance of law and order, the protection of life and property, the investigation of crimes and the apprehension of offenders. In addition, it performed other routine police functions, including traffic control. Under the administrative control of the Ministry of Interior, the *Sûreté* is commanded by a director general. It is organized generally along the lines of the French *Sûreté* with operational and investigative branches and supporting services. The Judiciary Police branch is responsible for criminal investigations, working in close cooperation with the office of the public prosecutor in the Ministry of Justice. Police elements assigned to the capitals of the *wilayaat* are under the nominal control of the provincial governors. Elements of the *Sûreté* also play a role in countering threats to the government from political subversives. In earlier periods, this function was carried out by the National Company of Security, but this designation was dropped during the 1970s. The primary responsibility for counterterrorism lies with the military security service of the Ministry of Defense.

The *Sûreté* also controls illegal immigration and contraband trafficking working through customs inspectors at all legal points of entry. Police assigned to the seaports operate under the control of the National Port Office, which is responsible for security in the maritime zones.

Only the police and uniformed members of the military may possess pistols, revolvers, and automatic weapons. Police also maintain control of concealed weapons, such as daggers and knives. The Penal Code prohibits the sale and possession of all firearms by private individuals.

**Education and Training.** Both the *Gendarmerie* and the *Sûreté Nationale* have their own training schools. The *gendarmerie*'s main training center is at Sidi Bel Abbas, the former headquarters of the French Foreign Legion. Officers are trained at Sidi Mohammed and El Harrach.

#### Police Statistics.

- Total Police Personnel: 75,000
- Population per Police Officer: 840

#### HUMAN RIGHTS

The constitution bans torture and other cruel, inhuman or degrading treatment by the police, but the police at times resort to torture when interrogating persons suspected of being involved with or having sympathies for armed insurgency groups. Security forces also have been

charged with committing extrajudicial killings and with the arrest and detention of suspected members of armed groups. The police have been reported to use excessive force to put down demonstrations and riots. Police and communal guards sometimes detain persons at checkpoints.

#### CRIME

**Crime Statistics.** Offenses reported to the police per 100,000 population: 178. Of which:

- Murder: 0.7
- Assault: 67.6
- Burglary: 13.7
- Automobile Theft: 1.7

#### CORRECTIONAL SYSTEM

The country's corrections system includes large prisons in Algiers, Medea, Berrouaghia, Oran, Tlemcen, and Constantine. There is at least one cell in each *wilaya*. Supervision and operation of the penal system are coordinated by the Ministry of Justice.

Persons convicted of civil crimes are sent to provincial civil prisons, while those found guilty of more serious crimes against the state or crimes that carry the death penalty are sent to one of the three penitentiaries.

**Prison Conditions.** Conditions in the penitentiaries are much worse than in civil prisons. Prisoners are often crowded together and sanitary and medical arrangements are poor. Each prison has a contract with a local doctor who visits the prison to treat ill prisoners while seriously ill prisoners are sent to the local hospital. Prisoners are generally fed a bland and starchy diet augmented by provisions and meals from their families. Families are allowed to visit civil prisons once a week.

#### Prison Statistics.

- Total Prison Population: 38,868
- Prison Population Rate: 121 per 100,000
- Pretrial Detainees: 36.1%
- Female Prisoners: 1.8%
- Juveniles: 2.1%
- Number of Prisons: 127
- Official Capacity of the Prison System: 34,173

*George Thomas Kurian*

# Andorra

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**Official country name:** Principality of Andorra

**Capital:** Andorra la Vella

**Geographic description:** Landlocked principality in the Pyrenees between France and Spain

**Population:** 70,549 (est. 2005)



## LAW ENFORCEMENT

**History.** The Andorran Police was established in 1931. The police force is assisted in alternate years by the French *Gendarmerie* or the Barcelona Police.

**Structure and Organization.** The police force is headed by the French and Spanish *Viguiers* (representative) and divided into a motorcycle Traffic Branch, a Criminal Investigation Team and a Mountain Rescue Team.

**Uniforms and Weapons.** The uniform for all ranks is a beige tunic and trousers with a matching cap in summer and a green uniform in winter. A Smith and Wesson .357 Magnum 4-inch revolver is carried by uniformed personnel and a Smith and Wesson .38 Special 2-inch revolver by plainclothes and off-duty personnel.

**Education and Training.** Most police officers receive their training in Spain or France.

### Police Statistics.

- Total Police Personnel: 302
- Population per Police Officer: 220



## HUMAN RIGHTS

The government generally respects the human rights of its citizens and the law and judiciary provide effective means of dealing with individual instances of abuse.

## CRIME

**Crime Statistics.** Offenses reported to the police per 100,000 population: 2,616. Of which:

- Murder: 0
- Assault: 16.7
- Burglary: 515.2
- Automobile Theft: 110.6

## CORRECTIONAL SYSTEM

The prison system is administered by the Ministry of Interior Justice based at the *Centre Penitenciar*. The administrative head of the system is the director general. There are

two prisons with a total capacity of 85 and an actual prison population of 55. Of the inmates, 74.5% are pretrial detainees, 7.3% female prisoners, and 83.6% foreigners.

**Prison Conditions.** Prison conditions generally meet international standards and are considered humane. Men and women are held separately, as are adults from minors.

**Prison Statistics.**

- Prison Population: 55
- Prison Population Rate: 90 per 100,000

- Pretrial Detainees: 77%
- Female Prisoners: 7.3%
- Foreign Prisoners: 83.6%
- Number of Prisons: 2
- Official Capacity of the Prison System: 85
- Occupancy Level: 71.8%

*George Thomas Kurian*



# Angola

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**Official country name:** Republic of Angola

**Capital:** Luanda

**Geographic description:** Country in Southern Africa, bordering the South Atlantic

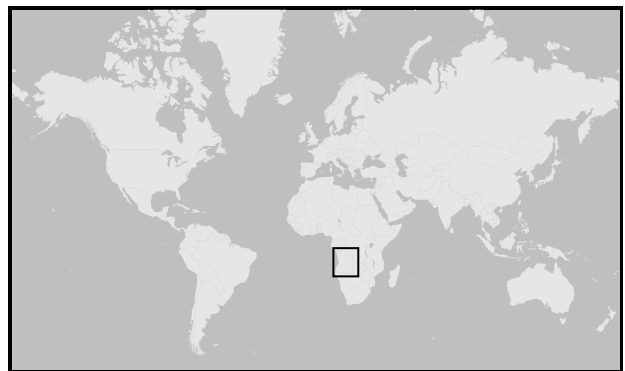
**Population:** 11,190,786 (est. 2005)



## LAW ENFORCEMENT

**History.** The national Angolan police force, the Angolan National Police, evolved from the Portuguese colonial police. In 1978 the MPLA created the People's Police Corps as an arm of the Marxist Party. Most of its core members were also members of the MPLA and were drawn from the armed forces. The force was headquartered in Luanda under the Ministry of Defense, but there were provincial and local commands. It was supported by a paramilitary force of 10,000 that resembled a national guard. A police school known as the Kapolo Martyrs Practical Police School, staffed by Cubans, was also founded.

**Structure and Organization.** The Angolan National Police (ANP) is headed by a commander who reports to the Ministry of Defense in Luanda. Grades in the force are comparable to those in the military. Lower-ranking personnel are referred to as sergeants and agents. ANP is organized by function and has sections or divisions devoted to criminal activities, traffic, railroads, ports and harbors, and mining. There are police commands in the provincial capitals and police squadrons below the provincial level. MPLA party cells are established even in the smallest police groups and a



political commissariat exists at the main police headquarters.

In addition to ANP, there are other police organizations of which little is known. One is the Directorate of Information and Security, which is directly involved in national security operations. The other is the State Secretariat for Internal Order, which is a supervisory and advisory board concerned with the prevention of a broad range of crimes.

In 1983 President José Eduardo dos Santos created the People's Vigilance Brigades (BPV) as a mass public order and law enforcement force. Some BPV units are armed but most performed public security and welfare duties including crime prevention, detection, surveillance, and intelligence gathering. The brigades are organized at the provincial level and operated in small units of up to 100 members.

**Recruitment, Education, and Training.** Since 1978 recruitment to the police force has been on a voluntary

basis. ANP runs the principal training academy, the Kapolo Martyrs Practical Police School, in Luanda. Only 28% of policemen receive any training at all and only 2% advanced training.

#### **Police Statistics.**

- Total Strength of the Police Force: 764,285 (including civilian militia)
- Population per Police Officer: 14

#### **HUMAN RIGHTS**

During the civil war that lasted from independence until 2002, the country had a dismal human rights record. Members of the security forces routinely committed extrajudicial killings and were responsible for disappearances, torture, rape, and beatings.

#### **CORRECTIONAL SYSTEM**

At the end of the civil war, MPLA took over the colonial prison system, which had been heavily damaged during the conflict. The new government set about rebuilding the system and trained personnel at the National School for Penal Technology, which opened in 1976.

The operation of the penal system is the responsibility of the Ministries of State Security and Interior. The system consists of maximum- and minimum-security prisons along with the so-called production camps where prisoners are sent to be rehabilitated through regular work and reeducation programs. The principal prisons are in Luanda, where a maximum-security prison opened in 1981, and in several provincial capitals. The main detention centers for political prisoners are the Estrada de Catete Prison in the capital and the Bentiaba Detention Camp in Namibe province. The detention

center at Tari in Cuanza Sul province is identified as one of the main rural detention centers. Tari was a former sisal plantation turned into a labor farm where prisoners live in barracks or in their own huts while doing forced labor. Warehouses in Bengo, Malange, and Luanda Norte are used as prison facilities. Other prisons are located at Viana, Chitato, Dundo, and Huambo.

**Prison Conditions.** Prison conditions are harsh. Cells are overcrowded and lack basic sanitary facilities. Prisons do not get much financial support from the government, and therefore prisoners are not provided adequate food or health care. Rural prisons do not have toilets, beds, mattresses, water, or medicine. Juveniles are incarcerated along with adults and suffer abuse by guards and inmates. Female prisoners are held separately yet are often victims of sexual abuse. Prison guards, who are chronically unpaid, support themselves by stealing from prisoners and extorting money from family members.

#### **Prison Statistics.**

- Prison Population: 6,008
- Prison Population Rate: 44 per 100,000
- Pretrial Detainees: 58.9%
- Female Prisoners: 3.3%
- Juveniles: 5%
- Number of Establishments: 22
- Official Capacity of the Prison System: 6,000
- Occupancy Level: 82.9%

*George Thomas Kurian*

# Anguilla

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**Official country name:** Anguilla

**Capital:** The Valley

**Geographic description:** Island in the Caribbean Sea

**Population:** 13,254 (est. 2005)



## LAW ENFORCEMENT

**History.** The Anguillan Police was established in 1972 following the departure of a detachment of the London Metropolitan Force that had been stationed on the island since 1969. In the absence of an army, the police also serve as a paramilitary service.

**Structure and Organization.** The police force is headed by a chief of police who reports to the Minister of Home Affairs. The island is divided into five police districts. There is a small traffic police and a Criminal Investigation Department attached to the headquarters.

The line of command runs from the Chief of Police to inspector, sergeant, corporal, and constable.

**Uniforms and Weapons.** Officers and inspectors wear khaki trousers with either a khaki bush shirt as a working dress or a khaki tunic over a white shirt as a service dress. Both are worn with a blue cap and a black Sam Browne belt. A ceremonial dress consisting of white tunic and blue trousers or overalls worn with a sword and either a blue cap for officers and a white helmet for inspectors is worn on appropriate occasions. Other ranks wear blue trousers with a gray shirt and a blue cap.



**Education and Training.** There are no formal police training facilities on the island.

## HUMAN RIGHTS

As an overseas dependency, Anguilla guarantees its inhabitants all the rights enjoyed by subjects of the queen in the United Kingdom. There are no reported instances of abuse of power by the police.

## CORRECTIONAL SYSTEM

There is one prison on the island run by the Department of Prisons. It has a capacity of 48 and currently holds 54 inmates.

**Prison Conditions.** The sole prison is a minimum-security facility. Prison conditions meet international standards. There are no separate women's or juvenile facilities.

*George Thomas Kurian*

# Antigua and Barbuda

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**Official country name:** Antigua and Barbuda

**Capital:** Saint John's

**Geographic description:** Caribbean islands between the Caribbean Sea and the North Atlantic Ocean

**Population:** 68,722 (est. 2005)



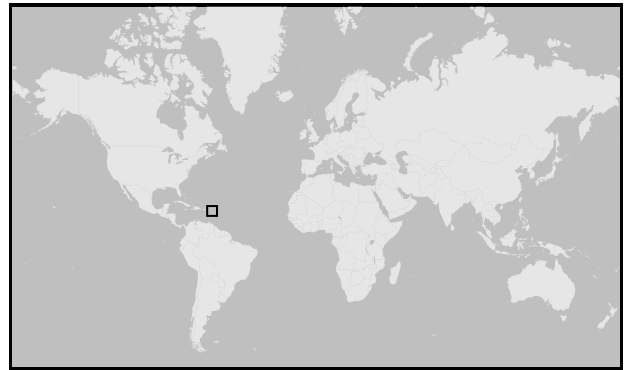
## LAW ENFORCEMENT

**History.** The Antigua and Barbuda Police Force dates from 1886 when Antigua was the headquarters of the Leeward Islands. In 1965 the force was granted the prefix Royal. On independence in 1981 the Leeward Islands Police Force was disbanded and the Antigua and Barbuda Police became a separate organization.

**Structure and Organization.** Part of the Judicial and Legal Services Commission, the Royal Antigua and Barbuda Police is headed by a commissioner with divisional headquarters at Saint John's and subdivisional headquarters at All Saints, Barbuda, Bolans, Parham, and Saint John's. There are specialized branches or departments dealing with crime, traffic, prosecutions, state security, riots, crowd control, immigration and telecommunications. The police are also responsible for the fire service.

The principal grades in the police service are: commissioner, deputy commissioner, assistant superintendent, inspector, service sergeant, sergeant, corporal, and constable.

**Uniforms and Weapons.** The working dress for the junior ranks is a gray short-sleeved shirt, navy-blue serge trousers with a white stripe on the seams, and a peaked cap. Women



wear skirts of the same color. Senior ranks from inspector up wear a khaki bush tunic with matching shorts (trousers for commissioner and deputies) and a blue peaked cap. For ceremonial occasions all ranks wear a white tunic and blue trousers with a white stripe (buff stripe for officers). Lower ranks wear white spiked helmets while the senior ranks wear caps. Members of the force are not generally armed.

**Education and Training.** There are no formal police training facilities on the islands. Officers are generally sent abroad for training.

## Police Statistics.

- Total Police Personnel: 636
- Population per Police Officer: 120

## HUMAN RIGHTS

The government generally respects the human rights of its citizens. The police are organized, trained, and supervised

## *Antigua and Barbuda*

according to British law enforcement practices, which exclude excessive use of force. The constitution provides for an independent judiciary that serves as a buffer against misuse of power by the government.

### **CRIME**

**Crime Statistics.** Offenses reported to the police per 100,000 population: 4,977. Of which:

- Murder: 4.7
- Assault: 475
- Burglary: 1,984.4
- Automobile Theft: 35.9

### **CORRECTIONAL SYSTEM**

The prison system is administered by the Ministry of Justice and Legal Affairs through the Superintendent of Prisons. There are two prisons on the islands with an official capacity of 100 and a prison population of 184. The major prison was built in the eighteenth century and was considerably damaged after a disastrous fire in 1999.

There is a separate prison for women, but none for juveniles, who are housed with adults.

**Prison Conditions.** Prison conditions are poor and unsanitary. Serious charges of sexual misconduct and abuse of female prisoners led to the appointment of a task force in 2002.

### **Prison Statistics.**

- Prison Population: 184
- Prison Population Rate: 269
- Pretrial Detainees: 28.3%
- Female Prisoners: 7.6%
- Juveniles 6%
- Number of Prisons: 2
- Official Capacity of the Prison System: 100
- Occupancy Level: 184%

*George Thomas Kurian*

# Argentina

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**Official country name:** Argentine Republic

**Capital:** Buenos Aires

**Geographic description:** Southeastern part of South America, covering much of the tapering end of the continent.

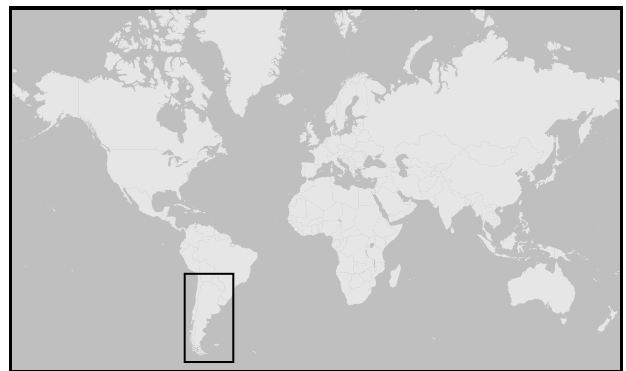
**Population:** 39,537,943 (est. 2005)



## LAW ENFORCEMENT

**History.** The initial development of police forces in Latin America followed a Spanish model noted for its repressiveness and orientation toward order maintenance and defense of the Crown. Often, the role of police was viewed as complementary to that of the army. The number of law enforcement personnel in the colonies was small. The task of order maintenance was assigned to marshals (*alguaciles*), rural police, and night watchmen (*serenos*). The first police departments were established in Chile (1760), New Granada (1791), Brazil (1808), Argentina (1813), and Uruguay (1829).

Argentina, the second largest country in South America, underwent a colonization process beginning in 1615 with the landing of Juan Díaz de Solís. For the next two hundred years European powers fought for control over the rich resources that Argentina had to offer. Spain eventually became the country's colonial master, ruling its people as part of the Viceroyalty of Peru until 1776 when the Viceroyalty of Río de la Plata was instituted. A quarter of a century later Europeans were occupying most parts of the country and establishing their own institutions including Roman Catholicism and European forms



of government. Second-generation Argentines, brimming with nationalism and a hunger for freedom from Spain's colonial grip, along with native South Americans, eventually drove Spanish forces back to the Iberian Peninsula. In 1853 Argentina established its first constitutional presidency.

Since independence, Argentina has experienced a number of high and low periods. The country's economic boom period occurred during the early part of the twentieth century when Buenos Aires was nicknamed the "Paris of South America." Argentina has also had its share of dictatorships and authoritarian regimes including the dictatorship of Juan Perón, a legacy the country feels to this day. Today, 97% of Argentina's population is composed of European descendants. The official language is Spanish and the capital, situated in Río de la Plata, is Buenos Aires.

Similar to the United States, Argentina has a decentralized police system. The various police agencies in

Argentina include a federal police force and a police force in all of the country's 23 provinces. The primary function of police in Argentina is to ensure national security and protect the lives and property of citizens. In addition, police keep the judiciary branch informed of offenders who need to stand trial. Police officers (*oficiales*) also have important roles within the Argentine penal system. During sentencing, officers may serve as secretaries of instruction (*secretarios de instruccion de la Investigacion Penal Preparatoria*).

After the city of Buenos Aires became federalized in 1880, its police force became more professionalized and a previously ill-defined mission became more focused. Though a stable foundation based on an organic code had not been established, the police mission was defined as the protection of law and order and the security of the state in the *Reglamento General* issued in 1885.

More stable foundations for the Argentine police were established in 1906 after Colonel Ramón Falcón was appointed as the Chief of Police for Buenos Aires. Falcón established the police along hierarchical lines in a restructuring process that would be performed again at the end of the 1900s. The main component of the police under Falcón was the Security Division (uniformed police). An Investigative Division was also instituted that operated in plainclothes. In addition to these two main divisions, Administrative and Judicial Divisions were also created.

During the early part of the twentieth century the Buenos Aires Police was rapidly growing and becoming more attuned to the Argentine experience with crime and delinquency. The police personnel increased from 4,170 in 1907 to 5,372 in 1911. By 1914, mobile patrols and crime labs, as well as new training practices, were created. By 1999 the Buenos Aires provincial police had more than 48,000 officers and was the country's largest armed force. Despite these numbers, Argentina needs more police officers. In 1998 the Buenos Aires provincial police was restructured in a process perceived as traumatic and dangerous to the lawyers and academics who pioneered the change and to the new officers brought in to ensure the new police force was effective. Changes included breaking the police force into 18 different departments and the sacking of 300 commanders. Additionally, the detectives' brigade was dissolved and detectives were placed in a separate department under the command of Argentine prosecutors. Perhaps most importantly, civilian oversight was placed in the new policing structure. Amendments to the legal code inserted civilians in positions of investigation and oversight to combat corruption.

The Federal Police in Argentina (Policía Federal Argentina) has a rich history dating back to 1580 when Juan de Garay founded City of the Trinity and the Port

of Santa Maria of Buenos Aires (la Ciudad de la Trinidad and Puerto de Santa María de Buenos Aires). During this time, people were selected to exercise police and judicial functions. In the beginning there was not a police station, rather, designated authorities enforced the folkways and mores out of their own homes.

On December 31, 1821, the position of Chief of Police (Jefe de Policía) was created. The first Police Chief of the Argentine Federal Police was Don Joaquín de Achaval. February 22 of the following year, the Federal Police had its first headquarters, a palace that formerly served as the residence of Bishop Diocesano dating back to 1761.

To become a police officer in Argentina, potential recruits must undergo physical and mental examinations as well as psychological tests. Then, recruits may either be selected for the Officers Academy (designed for high-ranking officers) or an academy for street-level police officers who will later become traffic police, investigators and so on. Gaining entrance into an academy is difficult because of the entrance requirements as well as the lack of vacant positions. Street-level officers attend academy training for six months and high-level *oficiales* attend academy training for two years.

Once police officers have completed training they can go to a police station, which may be anywhere in the country if the new officer is a member of the federal police. An officer on duty wears a uniform that is mostly blue and similar to the uniforms worn by the New York Police Department. However, the attire also depends on the season of the year as well as the duties the office is performing (a detective, for example, may not wear a uniform).

Street cops normally carry a pistol on duty that is provided by the department, normally a 9mm. However, officers can use their own weapons provided that it is in compliance with department regulations. Special police forces use more advanced weapons. The mounted police that work in the capital carry swords. In addition to 9mm pistols, virtually every officer carries a baton that may come in different varieties.

To stay in contact with police dispatch and other officers on duty, police in Argentina rely on mobile communications. Communications equipment includes proprietary telephones, radios in all vehicles, and handles supplied to every police officer on foot. It is a modern system based on the system used by French police. Additionally, police vehicles use tracking devices in case they are stolen. Currently there is no retirement age for police officers. However, with 25 years of service, an officer can apply for retirement. When an officer has served more than 30 years, a forced retirement may be applicable.

The Argentine Federal Police as well as the provincial police forces began experimenting with the development of special police forces in 1978. Since the late

1970s, a number of special police forces have been formed in Argentina with varying missions including counterterrorism, riot control, and investigation of special offenses. A number of well-established special operations groups were consulted in the formation of special police forces in Argentina including the GSG-9 in Germany, the FBI SWAT in the United States, and the SAS in England. Following are some of the forces that have been created.

The Brigada Operativa Halcon Especial was formed in 1986 to combat terrorism. This special police force is under the command of the Buenos Aires Police and consists of 75 members organized into 5 teams. Each team has eight people capable of assault, two snipers, a demolitions expert, a negotiator, a communications specialist, an intelligence specialist, and a medic. The unit uses various foreign-made weaponry including the Glock 17 and the HK G3 GS/1.

This unit of the Santa Fe Provincial Police was formally recognized on May 4, 1990. The unit has been widely modeled by other police forces in South America and has received training and direction from some of the world's most experienced counterterrorism and crisis response groups from Israel, the United States, and the Basque province in Spain. Besides being ready at any time for crisis situations that require police officers with a high level of training, this special police unit performs intelligence operations to combat organized crime in Argentina.

#### **Structure and Organization.**

**Police Reform.** Reform of the Buenos Aires Police began on December 19, 1997, with a decree by then Governor Eduardo Duhalde. The reformation began with a 90-day intervention period to reorganize the police and dissolve the command and management structure. The reorganization was based on an assessment that the police structure was inadequate in many areas including crime investigation, lack of a coherent crime prevention system, and criminal prosecution as well as a lack of mechanisms for political oversight of the police.

Changes made to the organizational structure of the police included forced retirement for more than 300 police superintendents and high-level officers. Additionally, regional units were dissolved and in their place were created 18 police divisions for the different judicial districts in the province. To improve the criminal investigative function of the police, 18 investigative units were also created.

**Education and Training.** The Escuela Federal de Policía Coronel Ramón L. Falcón (Colonel Ramon Lorenzo Falcon Federal Police School) is Argentina's leading institution for the formation of personnel in the country's police leadership. The school was created on November 17, 1906.

Cadets at the school receive education in various subject areas such as introduction to law and legal concepts, intermediate and advanced law, human rights, constitutional law, civil law, criminal investigation, criminology, history, and intelligence. To aid the cadets' learning process, the school also has a large library and cadets are allowed access to the country's national library if needed. In order to be accepted to the school, potential cadets must be native Argentines, no more than 30 years old, pass an entrance exam, and have a clean criminal record.

On August 2, 1974, the University for the Argentine Federal Police (IUPFA: Instituto Universitario de la Policía Federal Argentina) was created. The institute was originally founded under the name Academia Superior de Estudios Policiales (Superior Academy of Police Studies). In the beginning, the academy was subdivided into a series of institutes and centers including the Superior Police Institute, the Center of Higher Police Education, the Institute for Science and Applied Technology and the Institute of Criminalistics.

On December 26, 1977, the Academy was nationally recognized by decree, granting the Academy national recognition and the right to offer graduates a degree in criminalistics, as well as expert certification in ballistics as well as other areas. In 1982 the Academy was granted the right to offer degrees in security and social action. With the passage of resolution 1432/92 by the Ministry of Education, the Academy was renamed the Instituto Universitario de la Policía Federal Argentina.

**Provincial Police Forces.** As already noted, Argentina has a decentralized police system. Although the Federal police receive the majority of attention, each province in Argentina has a police force with a unique history. Below is a description of some of the many provincial police departments in Argentina.

In 2003 the Chaco province police celebrated its fiftieth anniversary. The Chaco province police is divided into a number of regional units to provide a wide coverage of the jurisdiction. In all, there are seven regional units that provide coverage to a number of different areas. In addition to policing urban areas, there are rural and environmental police in Chaco that police areas outside of the city as well as investigating environmental crimes.

The police force in Chaco province has a number of different departments designed to handle problems specific to the region. The following are some of the major departments for the province:

- Department of Dangerous Drugs (Dirección de Drogas Peligrosas)
- Department of Police Planning (Dirección de Planeamiento Policial)





*A police motorcade patrols Mar del Plata, Argentina, before the opening of the Fourth Summit of Americas, November 1, 2005. The summit brought leaders from countries in North, South, and Central America to the popular resort town 230 miles south of Buenos Aires to discuss social and political issues. Around 10,000 security forces were deployed amid concerns of massive protests against U.S. President George W. Bush. AP IMAGES.*

- Department of Administration (Dirección de Administración)
- Audit Department (Dirección de Asesoría Letrada)
- Department of Public and International Relations (Dirección de Relaciones Públicas e Internacionales)
- Department of Communications and Information (Dirección de Comunicaciones e Informática)
- Department of Internal Affairs (Dirección de Asuntos Internos)

On June 15 of each year, the police of Chaco province celebrate a day that commemorates the police in the province. The “Día de la Policía del Chaco” is celebrated on this date to remember the creation of the police school Comisario Inspector Miguel Roberto Mora. The creation of this new school marked the beginning of a professional police force for the province.

The police in Santa Fe province have a large jurisdiction. For this reason, there are 19 regional units where

police stations are located and police officers are deployed. Additionally, the police for this province have a number of different departments including the following:

- Personnel Department (Departamento Personal)
- Information Department (Departamento Informaciones)
- Department of Police Operations (Departamento Operaciones Policiales)
- Logistics and Planning Department (Departamento Logística)
- Legal Department (Departamento Judicial)
- Department of Public Relations (Departamento Relaciones Policiales)

#### CRIME

There appears to be a general consensus that crime prevention strategies in Latin America that stress deterrence are ineffective and incompetence and corruption on the

part of the government, including the police, makes the problem of crime much worse in the region. Four characteristics of Latin American crime have been offered by scholars in order to explain why Latin American crime is different from other regions. First is the endemic patterns of poverty and inequality. A second characteristic is the cultural pattern of male chauvinism. Third is the presence of corrupt law enforcement, which ebbs and flows in intensity depending on the country being examined. The last characteristic is the drug trade, which has become an omnipresent problem in Latin America.

In the early 1990s, crime was not considered a serious issue to the populace. Surveys conducted between 1994 and 1997 ranked crime fifth to eighth on the list of people's concerns. In late 1997, attitudes changed, with crime becoming one of the three main problems cited by respondents.

In a 1998 survey conducted in the province of Buenos Aires, the most common fear among citizens living in the capital was being the victim of a physical attack (52.5%) whereas provincial citizens outside the capital cited robbery and theft as their greatest fear (45.2%).

In the late 1990s, Argentina experienced a significant increase in crime. Although the rates of homicide in Argentina pale in comparison to other countries such as the United States and Brazil, Argentina does have slightly higher rates than other neighboring countries such as Paraguay, Uruguay, and Chile. In 1997 Argentina had a total crime rate of 229 crimes per 10,000 people. This is more than a 12% increase over 1996. Homicide rates have also increased in Argentina over previous years. Argentina had an average of 10 homicides per 100,000 people in 1997, a 9.86% increase over the previous year even though one province was not included in the statistics that had been counted in 1996.

Police statistics in Argentina for the 1980s and 1990s show an increase in the number of crimes and a crime rate that is consistent with trends in industrial and developing countries. From 1980 to 1995 both the crime rate as well as the number of crimes reported increased. Despite a possible increase in citizen willingness to report crimes, a "dark figure" in the Argentine crime rate is apparent. In 1996 a victimization survey was carried out in the capital and greater Buenos Aires area by the National Office of Crime Policy that points to the number of crimes committed versus the number of crimes reported to police. In 1996, 51.8% of respondents in Greater Buenos Aires said they had been the victim of a crime. The largest number of crimes, according to the survey, were thefts of objects from vehicles.

Despite increased rates of crime in the population, the country's conviction rates have decreased since the beginning of the 1990s. In 1992, over 3.5% of total

recorded crimes resulted in a conviction. The percentage continued to decrease with a low of 2.3% in 1997. At least part of this decrease may be explained by the worsening economic situation in Argentina and the resulting scarce jobs and lower wages. Ironically, as in other parts of Latin America, higher crime rates, or at least the perception of such a phenomenon, serve as a deterrent to potential investors.

Certain social and economic factors may help to explain the increase of crime in the country. Between 1986 and 1996, the rate of unemployment in Greater Buenos Aires doubled. Between 1991 and 1996, 48% of youths between 14 and 19 years of age living in low-income households dropped out of school. The worsening economic conditions as well as the school drop-out rate are considered key factors in understanding and explaining crime in Argentina.

**Police Officers Killed in the Line of Duty.** Between the years 1996 and 2001, there was an increase in the number of police officers killed (as well as civilians) in the Buenos Aires Metropolitan Area in armed confrontations where the Argentine Federal Police were present. In 1996, 22 police officers were killed under these circumstances based on information obtained from open-sources. In 1997 the number of officers killed decreased to 18. However, since 1998 the number of police officers killed has steadily increased. In 2001, 51 officers were reportedly killed in the Buenos Aires Metropolitan Area during armed confrontations in which members of the federal police took part.

**Crime Mapping and Analysis in Buenos Aires.** The Buenos Aires Police have been actively involved in crime mapping since 1999. The Crime Mapping Unit in the capital includes IT professionals, social scientists, and GIS Analysts. The Unit follows Interpol and other international guidelines regarding the recommended profile for a member of a Crime Mapping Unit, and all members of the Unit are sworn police officers. To aid in the crime mapping endeavor, the Buenos Aires Provincial Police works with a large crimes database as well as base maps that aid in spatial and statistical analysis.

The Crime Mapping Unit is able to perform a number of functions regarding the analysis of crimes. For example, the unit may select a crime type to be analyzed and then geocode the incidents for that particular crime to gain a better understanding of where the crime occurs and any possible hot spots or problem areas. Afterward, the unit can determine which populations are at risk and make recommendations of officer deployment strategies.

**Organized Crime and Terrorist Groups in Argentina.** Organized crime in Argentina is regional rather than

international in scope, thriving on the socioeconomic and political conditions prevalent in the country. The only form of organized crime in Argentina that is linked to international cartels is said to be drug trafficking, although the traffickers also traffic in women and children and stolen cars, and engage in embezzlement, fraud, and other financial crimes. The Tri Border Area (TBA) is of particular concern to the Argentine government in this regard because it serves as a gateway for organized crime to migrate south into the rest of the country.

Islamic fundamentalists in the TBA are reportedly linked to a growing Argentine mafia that provided assistance in the 1992 bombing of the Israeli Embassy in Buenos Aires and the 1994 bombing of a Jewish community center (AMIA) in Argentina. As the economic crisis in Argentina continued at the beginning of this century, a criminal group known as Local Connection, comprised of corrupt politicians and former members of the military regime, reportedly prospered. As a result of the group's unique relationship between common criminals and public figures, the Local Connection has operated with impunity. It reportedly controls much of what are now major industries in Argentina, including arms and drug trafficking, kidnappings, and the country's flourishing industry of dismantling stolen cars for scrap and spare parts. The Local Connection is organized like the Italian Mafia in small units, or families, linked to a boss, generally a corrupt police official or someone who served in the military regime. Its members are linked to the fundamentalist Islamic movements that are active in the TBA. The Local Connection bosses use code names when contacting the fundamentalists in Foz de Iguacu and Ciudad del Este.

In late 2001, a change of strategy in arms trafficking reportedly took place amid the political and economic crisis that overtook Argentina. Until then, the Local Connection was involved only in big arms deals, such as providing military equipment to groups fighting civil wars, but in late 2001, it began to sell contraband. Since then, Argentina reportedly has been taking the place of Paraguay in smuggling weapons into Brazil, including even arms used exclusively by the Argentine armed forces.

#### HUMAN RIGHTS

Although Argentina's military dictatorship ended in 1983, it is still fresh on many people's minds. In March 1995, a former Argentine Navy officer accused his government of complicity in the killings of rebel prisoners between 1976 and 1983. The Navy officer who made the claims stated that the military regime killed and tortured leftist rebels with little regard for human rights. More than 4,000 people were killed and 10,000 simply disappeared in the government's wars against leftist guerrillas in Argentina.

In February 1998 the Buenos Aires municipal legislature approved the *Codigo de Convivencia Urbana*. This code set standards for the protection of rights and property. One of the key standards set by the new code was the elimination of the Federal Police authority to detain people not strictly in their jurisdiction. Although the darkest period in the region's recent history ended with the end of military rule, human rights violations continue to dominate much of the debate over the state of the justice system.

#### CORRECTIONAL SYSTEM

Argentina has a vast corrections system spread throughout the country. The federal prison system and the Buenos Aires provincial prison system are the country's largest. To ensure that the country's prisons are up to standard, the system relies on the Federal Penitentiary Service (SPFA; *Servicio Penitenciario Federal Argentino*). The SPFA is comprised of a National Directorate that is responsible to the Ministry of Justice for administering the various institutes, services and prisons throughout the country.

On the hierarchy chain, the National Sub-Directors of Argentina's federal prisons are followed by a series of General Directors who are in charge of different areas such as the prison population, the prison regimen, and general administration. Besides maximum security prisons for the country's hardened criminals, Argentina has a number of specialized prisons. One such example is the Men's Central Psychiatric Service in Buenos Aires. Argentina also has prisons designed specifically for women and young adults.

To ensure professionalism among Argentina's correctional employees the country has a penal academy. At the Superior Academy of Penitentiary Studies correctional personnel study a variety of subjects including ethics, human relations, public administration, and political science. Since the 1990s, Argentina has taken many steps to modernize the corrections system and to focus on the rehabilitation aspect of the penal system. In July 1996, a law went into effect, the *ley de ejecucion de la pena privativa de la libertad*. The law established a system of monitoring by the judicial system of prison conditions and the treatment of prisoners.

#### Prison Statistics.

- Total Prison Population: 56,313
- Prison Population Rate per 100,000: 148
- Pretrial Detainees: 58.9%
- Female Prisoners: 5.3%
- Juvenile Prisoners: 0.2%

- Number of Prisons: 166
- Official Capacity of the Prison System: 27,524
- Occupancy Level: 119.9%

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*Adam Dulin*

# Armenia

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**Official country name:** Republic of Armenia (Hayastani Hanrapetut'yun)

**Capital:** Yerevan

**Geographic description:** Slightly smaller than Maryland, Armenia is located in Southwestern Asia and borders Georgia, Azerbaijan, Iran, and Turkey. It also contains the Azerbaijan-Naxcivan exclave and other disputed territories.

**Population:** 2,982,904 (est. 2005)



## LAW ENFORCEMENT

**History.** Armenia was the first nation to formally adopt Christianity (early 4th century). Despite periods of autonomy, over the centuries, Armenia came under the sway of various empires including the Roman, Byzantine, Arab, Persian, and Ottoman. It was incorporated into Russia in 1828 and the USSR in 1920.

Armenian leaders remain preoccupied by the long conflict with Muslim Azerbaijan over Nagorno-Karabakh, a primarily Armenian-populated region, assigned to Soviet Azerbaijan in the 1920s by Moscow. Armenia and Azerbaijan began fighting over the area in 1988; the struggle escalated after both countries attained independence from the Soviet Union in 1991. By May 1994, when a cease-fire was declared, Armenian forces held not only Nagorno-Karabakh, but also a significant portion of Azerbaijan proper. The economies of both sides have been hurt by their inability to make substantial progress toward a peaceful resolution.

The Armenian police was created in 1918, with the establishment of the first Republic of Armenia. Its history can be roughly divided into the periods of the First Republic (1918–1920), Soviet Armenia (1920–1991), and the Third Republic (1991 to present).

One order of business for the government of newly independent Armenia in 1918 was the establishment of the Ministry of Interior, of which the police was an integral part. In addition to enforcing law and order, the Interior Ministry was initially also responsible for communications and telegraph, railroads, and the public school system. The Armenian Parliament passed the Law on the Police on April 21, 1920, specifying its structure, jurisdiction, and responsibilities. The first Republic of Armenia ceased to exist on November 29, 1920.

Upon establishment of the Soviet regime in Armenia, the Ministry of Interior was replaced by the People's Commissariat for Internal Affairs (NKVD), which included the so-called Special Commission (better known by its

Russian abbreviation “Cheka”) that was charged with rooting out “the class enemies” of the revolution. It was subordinated to the central Soviet police authorities. Between 1920 and 1940, the police agency was reorganized and renamed several times, serving as the instrument of Stalinist oppression and mass executions. Ten out of thirteen heads of the Armenian police who served between 1920 and 1940 were executed by the same agency.

By the 1950s, the police and special services were finally separated into two agencies: the Ministry of Internal Affairs (MVD) and the Committee for State Security (KGB). The police was an integral part of the MVD. In the 1960s and 1970s, Interior Troops were added to the Ministry structure; the Road Traffic Directorate and the School of Police were also created.

As the Soviet Union began to disintegrate in the late 1980s, the MVD became more of an Armenian national structure and, in fact, the police units were called upon to protect the Armenians living in the border regions from attacks by Azeri forces and the Soviet Army in 1990 and 1991. Hundreds of police officers joined self-defense units and were killed in action while their colleagues dealt with the rapidly rising threat of organized crime across the country.

On June 21, 1992, the Interior Troops were established by a decree of the president of Armenia as an auxiliary unit of the Ministry of Interior. New units, including Organized Crime Enforcement, Drug Enforcement, and Economic Crime departments were established within the police. The School of Police was reorganized into the Police Academy. Armenia joined Interpol in 1992, and began to cooperate closely with its counterparts in foreign countries.

In 1996 the Ministry of Interior merged with the Ministry of National Security, but these two agencies were separated in 1999.

The Law on the Police was passed by the Armenian National Assembly on April 16, 2001, and April 16 is now celebrated as Police Day. In accordance with Armenia’s obligations under its accession to the Council of Europe, the Law on Police Service was passed on June 30, 2002, providing for the Ministry of Interior to be reorganized into the Police of the Republic of Armenia on January 1, 2003.

**Structure and Organization.** The Police of the Republic of Armenia (PRA) is territorially divided into Central Headquarters and 11 police departments (one each for the City of Yerevan and 10 provinces) that are further subdivided into 52 police precincts.

The PRA also includes the Interior Troops, training and education centers, as well as other auxiliary organizations.

The PRA Central Headquarters is at the top of the police command structure and is comprised of the Offices of the Chief, Deputy Chiefs, and specialized branches (Directorates and Divisions).

Among the operations branches are the Organized Crime Enforcement Directorate, Criminal Investigations Directorate, and the Drug Enforcement Directorate. Other important branches are the Operations Staff, Investigations Directorate, Public Safety Directorate, Personnel (Human Resources) Directorate, Information Department, Public Relations and Press Directorate, Financial-Economic Directorate, Administrative Directorate, Road Inspection Directorate, Transportation Directorate, Passports and Visa Directorate, State Protection Directorate, National Central Bureau of Interpol, Criminal Forensics Directorate, Legal Directorate, and Health Directorate.

The activities of the police are directed by the Chief of Police, who is appointed by the President at the nomination of the Prime Minister. The Chief has one First Deputy and several Deputies who are appointed by the President at the nomination of the Chief. The Commander of the Interior Troops is appointed by the President, and serves as *ex officio* Deputy Chief of the Police. Each Deputy Chief is assigned a sphere of responsibility by the Chief of Police. The Chief is assisted by a group of Advisers to the Chief.

As is the case in most police agencies of the former Soviet Union, the Armenian police has undergone dramatic and frequent restructuring since independence from the USSR. The current structure goes by the name of Police Service as opposed to the more commonly used Ministry of Interior or Ministry of Internal Affairs in other states. The Interior Ministry was abolished in 2002 by Armenian president Robert Kocharian. The Police Service was placed under the direct control of Kocharian in keeping with another trend that has emerged in most former Soviet states, a very strong executive branch.

**Police at Work.** After the collapse of the Soviet Union, Armenia was a weak state with powerful regional and family clans running much of the local administration and economy. Criminal gangs operated with impunity, corruption was rampant, and assassinations of political figures occurred on occasion. The stresses of war and material privation, uncertainty about the future, and widespread suspicion about the legitimacy of the ruling elites remain to this day.

Dominating the police working environment are the interrelated issues of low salaries and corruption. The average monthly income in Armenia is less than \$100 and for many professions it can be as low as \$10. This holds true for the police service as well; the average salary is approximately \$50. Traffic police earn about \$35 a

month, which was increased from \$25 in 2002. Unable to survive on such a low wage, police frequently resort to demanding bribes for services that should be performed as part of their official duties.

Annually, about 30% of the police force receives some form of reprimand. Nineteen percent of traffic police received varying punishments for abuse of position. In 2002, 22 inspectors were discharged, 29 were demoted, and 136 received disciplinary punishment for violations. Low levels of morale, professionalism, and loyalty as well as a frequent failure to respond to the needs of citizens are hallmarks of the system. Police promotions are frequently a cash transaction as in other state agencies, guaranteeing that the cycle of corruption will remain unbroken.

The concentration of the police and other organs of internal security in the hands of the President with little or no checks and balances by the legislature, judiciary, or public organizations has led to a deeply politicized police force frequently accused of human rights violations.

Lack of budgetary means for maintenance of equipment, vehicles, and basic supplies such as gas for police cars, together with rampant corruption, has produced a police force that is unable to address effectively the most pressing law enforcement challenges such as organized crime and narcotics trafficking.

**Police Positions.** The hierarchy of titles in the PRA is as follows: Chief of Police, Commander of Interior Troops, Deputy Chief of Police, Chief of Directorate and Chief of Provincial (City of Yerevan) Police Department, Deputy Chief of Directorate, Chief of Police Precinct, Deputy Chief of Precinct, Chief of Division, Deputy Chief of Division, Senior Investigator on Special Cases, Senior Operations Agent on Special Cases, Senior Inspector at large, Senior Inspector, Senior Investigator, Senior Operations Agent, Inspector, Investigator, Operations Agent, Junior Inspector, Senior Policeman, Junior Policeman.

**Police Ranks.** In descending order, the hierarchy of ranks in the PRA is as follows:

*Supreme Officer Personnel:*

- Colonel General
- Lieutenant General
- Major General

*Senior Officer Personnel:*

- Colonel
- Lieutenant Colonel
- Major

*Middle/Secondary Officer Personnel:*

- Captain
- Senior Lieutenant
- Lieutenant
- Junior Lieutenant

*Junior Officer Personnel:*

- Senior Corporal
- Corporal
- Senior Sergeant
- Sergeant
- Junior Sergeant

*Soldier's Rank:*

- Police Soldier

Employees and servicemen working or serving in the police may not be members of any political organization in the course of their work or service with the police.

**Awards and Medals.** Police personnel can be awarded the following decorations: *Medals:* "For Heroism," "For Strengthening Law and Order," "Continuous Police Service" of 1st, 2nd, and 3rd order, and "For Strengthening Cooperation." *Honorary Title:* "Dedicated Police Service." *Badges:* "Dedicated Police Service," "Excellent Police Service," "Excellent Interior Troops Service" of the 1st and 2nd order. The Certificate of Achievement is awarded by the Chief of Police.

At the recommendation of the Chief of Police, the President of the Republic can award the following national orders to the individual police officers: "Order of the Homeland," "Order of Valor," and "Medal of Military Service."

**Police-Community Relations.** Local residents often do not bother to call police in order to report minor crimes due to their ineffectiveness and the fact that low-level police are so poorly paid that they often solicit bribes to perform their duties. In addition, police have a reputation of blaming the victims for the crimes perpetrated against them. These attitudes toward police are deeply ingrained and represent some of the debilitating legacies of Soviet rule and the economic and political chaos of the post-Soviet era.

Police-community tension is exacerbated by numerous allegations of human rights violations by the police against members of the political opposition, editors of newspapers and magazines, television broadcasters, and others. Police have used truncheons, electric shock, and firearms against antipresidential demonstrators.

Steps are being taken by the government of Armenia to narrow the gap between the police and community. For example, in late 2003, the Police Assistance Program in Armenia was launched by the Organization for Security and Cooperation in Europe (OSCE) to provide assistance to the PRA in three main areas: (1) organizing a community policing pilot program (in a police district in Yerevan), (2) improving the Armenian Police Training Centre for police recruits and advanced training, and (3) improving the emergency response capacity of the Yerevan police force. The program is to create a constructive partnership between the police and the population. Specifically, the community policing project is to lead to the creation of a police-public consultative committee with civil action groups that will jointly address definition of priorities for focusing police resources.

The OSCE office in Yerevan launched a program on military and security activities in 2002, in line with the decision of the 2001 OSCE Ministerial Council Meeting to enhance the OSCE's role in police-related activities in conflict prevention, crisis management, and postconflict rehabilitation. This includes provision of advice and assistance on the restructuring of police services, monitoring and training of existing police services, training on human rights and fundamental freedoms, capacity-building in all forms of policing, including support for integrated or multiethnic police services.

The Armenian public as well as police officials are in need of education and training regarding the functioning of a criminal justice system in a free society. To that end, much work is being conducted by various non-governmental organizations. One group is preparing a series of television films based on actual court cases in order to build awareness of the basics of the litigation process. Another group is developing and promoting professional and ethical standards among journalists writing on legal topics through development of a code of professional conduct. The group also publishes a magazine dedicated to various aspects of media interaction with policing and the criminal justice system.

Even with the efforts of numerous non-governmental organizations, changes in attitudes toward law enforcement and the rule of law will take years if not decades, to affect the deep-seated legacy of the Soviet experience.

**Uniforms and Weapons.** The uniforms of the police officers and the rules for wearing uniforms are set in the decree of the Cabinet dated October 31, 2002, and by the decree of the Chief of Police dated April 15, 2003.

To ensure his or her personal safety, a police officer shall be entitled to use a helmet, a shield, an armored or bullet-resistant vest, a gas mask (respirator), and other means of individual defense.

Police personnel are armed primarily with Soviet-made firearms and ammunition, including Makarov and TT handguns, and AKS, AKM, and AK-74 automatic rifles. TT handguns are rather-old vintage weapons and are being used with less frequency.

According to Article 32 of the Law on the Police, police employees may use firearms in six general circumstances: (1) while defending citizens from attacks; (2) while repulsing an attack made upon a police officer when his/her life is endangered, as well as while preventing an attempt to seize his/her weapon; (3) while releasing hostages; (4) while arresting persons caught in the commission of a serious crime and making an attempt to escape, as well as displaying armed resistance; (5) while repulsing group or armed attacks made upon apartments of citizens, areas occupied by state organizations, as well as upon an escort detail; (6) while seizing, or preventing the escape of, persons under arrest or persons escaping from a place of incarceration.

There are a number of other instances in which officers are entitled to use firearms. They include: (1) while stopping a vehicle by damaging it if the driver represents a danger to citizens and does not obey police commands to stop the vehicle; (2) while rendering harmless animals threatening citizens; (3) while warning about the intention to employ arms, while awaiting assistance from other police.

Police are not permitted to use firearms against individuals who clearly pose less of a threat to officers or could not reasonably flee the custody of an officer, such as pregnant women and minors (with the exception of cases of armed or group attacks) as well as during a large gathering of people when other persons may suffer from the use of firearms. In all cases of using a firearm, a police officer shall submit a report to his/her superior immediately afterward.

## HUMAN RIGHTS

Human rights organizations express deep concern that police agencies are acting essentially as enforcers for a strong executive, ignoring commitments the state has made to the guarantee of key individual rights. In April 1991, for example, Armenia signed the International Covenant of Civil and Political Rights which includes the right to counsel; the presumption of innocence of the accused; the right to privacy; prohibition of arbitrary arrest; freedom of the press, religion, political expression and assembly, and movement; minority rights; and prohibition of discrimination. Similar laws were signed since then.

With the growing power of the executive has come increased government tolerance of, if not reliance on, harassment, arbitrary arrest, and torture in violation of



the International Covenant. According to human rights groups, members of opposition groups and their relatives have been subject to physical and psychological abuse by members of the police force. Periods of pretrial investigations are said to be used by police to threaten, beat, and sometimes torture arrestees in an effort to extract confessions.

## CRIME

Armenia has a low rate of violent crime, but since the collapse of the Soviet Union, it has experienced a steady increase in a wide variety of crimes including organized crime and drug trafficking. While prostitution is not illegal, the trafficking of people from Armenia to other countries for the purpose of prostitution has increased dramatically. In addition, property crime and economic crime, particularly fraud and embezzlement, have increased dramatically since the 1990s.

While prostitution is not illegal, operating brothels is prohibited. According to anecdotal evidence, most prostitutes stopped by police simply were sent to a hospital or physician for a medical checkup. An investigation in 2000 reported that the police had registered more than 1,500 prostitutes; the study showed that some prostitutes in Yerevan operated by telephone, but that the vast majority of prostitutes were streetwalkers, with their "class" and desirability defined by the area of the city in which they operated.

Crime statistics should always be handled with great care; in the case of Armenia and other former Soviet states, they are relatively meaningless. Locked in an ideological battle with the West, Soviet reality urged the creation of fictitious figures across virtually all sectors of the economy and society in order to portray a positive image to the outside world. The depiction of crime was one of the most important sectors for manipulation as the USSR attempted to demonstrate the superiority of Communism and its promise of the disappearance of crime. According to police officials, the practice of producing fraudulent statistics (*pripiska*) continues long after the demise of the Soviet Union. Latent crime has always been assumed to be rather high.

**Narcotics.** Armenian Anti-Drug Department experts have accumulated a significant database on drug transit sources, routes, and the people engaged in trafficking. The principal transit countries through which drugs pass before they arrive in Armenia include Iran (opiates, heroin), Georgia (opiates, cannabis, hashish), and the Russian Federation (opiates, heroin).

Armenia's borders with Turkey and Azerbaijan remain closed owing to the Nagorno-Karabakh conflict; however, according to Anti-Drug Department informa-

tion, opiates and heroin are smuggled to Armenia from Turkey via Georgia. When these borders open, drug transit could increase significantly. Official police statistics state that currently 53 percent of drug transit enters Armenian territory by truck and 45 percent by air. Sixty percent of the drugs consumed locally are imported, particularly heroin and opiates. Hemp and opium poppy grow wild in northern Armenia and in mountainous regions, but Armenia is not a major drug-producing country.

In 2002, the Armenian legislature passed a bill aimed at strengthening the police mandate to combat drug sales and trafficking. Together with Georgia and Azerbaijan, Armenia is engaged in the ongoing United Nations-sponsored Southern Caucasus Anti-Drug Program (SCAD), which was launched in 2001. Armenia is a party to the 1988 UN Drug Convention.

Scarce financial and human resources, however, limit police ability to combat drug trafficking and drug abuse. Drug abuse does not constitute a serious problem in Armenia, and the local market for narcotics, according to the Anti-Drug Department, is not large. However, while official estimates put the number of drug addicts at less than 2,000, already in 1995, the true number was believed to be approximately 10,000; two years later, that unofficial figure had doubled.

The average age of drug abusers is believed to have fallen from 35 to 25, with an increasing number of 15-17 year olds among abusers. This may be explained, in part, by the increased use of narcotics in cafes and nightclubs. The principal drugs of abuse are opium, cannabis, and ephedrine. Heroin and cocaine first appeared in the Armenian drug market in 1996 and, since then, there has been a small upward trend in heroin sales, while cocaine abuse has remained flat. In late November 2003, the Armenian government began work to create an Interdepartmental Commission on the Prevention of the Illegal Trade of Drugs.

**Organized Crime.** In 1992 and 1993, immediately following the collapse of the Soviet Union, a police campaign temporarily limited the activity of a few large gangs, but gang leaders, whose identities were commonly known in Armenian society, used influence in parliament to stymie the efforts of the Ministry of Interior. Some deputies in Parliament were implicated directly in white-collar crime and some had been convicted of crimes prior to their election.

In recent years, the incidence of gang shootouts on the streets of Yerevan, Giumri (Armenia's second largest city), and in other cities has increased. Until this time, Armenia generally had not experienced the same level of high-profile gang wars as was seen in Moscow, Saint Petersburg, and other cities. It is understood,

**Table 1. Armenia, Reported Crime, 1998–2002**

	1998	1999	2000	2001	2002
Total Reported Crime	10,761	10,056	12,048	11,483	12,074
Premeditated Homicide and Attempt	145	156	127	120	107
Premeditated Serious Bodily Injury	207	178	196	193	203
Rape and Attempted Rape	22	23	28	24	30
Robbery	125	104	92	122	82
Larceny	126	126	162	117	135
Theft	2,921	3,056	3,663	3,466	3,476

SOURCE: Statistical Yearbook of Armenia, 2003.

<http://www.armstat.am/StatData/2003/10%20Law.pdf>

though, that the power and influence of organized crime figures in the country is great.

In 1999 armed gunmen burst into the Parliament killing eight leading politicians including the prime minister. This attack clearly contributed to the perception of lawlessness in the country.

**Trafficking in People.** The new Criminal Code, adopted in April 2003 and put into effect that August, criminalizes trafficking in persons. Trafficking of women and children from and through the country is a problem. Trafficking in persons committed for “mercenary purposes” is punishable with a fine in the amount of 300 to 500 minimum salaries, correctional labor for up to 1 year, arrest for up to 2 months, or imprisonment for up to 4 years. The maximum sentence if the crime was committed under aggravated circumstances is 8 years imprisonment. The police has worked with law enforcement officials in both Georgia and the United Arab Emirates on trafficking investigations.

A 2001 study by the International Organization for Migration found that Armenia was an origin country for trafficking women and adolescents, primarily for sexual exploitation, to the United Arab Emirates, Turkey, Russia, Greece, Germany, and other European countries. There have been undocumented anecdotal reports of persons trafficked into the country for sexual exploitation from Russia and Ukraine and anecdotal reports of trafficking within the country. Officials contend that many women who claimed to have been trafficked were actually prostitutes who had departed the country voluntarily, perhaps without a clear understanding of the abuses they would encounter.

Government and other reports indicate that traffickers primarily targeted young women and girls from socially vulnerable groups. Police officials believed that some of the victims were already engaged in prostitution. There were anecdotal cases of older children from orphanages and poor families sold to wealthy men in Dubai, but there was no documentation other than victim testimony to nongovernmental organizations. An orphanage run by a religious group reported that older girls had been urged by relatives to “earn their share” for the family by engaging in prostitution. Most potential victims were approached by persons whom they personally knew, such as neighbors or distant relatives, or by travel agencies. In some case, recruiters told victims that they would be working in such jobs as babysitters, waitresses, or cleaning ladies. According to international organizations and some nongovernmental organizations, only a few of the victims knew before departure the exploitation to which they would be subject.

**Crime Statistics.** Crime statistics for 1998 to 2002 are listed in Table 1.

#### CORRECTIONAL SYSTEM

In 2001 the prison system was transferred from the jurisdiction of the Ministry of Interior to the Ministry of Justice. There are 14 prison institutions in Armenia.

According to the Criminal Procedure Code, the maximum term of detention without bringing charges is 72 hours. In practice, police sometimes arrest people suspected of a specific criminal act, register it as “minor hooliganism,” and keep them in detention for 15 days during which time they carry out an investigation to see

if there is evidence to fill in the detention protocol. Despite such misconduct, no officers are known to have been held accountable for arbitrary detentions. In most cases, suspects are held in custody pending trial. Bail could be used in cases of minor or average offenses. Bail could be given only upon payment of a large sum of money, starting from 200 times the minimum monthly salary.

According to the Criminal Procedure Code, the maximum term of pretrial detention is two months, which could be prolonged by two months, but not longer than for a total duration of a year. There is a right to state-appointed and paid lawyers, but defendants frequently reject their services due to the poor performance in defending them: In some cases, such defense lawyers have even pressured their clients into pleading guilty on the basis of an arrangement with the prosecution or judge.

In June 2001 Parliament adopted a Presidential decree regarding an amnesty to mark the 1,700th anniversary of Armenia's adoption of Christianity as the state religion. Under the Armenian Constitution, the President has the right to grant amnesty with the agreement of the parliament. The amnesty affected over 2,100 people, with 1,250 scheduled for release. It did not extend to individuals who had been convicted of murder or other serious crimes.

**Prison Conditions.** As with most of the other states of the former Soviet Union, Armenia is experiencing outbreaks of tuberculosis in its prison system. The disease spreads quickly in the overcrowded and unhygienic cells and is carried to the population outside. In 2002 a new prison hospital for prisoners infected with tuberculosis was opened. Its capacity was 220 patients but, by the end of 2002, only 88 convicts with acute tuberculosis were cared for. The overall number of the diseased in prisons or colonies was about 300, most of whom underwent outpatient treatment.

Until recently, the prison population per 100,000 persons was around 200, making it high by Western European standards, but lower than most parts of the former Soviet Union and well below that of the United States. It currently is reported at approximately 135 per 100,000.

Due to a lack of resources, prison food is grossly inadequate to meet the nutritional needs of inmates. The main diet consists of boiled cabbage soup or other thin, meatless soups. Exercise facilities and medical clinics are under-equipped. In a struggling economic system, inmates have relatively little opportunity to work while incarcerated. Realities of the prison system reflect the realities in the society at large.

The prison budgets allow for the daily expenses of approximately \$2 per day per prisoner (including food, electricity, and so on). Toilets in investigation detention facilities are situated in the cells, while in the colonies they are outside the barracks. There is no central heating in prisons, but inmates are allowed to bring electric heaters to their cells. Floors in some cells are asphalt.

From a human rights standpoint the treatment of pretrial prisoners is problematic. Inmates are frequently denied visits from family members and defense attorneys, particularly if the detainee's case has political overtones. Political detainees are frequently beaten while in pre-trial facilities. Pretrial detainees generally receive lower food rations than convicted prisoners. Although many inmates have televisions in their cells, electric service in Armenia in general is frequently interrupted. There are few other activities with which to pass the time.

**Capital Punishment.** A moratorium on capital punishment was imposed in 1991. However, the death penalty was preserved in the Criminal Code for certain crimes. To comply with the commitments undertaken before the Council of Europe, Armenia should have ratified Protocol 6 of the European Convention on Human Rights and abolish the death penalty within one year of its accession to the Council. However, the country failed to do both. Armenia claimed that a new Criminal Code without the death penalty would be adopted by the end of 2002, which did not happen. At the end of 2002, 42 men were on death row, four of them having been sentenced in 2002. Capital punishment was finally outlawed in late 2003. Even then, a sentence of capital punishment may still be handed down for certain serious crimes committed before August 1, 2003, namely "terrorist" acts and premeditated murder.

**Prison Statistics.** Prisons fall under the direction of the Ministry of Justice.

- Total Prison Population (including pretrial detainees/remand prisoners): 4,343
- Prison population rate (per 100,000 of national population): 135 (based on an estimated national population of 3.21 million at beginning of 2003)
- Pretrial detainees/remand prisoners (percentage of prison population): 22.3%
- Female prisoners (percentage of prison population): 2.4%
- Juveniles/minors/young prisoners—under 18 (percentage of prison population): 1.3%
- Foreign prisoners (percentage of prison population): 0.2%
- Number of establishments/institutions: 14

- Official capacity of prison system: 7,020
- Occupancy level (based on official capacity): 61.9%

Recent prison population trend (year, prison population total, prison population rate per 100,000 of national population):

1994	5,354	(143)
1997	7,648	(202)
2001	7,428	(195)

SOURCE: International Centre for Prison Studies, [http://www.kcl.ac.uk/depsta/rel/icps/worldbrief/europe\\_records.php?code=120](http://www.kcl.ac.uk/depsta/rel/icps/worldbrief/europe_records.php?code=120)

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*Joseph D. Serio*

# Australia

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**Official country name:** Commonwealth of Australia

**Capital:** Canberra

**Geographic description:** Sixth-largest country in the world, encompassing the entire continent of Australia as well as islands, such as Tasmania; located in Oceania in the Southern Hemisphere

**Population:** 20,090,437 (est. 2005)



## LAW ENFORCEMENT

**History.** Police in Australia have their origins in the three major British settlement initiatives in New Holland: Sydney (New South Wales), 1788; Swan River (Western Australia), 1829; and Adelaide (South Australia), 1836. In all cases, the formation of police organizations was preceded by the appointment of individual constables who were mostly subordinate to magistrates and whose duties could be described only marginally as police work in the modern sense of the term. Such appointments bore close similarity to the eighteenth- and early nineteenth-century practices in England.

First settlement, in 1788, occurred at Sydney Cove, where the great majority of settlers were English or Irish convicts. Thefts of precious food, several serious assaults and a generally low level of public behavior in the infant colony prompted the governor, Arthur Phillip, to appoint a night watch of 10 or 12 (historical records contain conflicting numbers) convict constables in 1789. Their main duty was to guard the rations of the colony stored in a central warehouse. These men, who received lodging, rations and clothing only, were made

subordinate to the judge advocate and other military officers until the end of military rule in 1796. Although these first convict constables were referred to as “police” by the judge advocate at the time of their appointment in 1789, it is probable that they operated initially as night watch only.

As time went by and areas surrounding Sydney were explored and settled, more constables, many of them freemen, were appointed in the outlying regions. In the larger towns, full-time constables operated 24 hours a day. After the end of the military government in New South Wales, the Sydney town constables were placed under the first magistrate, who was also known as the superintendent of police. He was first and foremost a justice of the peace. For the next 20 years there were no further changes in police functions and organization because the town grew slowly. In 1811 there was a significant reorganization of the Sydney Police, although the various grades of constables remained subordinate to the first magistrate. The new governor, Lachlan Macquarie, established a full-scale police force under a superintendent

of police and published regulations dividing the town into five districts, each with its own warehouse. A district constable was appointed, with six constables assisting him in each district, with a chief constable in overall command, subordinate to the superintendent of police. A Criminal Investigation Branch was developed in 1827. In 1833 an act of Parliament gave the governor the power to appoint two or more justices of the peace who would serve as police magistrates. In 1834 Colonel H. C. Wilson introduced the first beat system and was also responsible for the introduction of a uniform, a plain blue jacket with a badge and number. In the rural areas of New South Wales, constables were appointed by the local justices, and they remained accountable to the particular bench by which they were appointed.

Convict constables on the New South Wales model were appointed at Norfolk Island penal settlement in 1791 and at Port Dalrymple, Van Diemen's Land (now Tasmania) in 1804.

As the colony's population increased in the second and third decades of the nineteenth century, various security and administrative needs resulted in the creation of a number of discrete "police" bodies, for example, mounted patrol, water police, border police, native police, and gold police. Some of these were later disbanded, some combined with others, and some absorbed by other colonies. A similar situation occurred in Australia Felix, now known as the state of Victoria.

Following a wild New Year's rioting in Sydney in 1850, efforts were made to consolidate all police bodies in the area now known as New South Wales. These efforts were not entirely successful, and it was not until the 1861 communal rioting in Lambing Flat goldfields that the government was able to fully achieve its aim. In 1862 the present police department of New South Wales was created.

Victoria separated from New South Wales in 1851, achieving colonial status in the process. The Victorian colonial government inherited a fragmented collection of police bodies very similar to those of New South Wales. The new government consolidated its police services in 1853.

Queensland did not separate from New South Wales until 1859. At that time, New South Wales police, in particular the Native Police, had a general responsibility for policing the area despite the presence of local town and water police constables. An inspector general of police was appointed in 1860, but fragmentation of responsibility continued until 1864. Even then the native police retained a separate identity until disbanded in 1900.

In Tasmania, separate police bodies existed prior to 1857, when police services were reorganized. In 1804 the first chief constable was appointed, with three subordinate

constables. In 1828 the state was divided into nine districts, each with a police magistrate, who was responsible to a chief police magistrate. Legislation passed in 1856 empowered municipalities to raise their own police forces. Twenty-one such forces were established over a period of years. In addition, a body known as the Colonial Police (later the Territorial Police) was created. The Territorial Police covered those areas not subject to municipal government. In 1899 the various police bodies were consolidated under a police commissioner, thus creating the present police department of Tasmania.

Following the commencement of the first civil settlement in Western Australia, in the Swan River Colony in 1829, a number of constables were appointed by the governor. They were freemen who plied their normal trade, acting in the office of constable only when necessary. By 1832, however, conflict between aborigines and settlers was so fierce that many settlers left the colony. Local constables continued to be appointed in both towns and rural areas, and they remained subordinate to the justices of the peace. Police numbers started to increase in 1849, in anticipation of the arrival of transported British convicts. In 1853 all police were placed under the authority of a superintendent. In 1861, following a thorough reorganization, the police department of Western Australia was created.

The colony of South Australia was first settled in 1836, and a number of freeman constables were appointed soon after landing. These men, who were subordinate to the justices of the peace, continued to work at their normal calling, exercising their police authority only when called upon to do so. Unfortunately, the new colony quickly attracted a large number of undesirables, many of whom were escaped convicts from areas to the east and from Van Diemen's Land. In 1838 a police force of 20 members was established, with colony-wide jurisdiction. The force had a chief officer who was answerable to a four-person commission, but in 1840 a member of the police commission was appointed as commissioner of police and the board was abolished. Thus, the police department of South Australia is the oldest surviving police force in Australia.

Between 1860 and 1910 the Northern Territory was governed by South Australia. From 1865 to 1869 a small body of constables was employed at Escape Cliffs, the scene of the territory's first major settlement attempt. These men, who performed many other tasks, such as caring for stock and exploring, were subordinate to the government resident. Escape Cliffs was abandoned in 1869 and its personnel dispersed. A detachment of South Australian Police arrived at Palmerston (now Darwin), the successor location to Escape Cliffs, in January 1870. South Australian Police personnel undertook the territory's policing needs for the next 40 years.

Eventually, however, the South Australian government felt it could no longer bear the administrative costs involved, and the federal government assumed responsibility in January 1911 for the huge but sparsely populated region. A new police body, the Northern Territory Mounted Police, was formed. In 1926 the Northern Territory Police Force (the “Mounted” had by then been dropped from the title) was split into two, but in 1931 it was reconstituted.

Australian Police Forces by Year of Origin:

- South Australia Police Force, 1838
- Victoria Police Force, 1853
- Western Australia Police Force, 1861
- New South Wales Police Force, 1862
- Queensland Police Force, 1864
- Tasmania Police Force, 1899
- Northern Territory Police Force, 1911
- Australian Capital Territory Police Force (later absorbed by Australian Federal Police), 1927

The Federal (later changed to Australian) Capital Territory Police Force was formed in 1927 as a result of a decision to hold federal parliament sittings in Canberra. The Australian Capital Territory (ACT) Police Force remained a separate organization until 1979, when it was absorbed by the Commonwealth Police Force, which is largely concerned with security. The resulting hybrid was called the Australian Federal Police, although the ACT police component provides the body’s only traditional police function.

The Commonwealth Police Force was formed in 1960 by combining the Commonwealth Investigation Service and the Commonwealth Peace Officer Guard. It is the chief agency for enforcing laws passed by Parliament, and it coordinates the work of other investigation and law enforcement agencies.

**Structure and Organization.**

*The Australian Federal Police.* The Australian Federal Police is divided into a plainclothes and a uniform branch. It is headed by a commissioner aided by two deputy commissioners. It has officers in the capitals of each state. Members of the Plainclothes Branch investigate offenses against Commonwealth laws. Within the branch are a number of specialized sections: The Central Crime Intelligence Bureau, the Central Intelligence Bureau, the Document Examination Bureau, the Currency Squad, the Companies Squad of ACT, and the Neutron Activation Analysis Section. The Uniformed Branch protects royalty and public officials, guards public property, checks exit and entry at ports and airports, conducts surveillance

against terrorists, drug dealers, and organized crime, deports unwanted aliens, and interdicts counterfeit currency operations. The Australian Federal Police runs the Australian Police College and trains police dogs. The Central Crime Intelligence Bureau is the central narcotics intelligence agency for the Commonwealth.

*Queensland Police Force.* The Queensland Police Force is headed by a commissioner who directly controls the Crime Intelligence Unit, Emergencies and Inspections Chief Superintendent, the Planning and Research Branch, the Special Branch and the Public Relations Branch. Three assistant commissioners—the Assistant Commissioner for Crime, the Assistant Commissioner for Traffic and the Assistant Commissioner for Administration—report to the commissioner. There are four regions, each headed by a regional superintendent who directly reports to the commissioner. The Brisbane Division has five districts and four subdivisions. The other regions are divided into districts but have no subdivisions. Some districts are divided into subdistricts. The final division is the police station.

Queensland police work a forty-hour week or eight hours a day. Larger stations work on a 24-hour basis with three eight-hour shifts per day. Overtime is paid for work beyond these schedules and penalty rates are paid for work on weekends. In addition, police officers receive special allowances for detective work and other types of special assignments. Additional allowances are provided for nighttime duty. Vacation varies according to location and length of service, with a minimum of 35 days per year. Sick leave is granted up to 60 days per year on full pay and 30 days per year on half pay. After ten years of service, policemen receive a long service leave of 13 weeks on full pay, and leave accrues as length of service increases. Each member of the police force contributes to a pension plan that takes effect at age 60. Examinations for promotion are held annually. Promotions are from probationer or cadet to constable first class, senior constable first class, sergeant first class, sergeant second class, and senior sergeant.

*Victoria Police Force.* The Victoria Police Force is headed by a commissioner aided by a deputy commissioner and five assistant commissioners. The first assistant commissioner is in charge of personnel, recruitment, education and training and the Police College at Airlie. The second assistant commissioner handles services, buildings, purchases, computers and equipment. The third handles operations, including Search and Rescue Squads, Motor Boat Squad, Licensing, Gaming and Vice Division, Mounted Police Branch, Dock Police Branch and the Women Police. He or she also coordinates the metropolitan and rural police districts. The fourth assistant commissioner is in charge of crime, the Forensic Science Laboratory, stolen motor vehicles, missing persons, fingerprint bureau,

criminal records division and the detective training school. The fifth assistant commissioner handles traffic, driving schools and road tests, automobile registration, mobile patrols, traffic accident investigations and traffic fines.

The Victoria Police Force has three fields of service: General Duties, Criminal Investigation and Mobile Traffic Patrol. Their uniform consists of a navy blue jacket and trousers or skirt, with a white-topped cap. Summer headgear may consist of a helmet. Cadets wear a similar uniform, but with a light and dark blue band around the cap with the words, "Police Cadet." Foot patrols carry a .32 or .38 caliber pistol.

Victoria police officers work a 40-hour week. They receive a 7-week annual vacation that increases to 19 weeks after 15 years of service with an additional 6 weeks for every 5 years of service thereafter. They also receive 15 days of sick leave with full pay with an additional 12 days of sick leave on completion of each year of service. Members of the force receive a housing allowance and a uniform allowance and participate in liberal pension plans.

The state is divided into 21 police districts, of which 17 are geographical and the other 4 are Criminal Investigation, Traffic Control, Information Bureau, and Training and Recruiting. Each district is headed by a superintendent who reports to the director of administration. Attached to the office of the commissioner is the Public Relations Division, an Inspectorate and Future Plans Office, and a Complaints and Discipline Department.

**Tasmania Police Force.** The Tasmania Police Force is headed by a commissioner who reports to the minister. Below the commissioner are the deputy commissioner and the chief superintendent. There are two types of police districts—one geographical and the other statewide. Geographical districts are under the control of a superintendent. Below the superintendent are inspectors who are in charge of divisions, and below them are sergeants, noncommissioned officers and constables and junior constables. Statewide or "deemed" districts are functional areas such as recruitment and training, criminal investigation and traffic control, and are each headed by a superintendent.

Most police functions are carried out by uniformed personnel. The exception is the Criminal Investigation Operations (CIO), the members of which are mostly plainclothes. CIO has an Information Bureau which consists of a Records Section, a Scientific Section and a Communications Section.

Police salaries and allowances are set by the Public Service Board. Police officers are eligible to join pension plans. Promotions are granted upon successful completion of tests and on the basis of internal ratings and

assessments. The Police Promotions Appeal Board hears appeals regarding denials of promotions.

**Western Australia Police Force.** The police force of Western Australia is headed by a commissioner who is aided by a deputy commissioner, assistant commissioner, and chief superintendent. There are 10 police districts in the state, each supervised by a superintendent or a senior inspector. The police department has three branches: Criminal Investigation, Traffic, and Liquor, Gambling and Firearms. The Criminal Investigation Branch has suburban and county branches. It operates a fingerprint and scientific bureau and a photographic section. It has a radio network covering the state. The Traffic Branch operates the Police Driver Training Wing and road patrols. It also is responsible for motor vehicle registrations and driver's licenses.

Members of the Western Australia Police Force work 40 hours a week. They receive 6 weeks of annual leave, increasing to 13 weeks after 10 years of service and by an additional 13 weeks for every 7 years of service thereafter. Sick leave is 168 days a year.

**South Australia Police Force.** The South Australia Police Force is headed by a chief secretary to whom the commissioner of police reports directly. The force is divided into seven regions and a number of branches. Regions are commanded by a superintendent. Region A has headquarters at Adelaide and is organized into five geographical divisions. Region B is headquartered at Thebarton and includes the Traffic Division. Region C has headquarters at Adelaide and includes the Criminal Investigation Branch and the Women Police. Both Region D, which includes five geographical divisions, and Region E, which includes six geographical divisions, are headquartered in Adelaide. Region F includes the Central Records Division, Prosecution Division, Communications Division and the Data Processing Section. Region G at Adelaide is the metropolitan region with one division that polices the city. The other units of the force includes Planning and Research, Juvenile Aid, Personnel and Emergency, Legal, In-service, and the Police Academy.

The Public Services handles correspondence, accounting, payroll, plant and equipment, property and buildings, purchases, personnel records and civil defense. The Legal and In-Services Branch provides legal research and advisory and in-service training courses and services. It publishes the police news bulletin. Management services, commanded by a superintendent, is responsible for collecting and collating information on police activities. The Planning and Research Branch organizes, directs and controls statewide surveys which are used to make recommendations and decisions. Management Services are also responsible for recruitment, examinations and placements. There is an Emergency Operations Group



attached to Management Services whose members have special skills in underwater recovery, sea rescue, and land search.

Region B consists of the Traffic and Transport Division, which operates highway patrols in country areas and foot-traffic police in urban areas. It includes an accident investigation squad and a motorcycle squad. Also part of Region B is the Transport Division, which maintains and repairs all police motor vehicles.

Region C is the home of the Criminal Investigation Branch (CIB). It has a number of specialized squads, such as the Homicide Squad, Break-in Squad, Motor Squad (which deals with automobile thefts), Fraud Squad, Consorting Squad and Anti-Larikin Squad (which investigates organized crime and gangs), Stock Squad (which handles sheep and cattle stealing), and General Squad. A subdivision of CIB is the Forensic Science Laboratory. The Women Police are also part of Region C.

Region F is the Communications Network which provides a 24/7 radio communications system. Region G has the largest number of police officers, and its members are on the beat in three eight-hour shifts. It has a number of divisions, such as the vice squad, drug squad, and the public parks squad.

South Australia Police Force personnel receive special allowances in addition to regular salary and paid sick leave and vacations. After three years of service, a constable is eligible to sit for an examination to first class constable. Promotion to senior constable comes automatically after a further four years of service. Promotion to higher ranks is based on successful completion of training programs.

*Northern Territory Police Force.* The police force of the Northern Territory is headed by a commissioner who is assisted by a superintendent and three chief inspectors. There are only 31 police stations throughout the territory, which is divided into five districts. Districts A and B are administrative districts. District A has two subdivisions, one concerned with firearms and licensing and the other with planning and research. The other three are operational units. C has two divisions (of which one is the CIB) and D has three geographical divisions. E covers a wide area, with Alice Springs as its principal urban center.

The Northern Territory Police Force has a number of sections with territory-wide responsibilities: Licensing, Prosecution, Communications, Training, Planning and Research, General Duties, Criminal Investigation and Traffic. The CIB, comprising the Criminal Intelligence Section, Drug Squad, Stock Squad, Forensic Science Section and Information Bureau, is by far the largest branch in the Northern Territory. The Information Bureau maintains criminal records, the fingerprint collection and the police library, and the central warrant

and missing persons bureau. The General Duties Police conducts highway and foot patrols, escorts prisoners and executes court warrants.

Salaries of Northern Territory police officers are fixed by an arbitration board. In addition to their regular salary they receive a district allowance based on hardship, night-shift-duty allowance, special duty allowance and a clothing allowance. They work a 40-hour week in five shifts of eight hours each. Beyond this limit, they receive overtime pay. Police officers receive recreation leave of seven weeks. After 10 years of service, they are entitled to a long service leave of two months for every five years of service. They also receive 10 days of sick leave with full pay and 10 days with half pay. Unmarried personnel receive free furnished quarters, and married personnel receive a housing allowance.

There is automatic promotion to constable first class after eight years of service and senior constable after 15 years of service. Promotion beyond senior constable is by examination.

*New South Wales Police Force.* The police force of New South Wales is headed by a commissioner who is assisted by a deputy commissioner, a senior assistant commissioner, and a number of assistant commissioners. Under the deputy commissioner are the Metropolitan Superintendent in charge of four subdistricts and country area superintendents E and F. The four subdistricts are divided into 20 divisions. Police operational branches include:

- Police Driving School
- Traffic Branch
- Water Police (under a chief superintendent)
- Licensing Branch concerned with firearms, liquor, real estate, and wool licenses
- Rescue Squad
- Criminal Investigation Branch with eleven specialized squads dealing with vice, break-ins, pawnbroking, auto theft, fraud, drugs, and armed holdups.
- Scientific, Technical, and Other Services
- Prosecution
- Women Police
- Public Relations
- Mounted Police
- Band

The uniform of New South Wales police consists of a two-piece navy blue tunic and trouser or tunic and skirt outfit in the winter. In the summer, the uniform

changes to a pale blue short-sleeved shirt for men and a pale blue two-piece outfit for women. Caps are banded in a checked material.

Police officers work a 40-hour week in eight-hour shifts. They are paid a regular salary augmented with clothing and overtime allowances. Vacation leave is 6 weeks per year with an extended 2 months for every 10 years of service. Sick leave is granted at the rate of 60 days per year on full pay and 30 days on half pay. They are granted pension on retirement at age 60. After 5 years constables are automatically promoted to first class and, after an additional 4 years, to senior constable. Promotion above this rank is by selection.

**Police at Work.** Police stations are scattered all over the country and differ widely in size. In Western Australia, some stations cover an area as large as 7,200 square miles. The one-man police station is common in Queensland. The officer generally spends part of his or her day in the police station attending to administrative work and the rest of the day on patrol.

Within major cities there are what are commonly called suburban police stations. These stations are generally staffed by 10 or 12 officers who perform both administrative tasks and patrols. Large cities have two kinds of patrols: general patrol and special patrol. Some units have police stations, patrol bases, and detective offices in the same building, while others house them in separate locations.

In terms of operational emphasis, three categories predominate: traffic, criminal investigation, and general duties. The last is a catchall category that includes patrol, public order, and station duties. In very broad terms, just over a quarter of all personnel are directly engaged in traffic control and criminal investigation. Police departments include both civilian and sworn employees. Generally speaking, apart from research, training, and radio dispatching duties, civilians have been kept out of police work. Civilians perform clerical, cleaning, and maintenance duties. The relationship of the civilian bureaucracy to the chief police officer varies according to the state. In some states, the secretary or the director of administration is a powerful figure rivaling the chief police commissioner in status. In other states he or she tends to be subordinate. In all cases, however, the chief police officer is the operational head with direct access to the minister.

A major feature of the Australian police service is that it is exclusively territory- or state-based, which means that a single agency provides metropolitan as well as urban and rural police services. Members normally begin their service in a metropolitan area. After a couple of years many are assigned to a smaller town. There is no clear pattern, however.

In those states having a metropolitan mobile patrol, such as South Australia and Queensland, patrol personnel operate from patrol bases. General-duty police work from traditional police stations, while detectives and traffic personnel operate from special premises. The reduced interaction between detectives and other police results in a reduction in the transfer of local knowledge and information. Area crime collator services are designed to overcome such disadvantages, but inevitably some loss of information transfer occurs.

The typical Australian police officer is male; over five feet, nine inches tall; between 20 and 30 years of age; Anglo-Saxon; and generally in modest physical condition. Reflecting a historical trend going back to the eighteenth century, females are significantly underrepresented at all levels. For many years there was a rule that forced policewomen to resign once they got married. Women are not permitted to work night shifts and are assigned tasks that are deemed suitable. Similarly, most police officers are white. Little effort is made to recruit minority or migrant groups into the service. There are very few Aborigines, and most of them are police aides.

There is a great divergence in the age, education, and training of police officers reflected in their professional attitudes and skills.

New recruits are required to meet strict physical requirements prior to entry and during their training period. However, once sworn into the service, little effort is made to maintain their physical condition, and there is no incentive to keep in shape. There is no provision for a weekly exercise period for members; before long the physical condition of most decline and they develop the appearance of their counterparts outside the service.

All police officers operate on a 24/7 basis the year through. Police officers are required to commence and complete duty at staggered hours. Duty rosters are drawn up and promulgated, usually a week in advance. Generally, police officers must work an eight-hour day and a five-day week. There is a great variance between general police hours of work and administrative hours of work from 9:00 A.M. to 5:00 P.M. The majority of police officers work in shifts.

There is some variety among the leave and other entitlements in the various states. Officers doing shift work are entitled to an additional annual leave. All police officers are covered by superannuation or pension schemes, which assures them of certain income on retirement or a lump sum payment.

The practice of a departmental funeral is still observed in most forces for those police officers killed in the line of duty. Some police forces have a departmental flag. Compared to the United States, fewer police



*A protester is arrested outside the West Australian Maritime Museum in Fremantle, Australia, March 1, 2005. The man was part of an impromptu republican demonstration that coincided with Britain's Prince Charles visiting the museum. AP IMAGES.*

officers are killed in Australia as victims of violence. However, they suffer considerable occupational stress and are occasionally assaulted in the execution of their duties.

**Uniforms.** All police officers other than plainclothes officers in criminal investigation departments are issued uniforms. Departmental designs vary between tropical and subtropical and temperate zones, but shades of blue predominate. Each police force has a different winter and summer uniform to accommodate the changes in temperature. Since the 1960s, short-sleeved and open-necked shirts are worn in summer and tunics are worn in winter. Some departments in South Australia provide a patrol jacket. Commissioned officers wear slightly different uniforms that display rank differences. The basic uniform is the same, but badges of rank and cap braid indicate their status. All police carry batons, handcuffs, and a notebook. The handcuffs and baton are carried prominently.

Officers of all ranks may wear service medals on formal occasions. When working, only ribbons displayed on the left breast are worn. The government issues a number of police service medals. The Long Service and

Good Conduct Medal is issued after 22 years of service. The National Medal is issued after 15 years, and the Queen's Police Medal is the highest award, issued to only two or three members in a year, for outstanding achievement. Victoria has its own Police Medal for Gallantry. All police commissioners issue internal accolades, such as "favorable records" or "commendations," to officers who have distinguished themselves or performed their duty in an exemplary manner.

**Structure and Organization.** Each state and territory police commissioner, subject to ministerial approval, has the discretion to establish a rank structure and hierarchy best suited to the needs of the locality. Hence there are some differences in number of ranks and their nomenclature. There is, however, a clear distinction in all agencies between commissioned and noncommissioned ranks. Commissioned officers are appointed by the executive council of their respective governments. Noncommissioned officers and constable ranks are promoted by the commissioner of police.

An officer is generally promoted to each rank after obtaining the necessary promotional qualifications.

However, there are exceptions to this rule. In Queensland, a senior constable, once he or she has served 15 years, is automatically upgraded to the rank of sergeant 3/C. There are no promotional examinations for the various ranks of commissioned officers. These officers, once they have obtained commissioned rank, are upgraded through the various levels—inspector through superintendent—at the discretion of the commissioner of police and the minister or executive council. Compared to the armed services and many overseas police forces, the proportion of commissioned and noncommissioned officers to other ranks in Australia may seem low. This low percentage affects negatively the career prospects of police personnel.

There is no great difference in the amounts paid to officers of the same rank in the various states. Pay is determined by the length of service in a particular rank. All police officers are entitled to extra allowances and benefits such as overtime.

A police officer may be transferred to any part of the state or territory to which he or she belongs. The transfer may be for a number of reasons as determined by the commissioner under relevant regulations. It may be to bring an understaffed police station to a more efficient level of personnel strength. Sometimes it may be punitive, in which case it may become the subject of a labor dispute, leading to the intervention of the labor union.

In no instance are police officers permitted to find employment in any outside task or occupation. To moonlight, police officers have to seek the permission of their superiors. Police officers are not permitted to work in certain occupations, such as casinos.

**Recruitment, Education, and Training.** Recruitment testing and standards vary from state to state, albeit slightly. In general the standards for employment require that they:

- pass a medical examination
- pass a police entrance examination or have completed high school
- receive clearance after a background investigation
- appear at a personal interview
- appear before a selection board
- complete an 11-week initial training course

Candidates must be at least 18 to 19 years of age and be Australian or British subjects by birth or naturalization.

Some states employ a recruit entry test battery that includes four cognitive tests, as in South Australia, or Otis Higher Test, as in Western Australia, or the ACER Higher Test, as in Tasmania.

Each state police force has its own training academies which provide recruit and in-training courses. Those agencies with cadet programs also either use academy resources for cadet training or, as in the case of Victoria, operate a separate cadet academy. The Commonwealth Police force operates the Australian Police College at Manly, New South Wales, a senior police training school for its own recruits as well as those from other states and nations.

Recruit courses average 20 weeks but vary greatly among states as to content. Generally two such courses are run in the course of a year. The syllabus covers four core areas: police law, education, practical subjects, and outstation duty. Practical subjects cover first aid, drill, self-defense, physical training, fingerprinting, and ballistics. In-service courses cover detective training, bomb disposal, first aid, traffic, and diving. Cadet courses consist of a two-year residential session. Cadets spend approximately five months on field work. Executive training has received greater emphasis in Australia in recent years. A small but growing number of police officers take tertiary studies and hold university degrees in police studies and law.

#### Police Statistics.

- Total Police Personnel: 44,982
- Population per Police Officer: 438

#### HUMAN RIGHTS

The government generally respects human rights, and the law and the judiciary provide effective means of dealing with the isolated instances of abuse.

#### CRIME

**Crime Statistics.** Offenses reported to the police per 100,000 population: 7,003. Of which:

- Murder: 3.7
- Assault: 708.5
- Burglary: 2,926.2
- Automobile Theft: 624.8

#### CORRECTIONAL SYSTEM

The principles, organization, and procedures of criminal justice are British in origin. Criminal law was separately codified in Queensland, Western Australia, and Tasmania. As a result, legal terminology and definitions vary greatly among states. The death penalty was abolished in federal jurisdictions in 1973 and since then in other states.

## *Australia*

The corrections system is entirely the responsibility of the states, and no prisons are maintained by the federal government. Prisoners sentenced by a court in the ACT are held in New South Wales prisons. The most modern penitentiary in the country is in Tasmania. The states operate a total of 89 prisons, of which New South Wales has the most and Tasmania the fewest. The percentage of open prisons varies with Western Australia leading with about 24% of its inmates in such facilities.

A high percentage of inmates in Western Australia are Aboriginals, but Queensland sends Aboriginals to reserves rather than to prisons. Aboriginal adults represent only 2.2% of the population but 20% of the prison population and 22% of the deaths in custody.

**Prison Conditions.** Prison conditions meet or exceed international standards. In 2001 there were 87 deaths in custody or during arrest.

### **Prison Statistics.**

- Prison Population Total: 24,171
- Prison Population Rate per 100,000: 120
- Pretrial Detainees: 20.4%
- Female Prisoners: 6.9%
- Juveniles: 0.1%
- Number of Prisons: 124, of which 81 are government-run prisons, 7 privately operated ones, 8 custodial centers, 15 court cell centers, and 12 periodic detention centers
- Official Capacity of the Prison System: 20,503
- Occupancy Level: 105.9%

*George Thomas Kurian*

# Austria

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**Official country name:** Republic of Austria (Republik Österreich)

**Capital:** Vienna (Wien)

**Geographic description:** Austria enjoys a historically strategic location at the crossroads of central Europe, where it shares a boundary with the Czech Republic and Germany to the north, Liechtenstein and Switzerland to the west, Slovakia and Hungary to the east, and Italy and Slovenia to the south. Total land area is 52,114.4 square miles (83,870 square kilometers).

**Population:** 8,184,691 (est. 2005)



## LAW ENFORCEMENT

**History.** The Austrian police service (Bundespolizei/Bundesgendarmerie) finds its origins in Citizen's Watch, which was formed in 1221 to protect the life and property of Viennese citizens. In 1531 this Citizen's Watch evolved into an official Day and Night watch, although still carried out by citizens. The earliest urban police force was Vienna's City Guard of 1569, consisting of 150 men. By the beginning of the Thirty Years' War (1618–48), the City Guard consisted of 1,000 men organized as a regiment, individual companies of which took part in military campaigns. The soldiers of the guard were subject to the authority of the Imperial War Council, and the city was required to pay for their services. In 1646 the city set up its own Public Order Watch; serious frictions between the two bodies resulted in their replacement by a new service under a commissioner of



police in 1776. Its personnel were still made up of soldiers, either volunteers or assigned, but they failed to meet the city's needs because of a lack of training and continuity of service. Police functions were organized in a similar form in other large cities of the empire. It was not until a series of reforms between 1850 and 1869 that military influence over the police force was finally ended with the introduction of an independent command structure, a permanent corps of police professionals, training of officers in police skills, and distinctive uniforms and symbols of rank. The Gendarmerie was created by Emperor Franz Josef I in 1850 after the disorder and looting that accompanied the uprising of 1848. Initially composed of eighteen regiments and part of the army, its operational command was transferred to the Ministry for Interior in 1860 and wholly severed from the armed forces in 1867. Nevertheless, training, uniforms, ranks, and even pay remained patterned after the army. A special Alpine branch was formed in 1906, mainly to protect the part of Tirol that bordered Italy. Alpine rescue operations and

border patrols have remained an important Gendarmerie function. After the breakup of the monarchy in 1918, the Gendarmerie was transformed into a “civilian security force,” but still retained paramilitary characteristics. Austria’s annexation to the German Reich in 1938 led to the Gendarmerie merging with the German Police, to be restored to its old status as a uniform-wearing armed security force within the civil service following World War II. By 1964 the Gendarmerie had fully reconstituted itself and became an effective rural police force. The gendarmes saw a professionalism in the corps as training and pay gradually increased. As Eastern Europe began to open up in the 1980s, the Gendarmerie found itself facing increasing amounts of criminality and it took different forms than in the past. By 1993 the Gendarmerie had to realign itself with Austria’s security needs and the needs of the burgeoning European community. Austria’s accession to the European union and the Schengen agreements expanded the Gendarmerie’s role border security—no longer was the Gendarmerie responsible only for securing the Austrian borders, but the European Union’s Eastern border as well.

**Structure and Organization.** The most important law enforcement and security agencies are organized under the General Directorate for Public Security of the federal Ministry for Interior. The directorate is divided into two principle units: the *Bundespolizei* or federal police and the *Bundsgendarmerie* or rural police.

In most major towns, security is in the hands of the Federal Police. Each department is headed by a Director of Police, with the exception of the Vienna Police Directorate where the highest ranking officer is referred to as Chief of Police. The Federal Police Directorates are divided into *Kommisariate*, which are, in turn, divided into *Wachzimmer*. Within the Federal Police, there is the constabulary and officers belonging to the criminal investigations division. Furthermore, there are special taskforces called mobile operational units. The constabulary has middle duty, higher duty, and senior duty officers, also referred to as W3, W2, and W1 officers respectively.

The rural constabulary (Gendarmerie) operates in rural areas. In each state the district police divisions, which are, in turn, divided into police stations, are headed by a commander. The rural constabulary has special task forces referred to as special mobile groups. The antiterror squad is one of the special task forces of the rural constabulary. One important distinction between the federal police and the rural constabulary, apart from different uniforms, is the difference in authority. Federal police officers are government officials/civil servants who may summon and bring in the accused and the witnesses. Rural constabulary officers do not have the same status. They are not government officials/civil servants, and may only

request, rather than demand, the accused and the witnesses to come in for questioning. The rural constabulary, the constabulary, and the criminal investigators are referred to as *Wachkörper*, that is to say they are armed, uniformed, or part of an organization run along military lines whose tasks are of a policing nature.

While there are local police in Austria, they largely perform minor security roles or provide support to the Federal Police or Gendarmerie.

The typical Austrian police officer, whether Federal Police or Gendarmerie, is young, male, and educated at or beyond the high-school level. Over half are under the age of 35, and women make up a growing segment of the workforce.

Policing in Austria is similar to that of other Western nations as police officers work in shifts four or five days per week, totaling a 40-hour work week.

**Uniforms.** The Federal police will adopt a new uniform in 2005 that is reminiscent of the K.U.K uniforms of the early twentieth century. The formal uniform will be a five-button navy-blue coat with two breast pockets. Rank insignia is displayed on the lapel of the coat, which buttons at the neck, as well as on the left breast pocket. On the left shoulder is formal dress cord that also corresponds to rank. There are neither identifying numbers of name tags. The Federal Police patch is on the left sleeve midway down the arm. The police cap is peaked in front with the Federal Police emblem above a cord that highlights a short black bill; the remainder of the hat is navy blue. The dress slacks are navy blue with two silver stripes running along the outermost section of each pant leg. Shoes are black, but patrol personnel generally wear ankle-length boots. The duty uniform differs from the formal uniform in several ways. The coat is replaced with an open-necked navy blue shirt with silver epaulets that display rank; the cord on the shoulder is removed from the shirt. Officers wear a black tie with the shirt and can wear either a beret or police hat, depending on preference and assignment. Slacks are replaced with multipocketed tactical pants, and female officers have the option to wear a skirt depending on their assignment. In winter, the uniform is complemented by a navy blue heavy coat with a fur-lined collar.

From 1990 to 1995, the old Gendarmerie uniform was gradually replaced by a newer and substantially more practical general-purpose uniform. The Gendarmerie was the first police unit of Europe to get a uniform incorporating waterproof materials (Gore-Tex). The general-purpose uniform also introduced all-purpose trousers, suitable for formal or duty attire. The Gendarmerie redesigned its uniforms again in 2000. The uniform incorporated a general-purpose fleece jacket and a formal

jacket. Each part is in the new 2-color style (bluish gray) implemented with red Passepoil on chest and back. At the back of each is a reflecting signature “Gendarmerie.” The equipment belt can be worn outside of all three articles—the shirt, jacket, and trousers—to ensure rapid access to service weapons and equipment. The general-purpose jacket is implemented with a wind and waterproof diaphragm. The duty jacket has zippered sleeves to maintain body heat. The duty boots are waterproof and breathable (Gore-Tex) within a leather Cordura combination. In place of the ankle-high boots, a half-boot (waterproof and breathable) made of leather was introduced.

**Police Equipment.** There are four principal types of police vehicles: motor vehicles, boats, helicopters, and airplanes. The Austrian motor pool includes police patrol cars, traffic patrol cars, motorcycles, nonofficial vehicles for undercover and plainclothes officers, and transportation cars. The Gendarmerie has a fleet of specially converted Mercedes and BMW patrol vehicles, limousines, motorcycles, Jeeps, and special assault vehicles. The Aviation division of the Gendarmerie deploys Bell-206 and 212 helicopters as well as light aircraft. In the mountainous regions, the Gendarmerie uses a wide variety of all-terrain vehicles and snowmobiles in its daily operations.

In late 2003, the Ministry of Interior overhauled its information systems infrastructure and implemented a ministry-wide data collection tool to increase communication and productivity while reducing paper files, physical storage, and administrative costs. The Information Technology Division of the Ministry of Interior manages over 14,000 desktops for the Federal Police and Federal Gendarmerie spread over 1,700 locations.

The Federal Police have specially trained officers called *Kriminalbeamten*, or Criminalists, that are responsible for processing major crime scenes like those of homicides or where organized criminality is suspected. There are three principal branches of the *Kriminaldirektionen* or Criminalistics Division within the Federal Police:

- *Kriminaldirektionen* 1 is concerned with processing crime scenes involving the most complicated crime scenes and large amounts of evidence, economic and financial crimes, and crimes involving organized crime
- *Kriminaldirektionen* 2 is the general criminalistics division and handles a wide range of crimes according to the specifics of the criminal activity
- *Kriminaldirektionen* 3 carries out the technical tasks of forensic science and usually involves the laboratories and technicians



**Police dogs help authorities search outside a home in Austria where the bodies of slain infants were found, June 3, 2005.** After discovering the remains of one infant in a freezer, three more bodies were found throughout the residence. A 32-year-old woman confessed to killing the four infants in despair after giving birth. AP IMAGES.

Police dogs are used extensively in Austria. There are many categories of dog service, each using a specific breed of canine. The principal categories are: cadaver search, narcotics search, agriculture search, explosives search, watch/guard dogs. There are four major breeds of canines used by the Austrian police authorities: German shepherd, Malinois, rottweiler, and Doberman pinscher.

**Traffic Police.** Traffic enforcement in Austria is carried out largely by the Gendarmerie because of its larger jurisdiction in the country. The gendarmes of the transport departments complete special training courses in the area of transportation law, beyond the basic training they acquire at the federal academy. Gendarmerie traffic police are principally responsible for responding to accidents on motorways, enforcing speeding laws using stationary and mobile radar equipment, providing security for the transportation of money and financial



instruments of the central bank of Austria, and regulating the contents of commercial vehicles in Austria.

The duties of the traffic division of the Federal Police are similar to those of the Gendarmerie, but with a higher emphasis on reducing drunken driving. For instance, there were over 130,000 breath alcohol tests administered by the Federal Police in 2000.

Traffic Control Instruments (as of 2002):

- Stationary Radar Devices: 96
- Mobile Radar Devices: 427
- Laser Speed Measuring Instruments: 84
- Video Recording Devices: 86
- Breath Alcohol Measuring Instruments: 1655

**Criminal Identification and Forensics.** In addition to the forensic labs of the Federal Police and the Gendarmerie, there are five laboratories used by the police for assistance in evidence and forensic science. They are:

- United Nations Office on Drugs and Crime—Laboratory and Scientific Section
- University of Graz—Institute for Forensic Medicine
- University of Wien—Blutgruppenserologie
- University of Vienna—Institute of Forensic Medicine
- Identilab Forensic Services—Vienna

**Special Police.** The principal Special Police unit for Austria is the elite counterterrorism unit known as *Gendarmerieeinsatzkommando* (GEK) Cobra. This unit is made up of approximately 200 police gendarmes and falls under the command and control of the Ministry of Interior and the Directorate for State Security. This unit participates in undercover counterterrorist and counterespionage operations, in conjunction with the Directorate for State Security, and also serves as sky marshals onboard high-risk Austrian Airlines flights. Other responsibilities include protecting the President and Prime Minister as well as foreign Presidents and heads of states visiting Austria. The unit was created in response to the 1972 Munich Olympics terrorist attacks where a Palestinian terror group called Black September murdered eleven Israeli Olympic team members.

The GEK was formally created in 1978 within the Austrian Federal Gendarmerie, although the organization receives its orders directly from the General Secretary of Security, and was given national jurisdiction and even international jurisdiction when Austrian interests in other countries were affected. The GEK headquarters and training facilities are in Wiener-Neustadt, just south of the Austrian capital. A command group of 13 senior officers provides the operational leadership for the

GEK, while the administrative duties and management comes from the Gendarmerie's Central Command.

The GEK is a highly sought-after position for gendarmes and the competition level is high. All candidates for GEK must be graduates of the Gendarmerie's Academy and on active duty at their Gendarmerie station. GEK has trials twice a year at its headquarters to select candidates for its training platoon. The trials include medical, psychological, and physical examinations, shooting tests, and personnel introduction. Those candidates selected to the training platoon undergo a rigorous six-month training program with a curriculum covering the following topics: physical training, tactical operations training, combat shooting, rappelling, hostage-rescue exercises, airborne unit training, high-speed driving, firing out of moving cars and helicopters, technical equipment training, surveillance exercises, parachuting, and psychology.

The GEK prefers the 5.56mm Steyr AUG assault rifle as its principal weapon in counterterrorist situations, in addition to the 8mm Steyr TMP and the German 9mm Heckler & Koch MP5 submachine gun. The 9mm Glock 17 semiautomatic handgun equipped with flashlight has become the sidearm of choice for the GEK. The 7.62 Steyr SSG-CISM sniper rifle is used by GEK snipers in hostage-taking situations and scenarios needing long-range firing. The Remington M870 and the semiautomatic Frnachi SPAS-15 shotguns are used for close-assault engagements like house-storming and can be configured to fire less lethal munitions. The GEK is one of the best equipped and highly trained counterterrorism forces in Europe and benefits greatly from its relationships with its counterparts in other countries, Germany's GSG9 in particular.

**Police-Community Relations.** In the major metropolitan areas, and especially in the capital, the Federal Police have a very visible presence. It is not uncommon to see police officers on patrol, either by car or walking, and the relationship between the police and the citizenry should not be characterized as hostile or confrontational. The spirit of community-policing has permeated the Austrian police agencies and community interaction is generally encouraged because it improves public confidence in the police.

Respect for the law and devotion to social tranquility are engrained in the Austrian character. Law enforcement agencies are efficient and are regarded with respect. Since the late 1980s, however, instances of mistreatment of arrested persons and improper activities of the organs of security have made necessary measures to restore the public's confidence in the police.

**Education and Training.** Federal Police and Gendarmerie are civil service positions in Austria and have the following general civil service requirements for admission employment with the police:

- Austrian nationality
- Control of the German language in speaking, reading, and writing
- Completion of military service for male applicants
- Full capacity to act
- Personal and technical suitability
- Age of at least 18 years

Beyond these civil service requirements, there are specific requirements each applicant must meet before gaining an offer of employment and admission to police training. These requirements include:

- Between ages of 18 and 30
- Minimum size: 168cm for male, 163cm for female
- Must fall between acceptable limits of body mass index
- Superior physical fitness
- Successful completion of entrance examination

The entrance examination generally lasts 4.5 hours and covers four substantive areas: dictation, grammar, an intelligence examination, and a personality questionnaire. Successful applicants then undergo a medical examination that includes urinalysis and blood testing, HIV testing, and pregnancy testing for women. Minimum physical fitness standards are assessed following the medical examination. Males must perform 10 push-ups and females must perform 7 push-ups and both must complete an obstacle course error free in a maximum time of 40 seconds.

Upon the successful completion of the entrance examination and the certification of health and fitness, the applicant will receive a tentative job offer and given the rank of “Aspirant” or cadet. Each cadet must successfully complete *die Grundausbildung* or basic training course. This course is divided into three sections, and it can take from 21 to 24 months to complete the training. The first course is 15 months and covers the theoretical knowledge a police officer will need to properly perform his job. Every officer must demonstrate mastery of all appropriate legal regulations, unarmed self-defense, weapons proficiency, interpersonal relations, and police tactics. Officer safety and basic administrative skills are also included in the basic theoretical curriculum. The second course lasts 6 months and serves as a practicum for the police cadet. Officers are repeatedly subjected to

real-time scenario training, controlled hypothetical situation training, and skills practicums during these 6 months, concluding with a practical examination graded by training staff. The third course is a 3-month assessment of the skills and knowledge of each police cadet. During this time, the cadet is also encouraged to study for the final service examination, which he/she must pass to become a police officer or gendarme. The basic course for the *Bundespolizei* is completed at the Federal Police Headquarters in Vienna, where cadets can live in residence while they complete their training.

Basic training is similar for both the *Bundespolizei* and the *Bundesgendarmerie*, the Gendarmerie offers several advanced training courses for gendarmes who are promoted to middle and senior management. After five years as a gendarme, individuals can take a *mittlere Führungsebene* or middle-leadership examination for promotion to the Inspector rank. Selected officers enter a nine-month training course that prepares them for their role as middle leadership supervisors. Six months are spent teaching theoretical material on leadership, management, administration, evaluation, and addressing problems that police supervisors encounter. The final three months instruct the gendarme in an area of specialization, such as counterterrorism, criminalistics, border security, or canine duties, so that he/she can effectively run these special units upon return to his/her post. Before promotion, each candidate for middle leadership must pass an oral and written examination. For those select gendarmes chosen to become senior management and administrators, there is the *Offizierskurs* (Officer’s Course). Candidates participate in this course over a two-year period, while they keep their command positions. There are five modules each officer must complete, three theoretical and two practical, culminating in an oral examination. Each officer receives executive-style training in areas of administration and management, including budget issues, personnel issues, strategic planning, and critical incident management.

#### Police Statistics.

- Federal Police: 15,150 women and men (total)
- Federal Police—Service: 10,000
- Federal Police—Criminal Service: 2,400
- Federal Police—General Administration: 2,750
- Federal Gendarmerie: 15,450 women and men (total)
- Federal Gendarmerie—Gendarmes and Civil Service: 14,700
- Federal Gendarmerie—Civilian Employees: 750
- Ratio of Police to Citizens: 1:267

**HUMAN RIGHTS**

The Austrian government generally respects the human rights of its citizens, with few exceptions. There are occasional reports of abuse by police, which involved infrequent beatings, but mainly involve verbal abuse, threats, and harassment. There were 1,251 complaints against federal police officials; of those, 1,160 were dropped. Sixteen cases were brought before the courts, and 2 officers were convicted of using unjustified force; 74 cases were pending at year's end. Types of abuse ranged from slander to kicking and hitting, which resulted mainly in bruising. Some of the violence appeared to be racially motivated. Austria has designated a committee in the Interior Ministry to ensure that the police and Gendarmerie respect human rights while carrying out their duties. Since its founding, the committee has issued 230 recommendations regarding the improvement of human rights in the country, including: Greater transparency for nongovernmental organizations regarding police documentation, police handling of inmates on hunger strikes, and proper police techniques in dealing with unruly suspects.

In 2003 foreign observers, including the European Court of Human Rights, criticized the use of libel procedures to protect politicians, which they argued hampered freedom of speech and the press. The small print media consisted of 16 daily newspapers, 6 of which received special subsidies from the government. After the merger of two major publishing groups, News and Mediaprint in 2001, one company controlled 60 percent of Austria's daily newspaper market and almost 100 percent of the magazine market. European Union (EU) authorities criticized the media monopoly. All newspapers were independent. There were 49 commercial and 12 noncommercial radio stations. By year's end, 75.3 percent of citizens listened to the Austrian Broadcasting Corporation, a public but independent radio station in which the government owns shares but has no control over content; 21.5 percent listened to private stations.

In July 2002 Parliament adopted an immigration reform proposal, effective January 1, which harmonized residence and employment provisions and required permanent legal residents to take German language and civics courses for the purpose of integration. Immigrants who entered the country after January 1, 1998, need to show a basic knowledge of the German language and an understanding of the country's culture when applying for an immigrant visa. Those immigrants who fail to complete the courses by various deadlines would face financial penalties and deportation or expulsion. Annual immigration quotas remained static at approximately 8,000 per year, although there have been shifts in the distribution among the categories. In 2002 the number

of illegal aliens intercepted at national borders was 48,436, a slight decrease from the previous year.

There was some governmental and societal discrimination against members of some nonrecognized religious groups, particularly those considered to be sects. There were neo-National Socialist, right-wing extremist, and xenophobic incidents during the year.

Trafficking in women for prostitution remained a problem, which the government took steps to combat. In 2002 the Interior Ministry, which is the primary government agency involved in antitrafficking efforts, reported that there were 70 complaints filed under Article 217, of which 27 resulted in convictions. There were 58 cases filed under Article 105, resulting in 15 convictions. Cases filed for alien smuggling under the Aliens Act were much higher, affirming that many traffickers were prosecuted under this section of law. In 2002 there were 1,988 cases filed, leading to 281 convictions.

**CRIME**

The Federal Ministry of the Interior produces annual statistics on crime based on the annual number of crimes reported to police. Since February 2000 the criminal offense figures have been collected electronically ("crime statistics online"), whereas previously, count sheets had been used. Crime in Austria is broken into two categories: felonies and misdemeanors. Felonies, considered to be the most serious crimes, carry the stiffest penalties and include murder, grievous bodily injury, robbery, burglary, fraud, and sexual crimes. Misdemeanors include public order crimes, obstruction of justice, damage to another's property, and minor thefts. Person-related crimes (homicides/attempted homicides, crimes against liberty as well as sexual crimes) have a traditionally high clearance rate, whereas anonymous crimes have a relatively low clearance rate.

**Crime Statistics.** According to the "Crime Report 2001—Statistics and Analysis," the law enforcement authorities in Austria recorded 522,710 criminal offenses liable to prosecution, of these were 418,967 misdemeanors and 103,743 crimes. The increases in the counterfeiting of money and the passing of counterfeit money were mainly due to the currency switchover, as criminals tried to bring their stocks of counterfeit old currencies on the market until the end of the dual currency phase.

The number of car thefts declined. In 2001 the law enforcement authorities recorded 5,623 car thefts in Austria, which was a decline by 612 cases (–10%), compared to the previous year (6,235). This figure also included the cars (1,407) that were stolen from Austrians abroad. With a clear-up rate of 7%, the chances of getting

back a car stolen abroad are slim. The cars most frequently stolen were manufactured by VW, Audi, Mercedes, BMW, Opel, Ford, and Skoda. In 2005, 302 stolen cars totaling €5,453,000 were seized at the Austrian borders. In the car theft statistics Austria continues to rank in the lower third among EU member states. Almost half of all stolen cars (44%) were found. In the future, data on car thefts shall be electronically recorded in a database.

In 2001 there were as many right-wing extremist acts as in 2000, while left-wing extremist acts declined sharply. In 2001, 335 right-wing extremist-motivated acts took place, which led to 528 police reports. Most reports were made for violation of the law banning Nazi activities (269) as well as for violation of the Criminal Code (133). Criminal offenses in the field of left-wing extremism declined drastically, compared to 2000, with only 52 offenses recorded.

In 2001, 48,659 persons (an increase of 6.4% from 2000) who had illegally entered or stayed in Austria were detained. This increase was mainly due to the migration wave from Afghanistan. Two thousand two hundred and ninety-four of the detained persons were traffickers. The illegal immigrants came from 138 countries, most of them from Afghanistan (7,665), Romania (7,449), Ukraine (5,390), Yugoslavia (3,517), and Iraq (2,443). In 2001, on each trip, a trafficker brought, on average, six to seven persons illegally to Austria. In 2000 this figure was still down to four persons. Since 1993 the number of persons entering Austria illegally has been increasing steadily. In 1993 the number of detentions had been one twentieth of that in 2001. More than 16,500 of the detained persons had come to Austria across internal borders (Schengen countries), in particular, from Italy. These people were mainly Romanian and Ukrainian citizens.

In 2001 the law enforcement authorities seized more cocaine, heroin, and ecstasy, and less cannabis. There were 21,862 cases pursuant to the Addictive Drugs Act reported in 2001. Twenty-one thousand three hundred and two cases referred to offenses in connection with addictive drugs, which is an increase of 20% compared to the previous year (18,125), and 560 cases related to offenses involving psychotropic substances. The increase was greatest in Salzburg (104.87%) and in Carinthia (61.58%). In the federal capital of Vienna, the rate increased by 18.71%. The amount of seized cocaine quadrupled compared to 2000; heroin increased by 25%, 2000 already being a "record year," and the increase in seized ecstasy was 58%. Federal police and Gendarmerie removed addictive drugs amounting to €15 million from the illegal drug market. Organized drug traffic in Austria is dominated mainly by foreign criminal groups. These groups use Austria because of its geographical position as a transit country to ship the drugs to other European countries.

## CORRECTIONAL SYSTEM

Corrections in Austria finds its origins in the Josefine Code of 1787, which declared that there was no crime without a law. This code was subsequently revised in 1803 and 1852 and has since remained the basis of the current Penal Code. The Austrian Penal Code was quite progressive in its construction, incorporating several prohibitions against torture, capital punishment, and even imprisonment in chains. The death penalty was abolished for the second time in 1919, only to be reinstated in 1934 and again abolished in 1950. 1932 saw the creation of workhouses, which are still in use today, dedicated to housing petty criminals over 18 years of age who are unable or unwilling to find employment. In 1954 a commission was appointed to reform the Penal Code in response to the abuse of criminal justice by regimes in the two world wars. One uniquely Austrian characteristic is the distinction in law among three classes of lawbreakers: those who can be reformed, those who commit impulse crimes, and those who are "incurable."

The Penal Code was revised again in 1967 to emphasize rehabilitation, education, and inmate labor, rather than retributive punishment. Inmates were allowed to earn wages and programs were created to assist inmates in their reintegration into society. The Ministry of Justice, through the Prison Administration, is responsible for the maintenance and regulation of all prisons, including county jails. Until the late 1980s, Austria averaged more than 100 inmates per 100,000 members of the population, giving it one of the highest prison rates in Europe. The pretrial detention rate was high, as was the proportion of unconditional sentences. Moreover, prison sentences were relatively long, with only sparse use being made of parole. To combat the high incarceration rate, changes in the sanctions system were introduced to encourage judges to make more use of suspended sentences, and stimulate the release on parole. On average, the prison rate has been steadily decreasing, with a daily average of 6,915 prisoners in the first half of 2001, compared to the 8,050 of 1986.

**Prison Conditions.** Prison conditions generally met international standards. Male and female prisoners were held separately, as were adults and juveniles. Pretrial detainees were held separately from convicted criminals. The government permits prison visits by independent human rights observers.

### Prison Statistics.

- Prison Population Total (October 2003): 8,114
- Prison Population Rate per 100,000 (November 2003): 100

*Austria*

- Pretrial Detainees/Remand Prisoners: 26.8%
- Female Prisoners: 5.7%
- Juveniles/Minors/Young Prisoners: 2.5%
- Foreign Prisoners: 33%
- Number of Institutions: 29
- Official Capacity of the Prison System (October 2003): 8,022
- Occupancy Level % (October 2003): 101.1

Recent prison population trend (year, prison population total, prison population rate as a percentage):

1992	6,913	(87%)
1995	6,180	(77%)
1998	6,962	(86%)
2001	6,915	(85%)

*Daniel Mabrey*

# Azerbaijan

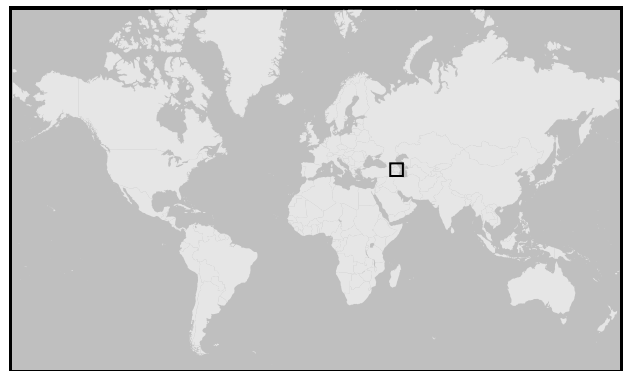
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**Official country name:** Republic of Azerbaijan  
(Azərbaycan Respublikası)

**Capital:** Baku (Bakı)

**Geographic description:** Shares borders with Georgia, Russia, Turkey, Iran (Azerbaijan proper, and Azerbaijan-Naxçıvan exclave), and Armenia (Azerbaijan proper, and Azerbaijan-Naxçıvan exclave). Azerbaijan is also adjacent to the Caspian Sea.

**Population:** 7,911,974 (est. 2005)



## LAW ENFORCEMENT

**History.** Oil wealth precipitated a prolonged power struggle in Baku following the Russian Revolution of 1917. The nationalists initially seized control and enlisted the support of the British, who allegedly authorized the execution, in 1918, of 26 leading local communists (the “Baku Commissars”), in an unsuccessful attempt to destroy the Bolshevik power base in the oil industry.

Eventually, a mainly Russian and Armenian group of Baku Bolsheviks declared a Marxist republic in Azerbaijan. Muslim nationalists separately declared the establishment of the Azerbaijan People’s Democratic Republic in May 1918 and formed the “Army of Islam,” with substantial help from the Ottoman Turkish army, to defeat the Bolsheviks in Baku. The Army of Islam marched into the capital in September 1918, meeting little resistance from the Bolshevik forces. After some violence against Armenians still residing in the city, the new Azeri government, dominated by the

Musavat Party, moved into its capital. Azerbaijan was occupied by Ottoman Turkish troops until the end of World War I in November 1918. British forces then replaced the defeated Turks and remained in Azerbaijan for most of that country’s brief period of independence.

Facing imminent threat from the Red Army, Azerbaijan attempted to negotiate a union with Persia, but this effort was moot when the Red Army invaded Azerbaijan in April 1920. Russian leader Vladimir Lenin justified the invasion because of the importance of the Baku region’s oil to the Bolsheviks, who were still embroiled in a civil war. The Red Army met little resistance from Azeri forces because the Azeris were heavily involved in suppressing separatism among the Armenians that formed a majority in the Nagorno-Karabakh area of south-central Azerbaijan. In September 1920, Azerbaijan signed a treaty with Russia unifying its military forces, economy, and foreign trade with those of Russia, although the fiction of Azeri political independence was maintained.

The Soviet invasion began a seventy-one-year period under total political and economic control of the state. The borders and formal status of Azerbaijan underwent a period of change and uncertainty in the 1920s and 1930s, and then they remained stable through the end of the Soviet period in 1991.

In late 1921, the Russian leadership dictated the creation of a Transcaucasian federated republic, composed of Armenia, Azerbaijan, and Georgia, which in 1922 became part of the newly proclaimed Soviet Union as the Transcaucasian Soviet Federated Socialist Republic (TSFSR). In this large, new republic, the three subunits ceded their nominal powers over foreign policy, finance, trade, transportation, and other areas to the unwieldy and artificial authority of the TSFSR. In 1936 the new "Stalin Constitution" abolished the TSFSR and the three constituent parts were proclaimed separate Soviet republics.

The first communist president of Azerbaijan was the activist and writer Nariman Narimanov. In the "honeymoon" period of the Soviet state, Narimanov became a popular leader, despite the fact that he was responsible for numerous killings and deportations. In the end, Narimanov was murdered by Stalin's agents in 1925.

The German Wehrmacht and Luftwaffe mounted great pressure on the Caucasus region in order to make more resources available to the oil-thirsty German war machine. During World War II, Germany managed to push the Soviets eastward. By the summer of 1941 they occupied Grozny in Chechnya, leaving only a thin corridor along the Caspian to link Azerbaijan with the rest of the USSR. The Germans, however, were pushed out of the region by the harsh Russian winter and Soviet bullets.

During Stalin's regime, Azerbaijan suffered, as did other Soviet republics, from forced collectivization and far-reaching purges. Yet, during the same period, Azerbaijan also achieved significant gains in industrialization and literacy levels that were impressive in comparison with those of other Muslim states of the Middle East at that time.

After Stalin, Moscow's intrusions were less sweeping, but nonetheless authoritarian. In 1959 Nikita Khrushchev, first secretary of the Communist Party of the Soviet Union (CPSU), moved to purge leaders of the Azeri Communist Party (ACP) because of corruption and nationalist tendencies. Leonid Brezhnev, Khrushchev's successor, also removed ACP leaders for nationalist leanings, naming Heydar Aliyev in 1969 as the new ACP leader.

Aliyev emerged as the most influential Azeri politician during the postwar years and was, successively, head of the Azeri KGB (1967), head of the republic itself (1969), and then a full member of the Soviet Politburo

(1982) and first deputy chairman of the USSR Council of Ministers. However, Mikhail Gorbachev removed him in 1987, ostensibly for health reasons, although Aliyev was later accused of corruption.

In the fall of 1989, the nationalist opposition Azeri Popular Front (APF) led a wave of protest strikes expressing growing political opposition to ACP rule. Under this pressure, the ACP authorities bowed to opposition calls to legalize the APF and proclaim Azeri sovereignty.

In January 1990 Soviet tanks were brought into Baku, ostensibly to prevent programs against the Armenians which were taking place in the city. The exercise, in the course of which more than 100 Azeris were killed, was actually aimed at restoring Communist power in the republic. In this it was successful, but in the long term, the episode proved decisive in turning the populace against Moscow, becoming known as Black January and a reference for Azeri independence. The Communist Party retained power in multiparty elections, but parliament faced opposition for the first time.

Azerbaijan declared itself independent from the USSR in August 1991, and became a member of the Commonwealth of Independent States. In 1992 Abulfaz Elchibey, leader of the Popular Front Party, was elected president, but he was ousted by the Parliament a year later, after a military mutiny. Aliyev, leader of the Azerbaijan Communist Party from 1969 to 1982, assumed power and was confirmed in office by an election.

Aliyev promoted exploitation of the country's oil resources through agreements with Russia and several Western oil companies for development of oil fields in the Caspian Sea. In the November 1995 elections, which were condemned by international observers as rigged, voters elected a new parliament that was dominated by Aliyev's party and approved constitutional changes that expanded his power.

Aliyev was reelected in 1998, and his New Azerbaijan Party retained power in the November 2000 parliamentary elections. In August 2003 the ailing president appointed his son, Ilham Aliyev, as the country's prime minister. The president withdrew from the October 2003 election in favor of his son, who was elected by a landslide; the balloting was criticized by independent observers as neither free nor fair. The elder Aliyev died two months after the election.

**Structure and Organization.** Under the Police Act of 1999, the Ministry of Internal Affairs and the Ministry of National Security are responsible for internal security and report directly to the President. The MIA oversees the local police forces in the capital, Baku, and in the regions; it also maintains internal troops trained in civil



**Local police detain a protestor in Baku, Azerbaijan, May 21, 2005.** Police forces dispersed crowds headed toward the planned location of an antigovernment rally that was prohibited by Azerbaijan authorities. Several demonstrators were beaten with batons and arrested. AP IMAGES.

defense. The Ministry of National Security has a separate security force.

Little information regarding its structure and organization is readily available. Basic figures, such as the number of employees, are uncertain. In 2003 the Minister reported in an interview that there were 23,600 personnel, though it is uncertain if this indicated only police officers or the entire Ministry staff. Some reports have the figures reaching as high as 60,000.

According to a presidential decree, as of September 1, 2003, the country's minimum wage of \$5.60 (27,500 manats) was raised to \$9.20 (45,000 manats) per month and would be raised again to \$12.25 (60,000 manats) on January 1, 2004. The minimum wage for calculating pensions was \$17.35 (85,000 manats) per month. Several presidential decrees in 2003 raised the minimum wage of most government employees, including employees of the Ministry of Internal Affairs, by 50 to 100%. In June 2004 President Ilham Aliyev reportedly signed a

decree raising police salaries again. Reportedly, the salaries of high-ranking police officers and civil employees of the police agencies would increase by 100%. The salaries of employees of special purpose and rapid-reaction units would increase by 200%.

The recommended monthly wage level to meet basic subsistence needs is estimated to be \$96 (470,400 manats) per person. Many workers rely on the safety net of the extended family or on remittances from relatives working in Russia. Combinations of these and other strategies are the only way for broad sectors of the urban population to reach a subsistence income level. Police salaries are said to range from \$150 to \$300 per month. In any event, corruption is widespread throughout the country and has been noted particularly in law enforcement agencies. Before his death, President Heydar Aliyev publicly castigated the traffic police for its persistent demands for bribes from the country's drivers. The other main source of visible corruption is payment of protection fees to



neighborhood police. Azerbaijan has a reputation for being one of the most corrupt countries in the world, in the company of Colombia and Nigeria.

In most cases, the government takes little action to punish police who break the law. The Minister of Internal Affairs reports that the Ministry took disciplinary action, including dismissals, against more than 200 police officers for the violation of human rights and civil liberties in 2003. Much of the reported human rights violations appear to be in the address of the Organized Crime Control Department, which reports directly to the Minister. Reported violations include torture and abuse of detained members of the opposition party. None of the officers involved were brought to trial.

According to the Law on the Police, each officer takes an oath at a swearing-in ceremony before the country flag, saying the following words: "I swear to follow, from the moment of starting my police service, the Constitution and other Laws of the Azerbaijan Republic, respect human rights and freedoms, strictly adhere to the rule of law, execute my responsibilities with honor and honesty, to be disciplined, protect public order and public safety bravely and sacrifice my life if needed."

## CRIME

**Narcotics.** Azerbaijan emerged as a narcotics transit route several years ago because of the disruption of the "Balkan Route" due to regional conflicts in several countries of the former Yugoslavia. Narcotics originating in Afghanistan enter Azerbaijan from Iran or cross the Caspian Sea from Central Asia and continue on to markets in Russia and Europe. Azerbaijan shares a border with Iran, and its border control forces are insufficiently trained and equipped to patrol it effectively. Iranian and other traffickers are exploiting this situation. Drug enforcement officials suspect that traffickers may attempt to use new direct flights between Kabul and Baku as an alternate route, but there is no evidence so far to support this theory. Azerbaijan cooperates with Black Sea and Caspian Sea littoral states in tracking and interdicting narcotics shipments, especially morphine base and heroin. Caspian Sea cooperation includes efforts to interdict narcotics transported across the Caspian Sea by ferry.

Consumption and cultivation of narcotics are comparatively low, but levels of use are increasing. Approximately 18,000 people are registered in hospitals for drug abuse or treatment in Azerbaijan; the actual level of drug abuse is believed to be many times higher. The government has begun education initiatives directed at curbing domestic drug consumption, particularly among students. During 2003 the main drugs seized were cannabis and opium.

In 2003 the Ministry of Internal Affairs continued "Operation Hash-Hash," a poppy and cannabis cultivation and storage eradication program, in several parts of the country. This operation seized and destroyed more than 200 tons of narcotic plants and 152 kilograms of other narcotic substances. During the first ten months of 2003, law enforcement authorities discovered and destroyed 291 tons of hemp and poppies that were under cultivation. Cannabis and poppy are cultivated illegally, mostly in southern Azerbaijan. As an example of daily activity, every day 70 kilograms of heroin, 19 kilograms of opium, 12 kilograms of hashish and 10 kilograms of marijuana arrive in the city of Sumgait and are transited to Russia and Georgia.

There were 1,828 drug-related arrests during the first ten months of 2003, mostly small-time traffickers and users. Of those arrested, 32 were foreign citizens. Police lack basic equipment and have little experience in modern counternarcotics methods. Border control capabilities on the border with Iran, and Azerbaijan's maritime border units, are inadequate to prevent narcotics smuggling. An Azerbaijani newspaper reported that in the city of Sumgait alone there are 144 drug traffickers operating and that drug trafficking in the city is controlled by four large groups. The newspaper also quoted British experts as saying that more than 80% of villas in the South Caucasus have been built using drug money. Reportedly, 106 villas worth \$642 million have been built in Baku alone with the proceeds from drug trafficking.

The Ministry of Internal Affairs has continued its antidrug program, which organizes local counternarcotics police officials in several areas of the country to work closely together across local jurisdictions. Two new Customs Committee training facilities, completed in 2003, provide training in border-interdiction techniques to Customs officers.

Azeri law enforcement and computer experts met with their counterparts from Georgia, Ukraine, Uzbekistan, Azerbaijan, and Moldova (the so-called GUUAM countries) in Baku for 90 days in the fall of 2003 to draft and implement an action plan for the GUUAM Virtual Law Enforcement Center. The virtual center is organized around an encrypted system of information exchange among the law enforcement agencies in member countries, with the goal of coordinating efforts against terrorism, narcotics trafficking, small arms, and trafficking in persons.

In 2003 the State Commission together with the United Nation's South Caucasus Anti-Drug Program, a five-year regional initiative, established a resource center and information network that provides access to a central database of information pertaining to narcotics control.

In 2003 the Export Control and Related Border Security (EXBS) program of assistance to the Azerbaijan Border Guards and Customs services expanded. EXBS training and assistance efforts, while aimed at non-proliferation of weapons of mass destruction, directly enhance Azerbaijan's ability to interdict all contraband, including narcotics. During 2003 EXBS sponsored numerous boarding officer and law enforcement courses for the Border Guard Maritime Brigade. These courses included extensive instruction on conducting at-sea law-enforcement boardings, and included training on defensive tactics, arrest procedures, hidden-compartment identification, smuggling detection, and use of force. EXBS also hosted numerous conferences and training sessions aimed at nonproliferation efforts in Azerbaijan, including a Department of Defense/FBI Counterproliferation training team, and a Department of Defense "Counterproliferation Awareness Training" course. In addition, in 2003 EXBS purchased or repaired Border Guard and Customs communications equipment, vehicles, vessels, and border-crossing x-rays.

Hampering these efforts, corruption permeates the public and private sectors, including law enforcement. Government officials have remarked on the gravity of the problem. Current legislation has proven inadequate to address police and judicial corruption as salaries remain low and many officials turn to corruption to supplement inadequate incomes to support themselves and their families.

Some 1,253 drug-related crimes were registered in the country in the first half of 2004, according to the state drug control commission.

During this period, the drugs seized amounted to over 118 kilograms: heroine 5.6 kilograms, opium 26.1 kilograms, hashish over 3 kilograms and marijuana 83.5 kilograms. In addition, 2,622 pills and 363 ampules of psychotropic substances were detected.

Moreover, police confiscated and destroyed 74.1 tons of illegally grown and wild narcotic plants.

From January to June 2004, 31 citizens of Iran, 10 citizens of Georgia, 2 citizens of Russia, 1 from Ukraine, and 1 from Israel were detained for committing drug-related crimes.

More than 200 kilograms of drugs and psychotropic substances were seized in Azerbaijan in 2003. A total of 2,069 drug-related crimes were registered. Criminal proceedings were instituted against more than 1,800 people, including 47 foreigners. Among them were 21 citizens of Iran and 17 Russians. Some 35 kilograms of drugs were confiscated from the foreigners. About 300 metric tons of drug-containing plants were found and destroyed in the country in 2003.

**Trafficking in Persons.** There are no laws that specifically prohibit trafficking in persons, although traffickers may be prosecuted under articles prohibiting forced prostitution, forced labor, and forgery of travel documents; trafficking in persons remains a problem. Corruption by officials facilitates the activity.

Under the Criminal Code, the act of forcing an individual into prostitution carries a 10- to 15-year jail term, which is a harsher sentence than in the previous code. The Criminal Code provides penalties for persons who enslave, rape, or coerce children into prostitution. The Criminal Code is not limited to citizens, but it has no extraterritorial effect.

In 2003 there were 17 cases of "coercion into prostitution" and three cases of "coercion of minors into prostitution or immoral activities" referred to the courts. The previous year, four persons whom international organizations considered to be traffickers were prosecuted under forgery laws in the Criminal Code.

According to the International Organization for Migration (IOM), the country was primarily a country of origin and a transit point for trafficked women, men, and children. In a 2002 report, the IOM documented approximately 32 cases of trafficking victims from the country. The organization reported that Azeri, Russian, and Georgian women were most often trafficked from, or through, Azerbaijan to the United Arab Emirates and Turkey to work in the sex industry. There were also reports of internal trafficking from the rural regions to the Azeri capital, Baku. Primarily Iranians, Iraqis, Afghans, and migrants from south Asia were smuggled via the country to Europe—particularly to Germany, Sweden, France, and the Netherlands—and possibly the United States, where they may have had their passports confiscated, been subjected to forced labor, and/or sought asylum. Traffickers generally target women; however, there are also cases in which men and children are victims of trafficking.

Traffickers' identified by the IOM were either foreigners or ethnic Azerbaijanis who acted in loose international networks, probably without central coordination. Victims were approached directly and indirectly through friends and relatives. Traffickers also used newspaper advertisements offering false work abroad.

According to the Society for the Defense of Women's Rights, draft-age men seeking to escape military service in 2000 were invited by local traffickers to work in the hotel industry in Turkey, but ended up in male brothels. Another report indicated that families of young women had been approached by individuals claiming that visiting Iranian businessmen had seen their daughters and wished to marry them. Following parental permission for such marriages, the women were transported to Iran to work as

**Table 1. Azerbaijan, Crime Statistics, 1998–2000**

	1998	1999	2000
Total Recorded Crimes	14,937	14,400	13,958
Intentional Homicides, Completed	280	242	226
Assaults	219	197	200
Rapes	37	45	30
Robberies	144	138	145
Thefts	2,667	2,560	2,534

SOURCE: Seventh United Nations Survey of Crime Trends and Operations of Criminal Justice Systems.  
[http://www.unodc.org/unodc/crime\\_cicp\\_survey\\_seventh.html](http://www.unodc.org/unodc/crime_cicp_survey_seventh.html)

prostitutes. According to the IOM, families sometimes willingly married their daughters to wealthy men in Iran and turned a blind eye to their outcomes.

The Ministry of Internal Affairs, the Ministry of Labor and Social Protection, the Ministry of National Security, and the Border Guards are responsible for antitrafficking efforts. There are no government public antitrafficking campaigns. There is no mechanism to return trafficked women to Azerbaijan. According to the IOM, there are deportations of Azerbaijani and third-country nationals back to the country for trafficking or prostitution, particularly by Turkey and the United Arab Emirates, but the government has no program to assist trafficked victims who are returned to the country.

Several nongovernmental organizations and the State Committee for Women's Issues deal with the problems of trafficking in women and prostitution. The IOM provides training to domestic nongovernmental organizations to operate emergency hotlines and secure accommodations for trafficking victims and conducts awareness campaigns; in 2002 it completed a study of trafficking in the country.

**Crime Statistics.** Crime statistics for the years 1998 to 2000 are listed in Table 1.

## HUMAN RIGHTS

The President of Azerbaijan dominates the executive and legislative branches of government. Ilham Aliyev was elected President in October 2003 in an election marred by numerous serious irregularities. Parliamentary elections in the past several years featured similar irregularities, resulting in some domestic groups regarding the parliament as illegitimate. Opposition members made up only a small minority of the Milli Majlis' (Parliament) 125 deputies. The Constitution provides for an independent judiciary; however, the judiciary does not function

independently of the executive branch and is corrupt and inefficient.

The government's human rights record remains poor. The government continued to restrict citizens' ability to change their government peacefully. Law enforcement officers killed one person at a postelection demonstration on October 2003 that turned violent. Police tortured and beat persons in custody, including several opposition members, and used excessive force to extract confessions. In most cases, the government took no action to punish abusers, although the government reportedly took disciplinary action against more than 200 police officers. Prison conditions remain harsh and life threatening and some prisoners have died as a result of these conditions. Arbitrary arrest and detention and lengthy pretrial detention continue to be problems.

The government continued to restrict some freedom of speech and of the press, and police used excessive force and continued to harass journalists during 2003. The government restricted freedom of assembly and forcibly dispersed several demonstrations held without a permit, and law enforcement officers beat protestors at several demonstrations during the year. The government continued to restrict freedom of association by refusing to register some political parties and harassing domestic human rights activists and nongovernmental organizations. There were some restrictions and abuses of religious freedom, and lower-level and local government officials continued to harass some "nontraditional" religious groups. Violence against women, societal discrimination against women and certain ethnic minorities, and limitations of some worker rights remain problems.

Despite a cease-fire in effect since 1994, minor outbreaks of fighting with Armenia over the Nagorno-Karabakh enclave occurred during the year, resulting in the deaths of civilians and combatants. Armenian forces continued to occupy an estimated 16% of Azerbaijan's territory (including Nagorno-Karabakh); this fact continued to dominate national politics and undermine democratic and economic development. The government did not exercise any control over developments in the territories occupied by Armenian forces, and little verifiable information was available on the human rights situation there.

The International Committee of the Red Cross (ICRC) repeatedly urged the Azerbaijani and Armenian governments to provide information on the fate of those missing in action since the fighting over Nagorno-Karabakh began. Since the early 1990s, the ICRC has collected from concerned family members the names of approximately 2,300 missing Azerbaijani citizens allegedly held by Armenia. The government estimated the number to be closer to 4,922.

Security officers forcibly disrupted some demonstrations and in some cases harassed, beat, and detained some opposition party members, demonstrators, and journalists, causing injuries, and arrested several persons, whom they sometimes beat in detention. Following violent disturbances in Baku on October 16 after the presidential election, Ministry of Internal Affairs personnel reportedly detained and tortured several opposition leaders. Human Rights Watch (HRW) documented numerous cases in which members of the MIA's organized crime unit used electric shock, severe beatings, and threats of rape to torture detainees. According to HRW, police used severe beatings and torture to extract confessions, and to pressure detainees to sign false statements denouncing the opposition and implicating opposition leaders in the post-election violence. Law enforcement authorities conducted a wave of politically motivated detentions and arrests of more than 700 election officials, opposition members, and journalists across the country. Through the end of 2003, the government continued to hold many political prisoners and infringe on citizens' privacy rights.

Police used excessive force against journalists at several pre- and postelection events. On September 8 police harassed or struck journalists from seven news services in front of the Baku police station as they gathered to witness the arrival of the Deputy Chairman of the Popular Front Party, whom authorities had summoned for questioning after a televised altercation during an election debate. On September 21 police physically harassed and arrested a journalist from the Azerbaijan National Independence Party (AMIP) newspaper, and struck or detained four other journalists at a meeting of AMIP and Popular Front voters in the city of Lenkoran.

Journalists were also injured during the violent demonstrations in Baku after the election, in some cases as a result of police beating them. The Azerbaijan Journalists Confederation and RUH reported that police beat 54 journalists, detained or arrested 18, and broke the equipment of 6.

In November 2003 the nongovernmental National Press Council created a joint monitoring group together with representatives from the MIA to examine relations between the police and journalists during mass actions. The monitoring group was working on the development of an identification card and special clothes for journalists to distinguish them from demonstrators.

Violence against women, including domestic violence, continues to be a problem. In rural areas, women had no real recourse against assaults by their husbands or others; no laws exist regarding spousal abuse or spousal rape. The Criminal Code prohibits rape, which is punishable by up to 15 years in prison. According to the State Statistics Committee, there were 46 rapes and attempted rapes

reported during 2003. According to a nongovernmental organization, most rape victims knew their assailants, but did not report incidents due to the associated stigma.

There are no government-sponsored or funded programs for victims of domestic violence or rape. A women's crisis center in Baku, opened by the Institute for Peace and Democracy, provided free medical, psychological, or legal assistance to more than 2,500 women. During the year, the Institute also produced a six-segment television series regarding women's rights.

## CORRECTIONAL SYSTEM

**Prison Conditions.** Conditions in prisons, which the Ministry of Justice managed, remain harsh and sometimes life threatening.

Overcrowding and poor medical care combine to make the spread of infectious diseases a serious problem. Tuberculosis (TB) continues to be the primary cause of death in prisons. By the end of 2003, approximately 800 detainees were undergoing treatment for TB. Due to the absence of systematic screening in prisons, patients often start treatment when already seriously ill. There are widespread and credible reports that authorities withheld medical treatment from selected inmates, particularly political prisoners.

Prisoners have to rely on their families to provide food and medicine, and bribes generally are required for families to gain access to imprisoned relatives. Authorities severely limit lawyer and family visits and exercise in maximum security prisons. Some pretrial detainees were kept in "separation cells" often located in basements, in which food and sleep reportedly were denied to elicit confessions with no physical evidence of abuse. There were separate facilities for men and women, juveniles and adults, and pretrial detainees and convicts.

Deaths of inmates occurred, in part due to harsh conditions and in some cases due to mistreatment by law enforcement personnel.

The ICRC has had access to all prisons since June 2000; and in 2002 the government extended its agreement on access to all places and to all detainees, both sentenced and unsentenced. The ICRC has had access to prisoners of war and civilians held in relation to the conflict over Nagorno-Karabakh. Foreign observers regularly received permission to enter maximum security prisons to meet with alleged political prisoners. One domestic human rights organization reported that authorities restricted their access to police stations and detention centers, though not prisons.

Reports suggest that conditions of detention in the strict regime prison, where many political prisoners are detained, amounts to cruel, inhuman, and degrading treatment. Cells have no ventilation and the electric light

## Azerbaijan

is permanently switched on. Temperatures in the cells can exceed 100 degrees Fahrenheit.

During 2003 the government undertook a program to improve conditions in prisons; they remodeled some and built five new prisons.

**Prison Statistics (2003 est.).** Prisons fall under the direction of the Ministry of Justice.

- Total Prison Population (including pretrial detainees/remand prisoners): 16,345
- Prison Population Rate (per 100,000 of national population, based on an estimated national population of 8.24 million at September 2003): 198
- Pretrial Detainees/Remand Prisoners: 10.8%
- Female Prisoners: 1.7%
- Juveniles/Minors/Young Prisoners, Under 18: 0.5%
- Foreign Prisoners: 1.4%
- Number of Establishments/Institutions: 52
- Official Capacity of Prison system: 24,670

- Occupancy Level (based on official capacity): 66.3%

Recent prison population trend (year, prison population total, prison population rate per 100,000 of national population):

1997	24,851	(323)
2000	23,504	(291)
2002	18,321	(224)

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*Joseph D. Serio*

# Bahamas

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**Official country name:** The Commonwealth of the Bahamas

**Capital:** Nassau

**Geographic description:** Caribbean chain of islands in the North Atlantic Ocean

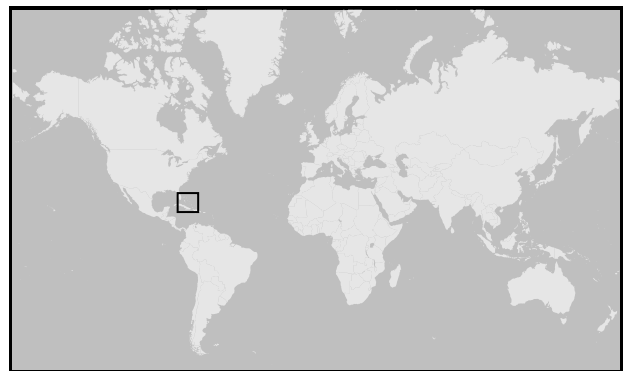
**Population:** 301,790 (est. 2005)



## LAW ENFORCEMENT

**History.** The history of the Royal Bahamas Police Force (RBPF) goes back to 1840 when 16 volunteers were appointed to patrol the town of Nassau. In the 1850s similar guards, known as privates, were appointed to the other islands. Toward the end of the nineteenth century a second force, the Bahamas Constabulary, was formed to undertake guard and firefighting duties. In 1909 the two forces were amalgamated into the Bahamas Police Force. After a visit by Queen Elizabeth II in 1966, the prefix was conferred on the force.

**Structure and Organization.** The headquarters of the RBPF is in Nassau on New Providence Island. The other islands are referred to as the Family Islands. The headquarters comprises eight sections: Administration, Criminal Investigation, Security and Intelligence, Fire Service, Training, Marine Operations, Communications, and the police band. Operationally, there are two districts: one on New Providence and the other on Grand Bahamas, each under an assistant commissioner. Each division includes, in addition to routine police sections, a prosecution branch, a CID, a traffic branch, and a radio and



communications section. Regional police districts are headed by district constables who supervise police stations.

There are two auxiliary forces to aid the regular police. Police reserve units consisting of unpaid volunteers are established on the two main islands. On most other islands there are local constables who receive some training and work under the supervision of an inspector. They are paid and wear a police uniform.

The principal grades of police service are, from top to bottom, commissioner, deputy commissioner, senior assistant commissioner, assistant commissioner, chief superintendent, superintendent, deputy superintendent, assistant superintendent, chief inspector, inspector, sergeant, corporal, and constable.

**Uniforms and Equipment.** Officers above inspector grade wear dark-blue uniforms in winter and for formal occasions. A khaki bush jacket and trousers are worn in summer. Sergeants, corporals, and constables wear

## *Bahamas*

trousers with a red stripe and a white tunic on formal and ceremonial occasions and a white bush jacket for normal duty in the summer. They wear blue trousers in winter and khaki in summer. Throughout the year a dark-blue tunic is worn at night. All ranks wear a blue cap with a red band, but in summer sergeants and below wear a white helmet during the day. Lower ranks wear similar tunics with red striped skirts or slacks. The headgear is a tricorn hat.

For normal duty all members of the force are unarmed. However, as a paramilitary force, the police are trained in the use of rifles and handguns.

**Education and Training.** Basic training is provided for commissioned and noncommissioned personnel in the police school at Nassau. In many cases officers are sent to the United Kingdom for advanced professional training.

### **Police Statistics.**

- Total Police Personnel: 2,200
- Population per Police Officer: 125

### **HUMAN RIGHTS**

The government generally respects human rights and penalizes police personnel guilty of human rights abuses. However, there are occasional incidents in which the police have beaten and otherwise abused suspects, generally to extract confessions. The police have also been known to arbitrarily arrest and detain persons. The Police Complaints and Corruption Branch is responsible for investigating allegations of police brutality. This unit determines if there is any evidence of abuse or misconduct to justify disciplinary action within the police system or criminal prosecution by the attorney general. In 2002 there were 398 complaints against the police. Of these, 88 resulted in disciplinary actions.

### **CRIME**

**Crime Statistics.** Offenses reported to the police per 100,000 population: 4,870. Of which:

- Murder: 27.1
- Assault: 61.5
- Burglary: 1,560.2
- Automobile Theft: 415.7

### **CORRECTIONAL SYSTEM**

Prisons are administered by the Bahamas Prison Service under the Ministry of National Security. The Prison Service is headed by a Superintendent of Prisons.

**Prison Conditions.** Overcrowding is a major problem in the prison system. The occupancy rate is 129.2%. The men's maximum-security block holds more than half the total prison population. The remaining prisoners are housed in medium- and minimum-security units. The cells are poorly ventilated and lack running water. Most cells lack beds, and inmates generally sleep on concrete floors and are locked in their cells for 23 hours each day. About 7% of all inmates are infected with HIV/AIDS. The prison service offers some educational and literacy programs, including computer training, aid, religious instruction, and counseling services. Women are held separately from males, and their conditions are less harsh than those for men. Juvenile offenders have a separate section. Young children as well as children deemed incorrigible are housed at the Simpson Penn Center for Boys and Williamae Pratt Center for Girls.

**Prison Statistics.** The islands' only prison is Her Majesty's Prison at Fox Hill in Nassau, with an official capacity of 1,084 and an actual population of 1,335. The prison population rate is 425 per 100,000. Of the inmates, 22.7% are pretrial detainees and 1.8% are female. The prison population ratio is 410 per 100,000.

*George Thomas Kurian*

# Bahrain

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**Official country name:** Kingdom of Bahrain

**Capital:** Manama

**Geographic description:** Middle Eastern archipelago in the Persian Gulf on the east coast of the Arabian Peninsula

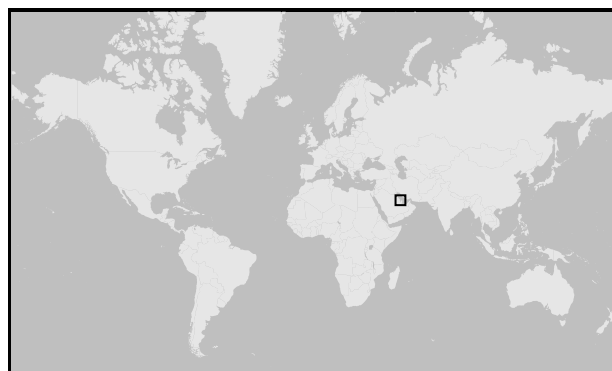
**Population:** 688,345 (est. 2005)



## LAW ENFORCEMENT

**History.** The Bahrain Police and Public Security Department was founded in 1926 and initially was staffed by British officers. In 1962, when Bahrain became a fully independent state, the force was indigenized.

**Structure and Organization.** The Police and Public Security Department is commanded by a director general and assisted by a deputy director general and a director of security and intelligence services. The Administrative Branch is the first of many headquarter divisions, which includes immigration, prosecutions, traffic, criminal investigations, women police, education and sport, mounted police, public security, Emergency Squad, and the Flying Wing. The Public Security Division also controls the Coast Guard and the Bahrain Fire Service. Territorially the sheikhdom is divided into five divisions: Manama; Bahrain Airport, Mina Sulman, Rural North and Rural South. Bahrain's Women Police Division was a major innovation in the Middle East when it was formed in the 1970s. The Criminal Investigation Division operates a criminal records archive and photography and fingerprints laboratories. The Emergency



Squad is the principal reserve for dealing with riots and major disasters. They have a high mobile capability.

**Uniforms.** In the summer khaki drill uniforms (tunics or shirts) are worn and in winter a dark blue tunic and trousers is the standard. A dark blue cap is worn throughout the year.

**Education and Training.** There is a Royal Police College in Bahrain and police training centers in Muharraq and Safra. The Initial Training Depot in Manama also has a reserve.

### Police Statistics.

- Total Police Personnel: 3,733
- Population per Police Officer: 180

## HUMAN RIGHTS

The government's human rights record is mixed. While it has made progress in some areas, it remains poor in others. All political prisoners were freed in 2001. There is no effort



## ***Bahrain***

to discipline or punish security personnel who commit serious human rights violations. There are two nongovernmental organizations in Bahrain dealing with human rights.

### **CRIME**

**Crime Statistics.** Offenses reported to the police per 100,000 population: 1,390. Of which:

- Murder: 1.6
- Assault: 0.5
- Burglary: 30.1
- Automobile Theft: 207.6

### **CORRECTIONAL SYSTEM**

The corrections system is administered by the Ministry of Justice and Islamic Affairs through a Director of Prisons.

**Prison Conditions.** There are credible reports of torture and cruel, inhuman, and degrading treatment in the prisons. No prison officials are punished or reprimanded for abuse of prisoners. Physical conditions in prisons meet international standards. Women prisoners are housed separately from men and juveniles are housed separately from adults until age 15.

**Prison Statistics.** There are two prisons in the sheikhdom, with a total population of 911 in a system designed to hold only 648. The prison population rate is 155 per 100,000. Of the prisoners, 29.3% are pre-trial detainees.

*George Thomas Kurian*

# Bangladesh

**Official country name:** People's Republic of Bangladesh

**Capital:** Dhaka

**Geographic description:** Part of the Plain of Bengal at the end of the Indo-Gangetic Plain

**Population:** 144,319,628 (est. 2005)



## LAW ENFORCEMENT

**History.** The foundation of the Bangladesh police administration is the Police Act of 1861, which created a provincial police under the control of an inspector general in each of the territories ruled by the British in the Indian subcontinent. It was supplemented by the Criminal Procedure Act of 1898 and the Police Regulations of Bengal of 1943, both of which continued to remain in force after the departure of the British in 1947, and the creation of the republic of Bangladesh in 1972. But it was not until 1976 that a metropolitan police force was established in Dhaka, the capital. This was followed by the introduction of a metropolitan police force at Chittagong in 1978. A number of committees and commissions helped to broaden and streamline police functions, particularly during the 25 years that Bangladesh was part of Pakistan. These include the Shahabuddin Committee of 1953, the Hatch Barnwell Committee of 1956, the Committee on the Increase of Force in Dhaka and Narayanganj of 1957, the Constantine Commission of 1960–1961, and the Mitha Commission of 1969. The War of Independence took a heavy toll on the number and morale of the police force. As a result, the force was



expanded and reconstituted and its training facilities were modernized in the 1970s.

**Structure and Organization.** The Bangladesh Police is headed by an inspector general of police, who reports to the Ministry of Home Affairs. Below the headquarters level, the force is organized by districts and divisions. Police officers are categorized as gazetted or subordinate—roughly analogous to the commissioned and noncommissioned officers in the military. The subordinate grades are further classified into upper and lower categories.

The top four gazetted police grades, in descending order, are:

- inspector general
- deputy inspector general
- superintendent
- assistant superintendent

Upper subordinate grades:

- inspector
- subinspector
- assistant subinspector

Lower subordinate grades:

- head constable
- constable

The inspector general supervises staff departments concerned with criminal investigation, identification, communications, administration and supply. He is further responsible for supervision over police ranges, divisions coterminous with the political divisions, each under a deputy inspector general. Within the ranges, the districts form the fulcrum of police operations. The district chief is a superintendent; subordinate to him are one or more assistant superintendents and a number of inspectors and those in other ranks. The senior subdivisional police officer is an assistant superintendent. The *thana*, or station house, is supervised by one of the upper subordinate grades, called the station house officer, with about 10 head constables and constables at the station. The *thana* is also the seat of the lowest court and magistrate in the legal system. Assisting the regular police are part-time village constables called *ansars*, who report violations to the nearest police stations and apprehend offenders on police orders. The *ansars* are recruited locally and receive a pittance for their efforts. There are approximately 564 active police stations.

At all levels, the senior police officer responds to the chain of command within the police organization, but he is also under the general direction of the designated civil government officials. These multiple lines of command sometimes cause confusion, but the principle of civil control is fairly well established under the Police Act of 1861. Thus at the national level, the inspector general reports to the home secretary and ultimately to the Minister of Home Affairs. At the divisional or police range level, the deputy inspector general answers to the deputy commissioner. Although the latter has no right to intervene directly in the internal organization and discipline of the police, an important part of his duties is to inspect the police stations of his district at regular intervals. In cases where the deputy commissioner and the police chief disagree on issues relating to police functioning, the former's decision is final. However, he is dependent on police cooperation for the overall success of his administration. In cases of serious differences, both may refer the dispute to their bosses: the deputy commissioner to his commissioner and the police chief to his deputy inspector general.

Countrywide, the regular police are overworked. In the lower subordinate grades, which account for 90% of the force, the pay is poor, advancement slow, and educational levels and public accountability low. Corruption is rampant at all levels. There is political interference at all levels and professionalism is increasingly rare.

There are no municipal forces except at Dhaka and Chittagong where the metropolitan police forces are headed by commissioners. Both forces have effective anti-riot units. The Armed Police Reserve is primarily a riot control force. The Anti-Corruption Department, administered by a cabinet secretariat, is a special investigative unit. Internal security is the responsibility of the Department of National Security Intelligence.

**Education and Training.** The principal training center is at Sardah in Rajshahi District. It was established in 1903 for training nongazetted officers and was upgraded in 1912 into an academy. Constables are trained in four regional schools and detectives in a separate institution. The Jungle Warfare and Tactical Training School trains inspectors in border areas.

#### **Police Statistics.**

- Total Police Personnel: 52,053
- Population per Police Officer: 2,560
- Number of Police Stations: 564

#### **HUMAN RIGHTS**

The government's human rights record remains poor and is marred by serious abuses. The police commit extrajudicial killings and some persons have died in police custody under suspicious circumstances. Police routinely use torture, beatings, and other forms of abuse while interrogating suspects, and frequently beat demonstrators. According to one human rights organization, 44 persons died in 2000 as a result of lethal force by the police. The Public Safety Act of 2000 gives the police even greater opportunity to abuse their powers.

#### **CRIME**

**Crime Statistics.** Total offenses reported to the police per 100,000 population: 90. Of which:

- Murder: 2.8
- Assault: 4.3
- Burglary: 4.3
- Automobile Theft: 1.1

#### **CORRECTIONAL SYSTEM**

The penal system, under the office of an inspector general of prisons, is governed by the Penal Code of 1860,



*Police face a group of activists from the Awami League during a general strike in Dhaka, Bangladesh, May 18, 2005. The Awami League, an opposition political party, called for the strike in protest of a politician who was killed. The strike shut down schools and businesses, and also disrupted traffic across the capital city. AP IMAGES.*

the Prisons Act of 1894, and the Prisoners Act of 1900. Bangladesh has not been able to devote much time or effort on modernizing the prison system inherited from the British. At the division or police range level, the senior official is called the director of prisons, and at the district level he is the jail superintendent. Below the district level are the *thana* and village police backups. All installations are manned by the prison police.

**Prison Conditions.** Prison conditions are extremely poor and degrading. In 2000 more than 72 prisoners died in prison or police custody. Most prisons are overcrowded and lack adequate facilities. The Dhaka Central Jail houses 9,775 prisoners in a facility designed to hold only 3,000. In some cases, the cells are so crowded that prisoners sleep in shifts. The food is unhygienically prepared and drugs are abused widely. There are three classes of cells. Common criminals and persons of low status are held in C cells, which have dirt floors, no furnishings,

and poor quality food. The use of restraining devices in these cells is common. A new prison facility in Kashimpur, north of Dhaka, opened in 2001.

#### **Prison Statistics.**

- Total Prison Population: 74,170
- Prison Population Rate per 100,000: 50
- Pretrial Detainees: 60.3%
- Female Prisoners: 2.8%
- Juvenile Prisoners: 1.6%
- Number of Prisons: 66
- Official Capacity of the Prison System: 25,712
- Occupancy Level: 288.5%

*George Thomas Kurian*

# Barbados

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**Official country name:** Barbados

**Capital:** Bridgetown

**Geographic description:** Caribbean island between the Caribbean Sea and the North Atlantic, northeast of Venezuela

**Population:** 279,254 (est. 2005)



## LAW ENFORCEMENT

**History.** The Barbados Police Force was established in 1835 and became the Royal Barbados Police Force in 1966.

**Structure and Organization.** The Royal Barbados Police Force (RBPf) is headed by a commissioner. The island is divided into three territorial divisions: Northern, Southern, and Mobile, and these divisions are further divided into 15 police districts. The Headquarters Division includes a Criminal Investigation Department, Traffic and Transport, Special Branch, Mounted Branch, Canine Section, Marine Section, Special Services Unit, Office of Professional Responsibility, Research and Planning Unit, Training Unit, and the Police Band. Junior ranks are housed in barracks and work on a double shift system. There is a mounted detachment for ceremonial and rural police duties. In 2002 the government created a special rapid response unit to respond quickly to emergencies. RBPf has both motorized (60%) and foot patrols. The majority of the foot patrols are assigned to Bridgetown. Community policing comprises ministations in housing estates and 93 neighborhood watch organizations.



The principal police ranks, in descending order, are Commissioner, Deputy Commissioner, Assistant Commissioner, Senior Superintendent, Superintendent, Assistant Superintendent, Inspector, Station Sergeant, Sergeant, Corporal and Constable.

**Uniforms and Weapons.** Officers wear a working uniform of khaki trousers; an open-neck, short-sleeved bush tunic with a belt; and a blue forage cap with a red band. On formal occasions, a short-sleeved tunic is worn with a white shirt and tie. Rank-and-file members wear a gray shirt or open-neck, short-sleeved tunic and blue serge trousers with a two-inch-wide stripe on the seam. A white helmet, black boots, and brown leather belt complete the uniform. On ceremonial occasions officers wear a white tropical helmet, and other ranks wear a white spiked helmet. Police patrols generally are unarmed except for sentries at important public buildings.

**Education and Training.** The Royal Barbados Police Force Regional Training Center at Grantley Adams International Airport in Seawell provides training not only for Barbadians but also for the police forces of the Cayman Islands, Grenada, Montserrat, Saint Lucia, Saint Vincent, Turks and Caicos, and the British Virgin Islands.

**Police Statistics.**

- Total Police Personnel: 1328
- Population per Police Officer: 280

**HUMAN RIGHTS**

The government generally respects the human rights of its citizens. The police have an Office of Professional Responsibility, headed by a superintendent, to deal with unprofessional conduct by policemen. In 2001 a Police Complaints Authority was created by Parliament for the same purpose. Police procedures provide sufficient safeguards for suspects against arbitrary acts by policemen.

**CRIME**

**Crime Statistics.** Offenses reported to the police per 100,000 population: 3,813. Of which:

- Murder: 8.6
- Assault: 161.9

- Burglary: 1,080.8
- Automobile Theft: 105.5

**CORRECTIONAL SYSTEM**

The corrections system is administered by the Ministry of Home Affairs through the Superintendent of Prisons. Her Majesty's Prison at Glendairy, Station Hill, Saint Michael, built over 150 years ago, is the oldest prison facility on the island.

**Prison Conditions.** Overcrowding is a major problem, with an occupancy rate 184.7% of the official capacity. There are separate wings in the island's only prison for pretrial detainees, women, and juveniles. Beating of prisoners is common. In 2002 the government dismissed 14 prison officials for physical abuse of prisoners.

**Prison Statistics.** There are two prisons whose official capacity is 328, but the actual prison population is 992. The prison population rate is 317 per 100,000. Of all inmates, 22.6% are pretrial detainees, 4.7% are females, 1.3% juveniles, and 14.3% foreigners.

*George Thomas Kurian*

# Belarus

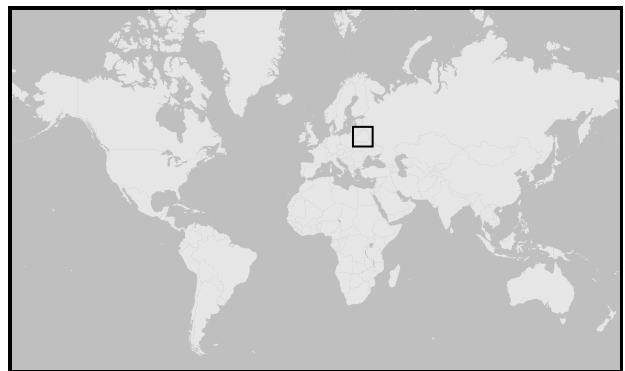
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**Official country name:** Republic of Belarus (Respublika Byelarus)

**Capital:** Minsk

**Geographic description:** Slightly smaller than Kansas, Belarus covers a total area of 207,600 square kilometers. It borders Latvia, Lithuania, Poland, Russia, and Ukraine.

**Population:** 10,300,483 (est. 2005)



## LAW ENFORCEMENT

**History.** The outbreak of World War I in 1914 turned Byelorussia into a zone of strict martial law, military operations, and great destruction. Large German and Russian armies caused the departure of more than one million civilians from the country. The Russian government's inept war efforts and ineffective economic policies prompted high food prices, shortages of goods, and countless deaths. Discontent in the cities and the countryside led to strikes, riots, and the eventual downfall of the czarist government.

A month after the November 1917 Russian Revolution, more than 1,900 delegates to the Byelorussian Congress (Rada) met in Minsk to establish a democratic republican government in Byelorussia, but Bolshevik soldiers disbanded the assembly before it had finished its deliberations.

The Treaty of Brest-Litovsk in March 1918, ending World War I between the Russians and Germans, put most of Byelorussia under German control, but on March 25, 1918, the Central Executive Committee of

the Rada nullified the treaty and proclaimed the independence of the Byelorussian National Republic. Later that year, the German government, which had guaranteed the new state's independence, collapsed, and the new republic was unable to resist Byelorussian Bolsheviks supported by the Bolshevik government in Moscow. The Byelorussian Soviet Socialist Republic (Byelorussian SSR) was established on January 1, 1919.

Vladimir Lenin's New Economic Policy (NEP), established in 1921 as a temporary compromise with capitalism, stimulated economic recovery, and by the mid-1920s agricultural and industrial output in Byelorussia had reached 1913 levels. Historically, Byelorussia had been a country of landlords with large holdings, but after the Bolshevik Revolution, these landlords were replaced by middle-class landholders; farm collectives were practically nonexistent. When forced collectivization and confiscations began in 1928, there was strong resistance, for which the peasantry paid a high

social price: Peasants were allowed to starve in some areas and many were deported to Siberia. Because peasants slaughtered their livestock rather than turn it over to collective farms, agriculture suffered serious setbacks. However, the rapid industrialization that accompanied forced collectivization enabled the Moscow government to develop new heavy industry in Belarus quickly.

During NEP, the Soviet government relaxed its cultural restrictions, and Byelorussian language and culture flourished. But in the 1930s, when Joseph Stalin was fully in power, Moscow's attitude changed, and it became important to Moscow to bind both Byelorussia and its economy as closely to the Soviet Union as possible. This meant Russification of the people and culture. The Byelorussian language was reformed to bring it closer to the Russian language, and history books were rewritten to show that the Byelorussian people had strived to be united with Russia throughout their history. Political persecutions in the 1930s reached genocidal proportions, causing population losses as great as would occur during World War II—more than two million people.

Germany attacked Poland on September 1, 1939. Two and a half weeks later, Soviet troops moved into the western portions of Byelorussia and Ukraine. Ignorant of, or disbelieving the existence of, mass persecutions under Stalin, most Byelorussians welcomed the Red Army, only to learn quickly of the harsh reality of Communism. Arrests and deportations were common, and the so-called flourishing of national culture was strictly circumscribed by the ideological and political goals of the Communist Party of the Soviet Union. About 300,000 persons were deported from western Byelorussia to Soviet labor camps between September 1939 and June 1941, when Germany attacked the Soviet Union.

By June 1941, when German tanks swept through Byelorussia toward Moscow, many Byelorussians actually welcomed the Nazis, thinking that they would free the Byelorussian people from their Communist oppression. However, the Nazis' designs for the occupied territories became known soon enough: Germanizing and assimilating 25% of the Byelorussians and either ousting or destroying the remaining 75%.

Later in the war, when the eastern front began moving westward, many Byelorussians had to choose between two evils: life with the Soviets or departure into exile with the Nazis. Many Byelorussians decided to flee, and tens of thousands of them found themselves in Germany and Austria toward the end of World War II. Some of those who had been deported as forced laborers to Germany agreed to go back to Byelorussia, only to be deported again by the Communists to Siberia or other remote places in the Soviet Union. All those who fled voluntarily

to the West eventually settled in Germany, other European countries, or overseas.

The wartime devastation of Byelorussia—the loss of people, homes, animals, public buildings, educational and cultural resources, roads, communications, health care facilities, and the entire industrial base—was complete. To make up for the industrial loss, Stalin ordered the building of new factories and plants, more efficient than most of those elsewhere in the Soviet Union.

The Byelorussian language was unofficially banned from official use, educational and cultural institutions, and the mass media; Byelorussian national culture was suppressed by Moscow. This so-called cultural cleansing intensified greatly after 1959, when Nikita Khrushchev, the leader of the Communist Party of the Soviet Union at the time, declared in the Byelorussian capital, “The sooner we all start speaking Russian, the faster we shall build communism.”

All the Soviet events of the postwar period, from 1945 up until Mikhail Gorbachev, were reflected in Belarus. It came through the end of Stalinism, the Khrushchev “thaw,” the stagnation of the Leonid Brezhnev government, the cold war, and Gorbachev's perestroika.

The resistance of some students, writers, and intellectuals in Minsk during the 1960s and 1970s was met with harassment by the Committee for State Security and firing from jobs rather than arrests.

In April 1986 a new tragedy was visited upon Byelorussia—the disaster at the Chernobyl nuclear plant equal to the explosion of 150 Hiroshima atomic bombs. Though the station itself was situated in Ukraine, the winds blew in the direction of Byelorussia. As a result, 70% of all radioactive fallout is believed to have landed on Byelorussian land, turning one-fifth of it into a zone of radioactive contamination. This resulted in a dramatic increase in cancers, genetic mutations, and leukemia.

Following the August 1991 attempted overthrow of Gorbachev, the Supreme Soviet in Minsk declared the independence of Byelorussia on August 25, 1991, by giving its Declaration of State Sovereignty the status of a constitutional document and renaming the country the Republic of Belarus.

With independence, Belarus got a new start under less than favorable conditions. The economy was in disastrous shape, inflation was spinning out of control, unemployment increased dramatically, and the influence of organized crime was felt in every corner of the country. The election of Alexander Lukashenko as President only worsened the situation.

Lukashenko had been manager of a state farm in the 1980s before being elected to the Supreme Council in 1990. He came out on top in the presidential election of 1994, declaring an anti-inflation and anticorruption



agenda. Following his election, Lukashenko reintroduced Soviet price controls, moved the economy back into Russia's sphere of influence, and introduced an authoritarian constitution.

Soon after the 100-day mark of his presidency, Lukashenko launched an attack on the independent mass media in Belarus. Many popular TV shows and newspapers which did not always approve of the President's actions were discontinued; in others, editors were replaced by more loyal ones. The editor of the most popular newspaper was replaced and the opposition newspaper was forced out of the country.

Lukashenko succeeded in muzzling the media, limiting most public expressions of dissatisfaction among the population, and perpetuating a police state that moves rapidly to suppress any signs of protest. Human rights abuse by law enforcement agencies is commonplace. The Ministry of Internal Affairs, State Security, and other law enforcement agencies are little more than enforcers for the President, frequently disregarding laws on the books, flouting the constitution, and ignoring due process.

In 1996 Lukashenko disbanded Parliament, which had been seeking to impeach him, and also strengthened his control over the judiciary. The new Parliament that emerged was handpicked and subsequent elections in 2000 were widely condemned by observers as rigged. Meanwhile, many former allies and government ministers have either fled abroad or joined the opposition. High ranking officials, such as a former Deputy Prime Minister and a former Minister of Internal Affairs, have simply disappeared.

President Lukashenko has essentially ignored the legislature and has ruled by decree. Protests by legislators are largely ignored but sometimes brutally suppressed, as was the case with a group of democratic deputies who held a hunger strike in the parliament building in protest of a referendum on integration with Russia. Reportedly on Lukashenko's order, they were beaten by police and forcibly removed.

Immediately following the result of the referendum, the Belarusian flag which had been approved by the legislature and could only be removed by the legislature, was taken off the presidential palace and torn into pieces. The old red-green flag of Byelorussian Soviet Socialist Republic was hung instead, and eventually replaced the historic one everywhere by presidential decree.

**Structure and Organization.** The Ministry of Internal Affairs (MIA) and the Committee for State Security—both of which report directly to the President—share law enforcement and internal security responsibilities. The Presidential Guard—created initially to protect senior officials—acts primarily against the political enemies of

Lukashenko's government with little, if any, judicial or legislative oversight. Apart from the President, civilian authorities generally do not maintain effective control of the security forces. Members of the security forces are known to have committed numerous serious human rights abuses.

The chief of police is the First Deputy of the Interior Minister. The National Police Headquarters consists of the following directorates: Operation and Organization, Investigation, Crimes Against Persons, Investigation of Past Crimes, Narcotics, Economic Crimes, High Technology Crime, Information Analysis, and Information Technology. Also part of the headquarters are the Committee for Combating Corruption and Organized Crime, and the Antiterrorist Police. At the regional level there are regional police headquarters in all six provinces, Minsk, Homel, Vitebsk, Brest, Mohilev, and Grodno and in the capital city of Minsk. On the subregional level there are district headquarters that supervise local police stations.

In addition to the regular police force there are two other law enforcement services: the Internal Security Service, including the Border Guard and the General Security and Special Police.

The minimum wage in 2003 was approximately \$22 (45,000 rubles) a month, which did not provide a decent standard of living for a worker and a family; however, average real wages improved during the year from approximately \$110 (200,000 rubles) to \$126 (264,000 rubles) a month. The country's continuing economic problems make it difficult for the average worker to earn a decent living, and major wage arrears continued to grow, especially in the agricultural sector. This is true of law enforcement as well. The average police salary is \$200 to \$300 per month. In addition, supplies such as gas, radios, vehicles, and uniforms are either in short supply or inadequate for the task of policing the country. Organized crime groups, which sprang up across the region toward the end of the Soviet era, are better equipped than police.

As in most of the other former Soviet states, corruption is rife throughout the country. Police salaries are insufficient to ensure evenhandedness in enforcing the law. Complicating this is the role of police as heavy-handed enforcers for Lukashenko. In December 1994 a report was read in the legislature charging a number of high-level administration officials with corruption, which led a number of these officials to offer their resignations. Lukashenko refused to accept the resignations and banned four independent newspapers from publishing the report. Such incidents are generally acknowledged to be minor examples of the reality of the situation.

In March 2002 Ministry of Internal Affairs's troops dispersed a march held to mark the eighth anniversary of the 1994 Constitution of Belarus. The march organizer, who was leader of one of the opposition political parties, was sentenced to ten days in prison.

Also in March, more than eighty people were arrested and given brief prison terms, fines, or official warnings after police broke up a Freedom Day rally. Another hundred people were arrested and about forty injured in clashes with police in April during an unauthorized protest against living conditions in Belarus. Protest organizers and participants were sentenced to up to fifteen days in jail; others were fined.

The disappearances and presumed killings of a television cameraman, the former Minister of Internal Affairs, the deputy chairman of the legislature, and an opposition supporter remain unresolved despite the 2002 conviction of four members of the Ministry of Internal Affairs' SWAT team. There were credible reports of involvement of senior government officials in the disappearances. Such reports were reinforced when Lukashenko acknowledged to the press that he had ordered the security services to kidnap a former Belarus ambassador and return him to the country. The cameraman had worked personally for Lukashenko until 1996, when he resigned from the government-run TV station without the agreement of the authorities and joined a Russian station. He was imprisoned for two months in 1997 after reporting gaps in Belarus security along the country's border with Lithuania.

**Surveillance.** The interception of telephone and other communications without a court order is prohibited; in practice, authorities continue to monitor residences, telephones, and computers. The Ministry of Internal Affairs, State Security, and certain border guard detachments may use wiretaps, but under the law they must obtain permission from a prosecutor before installing them. However, in some cases, the agencies do enter homes, conduct unauthorized searches, and read mail without warrants.

The prosecutor's office exercises no independence from the government, effectively rendering due process protections regarding wiretaps meaningless. The Administrative Offenses Code provides penalties for those who obstruct State Security officers in the performance of their duties. Any effort to prevent officers from entering the premises of a company, establishment, or organization is an administrative offense, as is any refusal by such entities to allow audits or to deny or restrict access to company information systems and databases. Contracts used by the Ministry of Communications for supplying telephone service prohibit subscribers from

using telephone communications for purposes that run counter to state interests and public order. The Ministry has the authority to terminate telephone service to those who breach this provision.

In most circumstances, night searches are prohibited; however, in February 2003 ten armed police officers conducted a night search of the apartment of an individual after he returned from a meeting to plan a series of demonstrations. The officers seized printed material concerning a presidential decree regulating small business. The individual claimed the authorities refused to give him a copy of the search warrant.

Nearly all opposition political figures report that authorities monitor their activities and conversations; the government has done nothing to refute these reports. Representatives of certain nongovernmental organizations also said that their conversations and correspondence were monitored routinely by the security services. The Procurator General declined to investigate charges of illegal wiretapping brought by members of the opposition.

The Presidential Guard or security service reportedly continues to conduct surveillance activities of the President's political opponents. There is no judicial or legislative oversight of the Presidential Guard's budget or activities, and the executive branch repeatedly thwarts attempts to exercise such oversight. Some officials are themselves monitored. Militia officers assigned to stand outside diplomatic missions are known to keep records of visits by political opposition leaders. In March 2003 a panel of judges threw out a complaint by the leader of an opposition party over his 2002 detention. Plainclothes officers who refused to identify themselves forcibly detained him near a foreign embassy. The officers drove him to the State Security headquarters and issued him a formal warning that he would be charged with treason if he did not cease his contacts with foreigners. Some opposition figures express reluctance to visit foreign embassies due to fear of reprisals.

Unidentified plainclothes officials working for the security services regularly apprehend and detain individuals engaged in antiregime demonstrations and in the distribution of opposition materials. Members of organizations involved in publishing opposition media are arrested and detained. Security officers on occasion preemptively arrest and detain organizers and individuals considered to be potential participants in demonstrations. Security officials held some detainees incommunicado following demonstrations. In addition to the hundreds of antiregime protesters, whom authorities held for several hours or days, authorities also held several prominent political detainees for prolonged periods in pretrial detention, some for more than a year.



*A youth opposition activist is arrested during an unsanctioned rally in Minsk, Belarus, July 21, 2005. Police detained 10 people from the youth movement, Zubr, as members of the group held up photographs of jailed opponents of President Alexander Lukashenko and protest banners in the capital city. AP IMAGES.*

## CRIME

A drastic decline in living standards and the general breakdown in law and order throughout the former Soviet Union have contributed greatly to a dramatic rise in crime in Belarus since 1991. In the first half of 1993, the murder rate increased by almost 50% and muggings by almost 60%. Belarus has become a transshipment point for illegal drugs intended for Western Europe; locally produced opium and cannabis supply local demands.

Although statistics are difficult to come by, women's groups report that domestic violence, including spousal abuse against women, is a significant problem. Spousal abuse is punishable under the Criminal and Administrative Codes; a minor beating is punishable by a fine or up to 15 days in jail while more serious offenses are punishable by up to 15 years in prison. Women's groups have indicated that police generally enforce the

laws against domestic violence and that the courts generally impose these sentences. The primary problem remains a general reluctance among women to report instances of domestic violence due to fear of reprisal and because of the attendant social stigma. Rape is a problem. A law against rape exists; however, most women do not report it due to shame or fear that the police will blame the victim.

Although the authorities and local human rights observers report that prostitution was not yet a significant problem inside the country, there is little doubt that as the economy has deteriorated, prostitution has increased. As during the Soviet era, prostitution rings operate in state-owned hotels.

Sexual harassment reportedly was widespread, but no specific laws deal with the problem other than laws against physical assault.

**Narcotics.** Its location between Russia and the West, its good rail and road transportation, and a customs union with Russia that eliminated internal borders between the two countries, give Belarus significant potential to become a major drug transit and production site. Drugs flow into and through Belarus from Central Asia, the Caucasus, Ukraine, and Russia to the Baltic States, Poland, and Germany. Cases of heroin trafficking from Afghanistan to Poland and Germany through Belarus have increased dramatically.

Adding to this already grim picture is an economy that has been largely unsuccessful in moving toward market capitalism, dislocating many workers and dramatically increasing levels of dissatisfaction.

The Belarusian government claims to lack the financial resources to combat drug trafficking. The claim is somewhat dubious, however, given the extremely large police force—120,000 for a population of 10.3 million.

Belarus also faces many of the organized crime problems that plague other countries of the former Soviet Union, albeit without the high profile evident in some neighboring countries (for example, fewer gangland-style slayings). The lack of Belarusian laws on organized crime could lead syndicates to use Belarus for not only drug production and trafficking, but also for other drug-related crimes such as money laundering.

The Criminal Code, enacted on January 1, 2001, does not provide any responsibility for drug use. Only drug trafficking, and the theft, manufacturing, processing, acquisition, storage, transportation, or sending, of drugs with or without the purpose of selling is prohibited. The same is true of sowing or cultivating narcotic-containing plants with the aim of selling. Although drug use is not a crime in itself, use is inevitably preceded either by storage or sale of drugs. It is worth noting that the law excuses from criminal liability those who voluntarily surrender drugs and actively contribute to disclosure or suppression of a drug crime, including trafficking, distributors, or property obtained illegally.

Changes were made to the Criminal Code in January 2003, which greatly increased the responsibility for illegal drug trafficking, committed with or without the goal of selling. The penalty was increased from three years imprisonment to five years.

It is claimed that groups engaged in narcotics trafficking are primarily Gypsies from the Central Asian and Caucasus regions. Given the vast amount of discrimination and targeted enforcement in Belarus and other former Soviet republics, this is likely an inaccurate depiction of the makeup of traffickers.

According to the official data of the Ministry of Internal Affairs, there are about 8,000 drug addicts in Belarus. The Ministry of Health puts the official figure at

around 5,000, with an estimated 700 to 800 added each year. The real figures are believed to be at least 10 to 15 times higher. According to official data, the average age of getting addicted to drugs is 14.5 years old. In the late 1990s, the government claimed that some 40% of drug addicts resided in the Gomel region of Belarus, which includes Svetlogorsk. Since the summer of 1997, Svetlogorsk has experienced an outbreak of HIV/AIDS in epidemic proportions.

The drugs of choice in Belarus are opium derivatives as well as cannabis and synthetic drugs. Heroin, cocaine, barbiturates, and other drugs are being used in increasing amounts.

Belarus has all the resources necessary for the production of synthetic narcotics. The laboratory and technical capabilities are in place while many industrial facilities suitable for basic chemical production are idle. Law enforcement is not trained in the detection of synthetic drug manufacturing facilities. There is no legislation in Belarus dealing with precursor chemicals; the chemical industry, all government-owned, is allowed to police itself. Control of precursor chemicals is not an issue that appears to be on the agenda of policy makers, or even law enforcement officials.

Many crimes are associated with narcotics trafficking in Belarus. Smuggling is the most significant. Others include theft of narcotic and addictive substances, organizing or maintaining drug dens for drug use, and forging medical documents with the aim of procuring drugs. There were 1,252 criminal cases related to illegal drugs in 1998 and 3,018 drug-related offenses during the same year. In 2001 there were no significant arrests or seizures of drugs, despite evidence of growing abuse and trafficking, but 2002 brought some large drug seizures.

Belarus also faces many organized crime problems that plague other countries of the former Soviet Union. The lack of Belarusian laws on organized crime have lead syndicates to use Belarus for not only drug production and trafficking, but also other drug-related crimes such as money laundering. The Minsk office of the United Nation (UN) High Commissioner for Refugees reports that many illegal immigrants in Belarus finance their trips to the West through narcotics smuggling.

The enforcement effort against narcotics in Belarus suffers from a lack of efficient coordination among the agencies charged with various aspects of narcotics control. The Ministry of Internal Affairs, State Security, Customs Committee, Border Guards, and Ministry of Health all play a role in enforcement measures, but despite an inter-agency commission to coordinate the fight against drug trafficking, problems persist.

Belarus is a member of Interpol and has a department dealing with cross-border crime. Belarus has also

joined regional efforts at law enforcement cooperation and has signed bilateral agreements on cooperation against organized crime and drug trafficking with many of its neighbors.

**Trafficking in Persons.** Belarus is both a country of origin and a country of transit for women and girls being trafficked to Central and Western Europe for purposes of prostitution and sexual exploitation. Trafficking remains a significant problem. As an example, Cyprus became a point of interest for the Ministry of Internal Affairs. It is believed that in a three-year period more than 500 Belarusian women were trafficked to Cyprus. Victims were forced to work as dancers and prostitutes in Cypriot clubs, bars, and restaurants. The authorities released limited statistics on the problem of trafficking. According to nongovernmental organizations in the country, several thousand Belarusian women are victims of trafficking. The open border with Russia makes the country a likely transit route for victims from Russia and points eastward. Belarus is believed to be a country of origin and transit for women being trafficked to Russia, Ukraine, Lithuania, Germany, Israel, Poland, the Czech Republic, Turkey, Cyprus, Bahrain, Syria, Greece, Hungary, and Serbia and Montenegro.

The Ministry of Internal Affairs believes that criminal organizations try to lure and recruit women into serving as prostitutes in Western Europe and the Middle East. Traffickers, who were associated with organized crime and drug trafficking, entice their victims through advertisements for lucrative jobs in newspapers, on the Internet, and in advertisements posted in the metro.

The authorities continue to address the problem of trafficking in persons. In 2001 the Ministry of Internal Affairs prepared a five-year, 33-point strategy to combat trafficking in persons that covered ways of improving legislation, international cooperation, combating trafficking, and rehabilitation of victims. The strategy includes various governmental agencies, such as the Ministries of Foreign Affairs, Labor, Education, and State Security. Belarus has ratified the UN Convention on Transnational Organized Crime and the UN Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children.

The Ministry of Internal Affairs and the Ministry of Social Welfare are involved in antitrafficking efforts. The Ministry of Labor and the Department of Migration continues to monitor the activities of businesses licensed by the Ministry to offer employment in foreign countries. In some instances, the Ministry has suspended or revoked licenses for failure to comply with the regulations governing overseas employment agencies. In 2002 the Ministry of Internal Affairs signed law

enforcement cooperation agreements with Poland, Lithuania, Estonia, and Moldova regarding organized crime; these agreements included cooperation on combating trafficking in persons. At year's end, the Ministry of Internal Affairs was reportedly working to broaden its cooperation with international and foreign government law enforcement agencies.

Provisions of the Criminal Code penalize trafficking in persons for the purpose of sexual or other kinds of exploitation. The Criminal Code also criminalizes the hiring of individuals in order to exploit them sexually or otherwise. The penalty for trafficking is between five and seven years in prison and severe forms of trafficking are punishable by up to 15 years in prison.

The Belarusian Criminal Code provides specific penalties for trafficking for the purposes of sexual or other kinds of exploitation, though many prosecutors pursue trafficking crimes under sexual assault, abduction, or recruitment for sexual exploitation statutes. In 2003 the government convicted 45 individuals for trafficking or trafficking-related abuses, with a majority of sentences ranging from two to five years. The Ministry of Internal Affairs reported 191 investigations of alleged trafficking, including the trafficking of women abroad for sexual exploitation, the recruitment of women for the purpose of sexual exploitation abroad, and the abduction and recruitment of minors for prostitution.

According to government statistics, law enforcement agencies broke up 10 trafficking rings run by international organized criminal groups during 2002. During the year, law enforcement agencies initiated several investigations related to trafficking in persons. In November, the Ministry of Internal Affairs reported that three cases were being investigated under the antitrafficking law. For the same period, the MIA identified several returned Belarusian victims of trafficking, including 24 minors under the age of 18. According to the MIA, courts opened 47 cases related to trafficking in persons. Of these cases, 24 perpetrators received prison sentences, 3 received hard labor, 2 were fined, 1 received community service, 11 had pending sentences, and 6 accused awaited trial.

In April 2003 the Ministry of Internal Affairs dismantled a criminal organization that had trafficked over 400 Belarusian women to Western Europe and the Middle East since 1997. In addition, it broke up 17 organized criminal groups connected to trafficking crimes. In an effort to improve police antitrafficking operations, in 2003 the government collaborated with an international organization to produce a countertrafficking operations handbook. Attention to trafficking at the borders has increased, but segments of the border remain largely uncontrolled. The Belarusian government

collaborates with foreign governments to pursue trafficking investigations. For example, it has assisted law enforcement agencies in Germany, England, Lithuania, Austria, and Poland.

The government is believed to work with nongovernmental organizations to provide limited assistance to victims of trafficking, although it does not directly fund such assistance programs. Nongovernmental organizations report a sharp increase in victim protection referrals from law enforcement officials, due in part to better awareness and to an increase in the number of trafficking investigations. The Criminal Code contains procedures for witness protection, but government officials contend that financial restraints limit the government's capacity to implement those procedures.

Women seldom report incidents of trafficking to police, probably because of the social stigma attached to trafficking crimes, a generally negative public opinion about law enforcement authorities, insufficient protection accorded victims and witnesses, and lack of reintegration services for victims. Most victims return to the country as deportees and do not receive special status as victims of trafficking in the countries to which they are trafficked. As a consequence, they are denied victims' access to return assistance and the likelihood that they would come forward once back in the country is reduced.

The government's recognition of the trafficking problem in Belarus and its efforts to address the issue has increased trafficking awareness among government agencies. The government did not conduct an independent antitrafficking information campaign during 2003, but state-controlled media outlets have increased news coverage of the issue.

In 2003 the UN Development Programme launched a two-year countertrafficking program that focused on improving legislation, law enforcement efforts, and the provision of assistance available to victims. The International Organization for Migration (IOM) conducted a national awareness campaign and provided awareness training to nongovernmental organizations in regional towns. The IOM made available resources to provide basic reintegration assistance to victims of trafficking. Crisis centers established by some nongovernmental organizations provided psychological assistance to victims of violence; however, such centers did not include specialists in dealing with victims of trafficking.

Nongovernmental organizations operated two trafficking information hotlines; one in the capital of Minsk and a second in Brest located near the Polish and Ukrainian borders. The hot line in Brest received 1,277 calls in its first year of operation; 66% of which were from women. Of the callers, 52% had questions regarding

**Table 1. Belarus, Crime Statistics, 1998–2000**

	1998	1999	2000
Total Recorded Crimes	122,858	130,537	135,540
Intentional Homicides, Completed	1,036	974	1,013
Major Assaults	3,567	3,615	3,864
Assaults	5,275	5,390	5,600
Rapes	596	552	530
Robberies	5,056	5,349	5,668
Major Thefts	37,427	41,767	43,328
Thefts	54,005	59,916	60,833

SOURCE: Seventh United Nations Survey of Crime Trends and Operations of Criminal Justice Systems.  
[http://www.unodc.org/unodc/crime\\_cicp\\_survey\\_seventh.html](http://www.unodc.org/unodc/crime_cicp_survey_seventh.html)

employment abroad, and 390 callers said they received proposals to work abroad from friends. The hot line in Minsk received an average of 100 calls per month.

**Crime Statistics.** Crime statistics should always be handled with great care; in the case of Belarus and other former Soviet states, they are relatively meaningless. Locked in an ideological battle with the West, Soviet reality urged the creation of fictitious figures across virtually all sectors of the economy and society in order to portray a positive image to the outside world. The depiction of crime was one of the most important sectors for manipulation as the USSR attempted to demonstrate the superiority of Communism and its promise of the disappearance of crime. According to police officials, the practice of producing fraudulent statistics (*pripiska*) continues long after the demise of the Soviet Union. Latent crime has always been assumed to be rather high.

Crime statistics for the years 1998 to 2000 are given in Table 1.

## HUMAN RIGHTS

In 2000 the Organization for Security and Cooperation in Europe (OSCE) implemented seven projects in the fields of democratization and human rights in Belarus, including providing assistance to the penitentiary system. This project envisaged four stages, namely (1) experts' assessment of the sanitary and health conditions in prisons, (2) holding of training seminars for prison managers about regarding prison management guidelines sanctioned by the European Union and the OSCE, (3) assistance to the prisons that are in the most difficult situation, and (4) a study tour for Belarusian prison managers to Poland for familiarization with prison management guidelines applied in that country.

Despite this effort to assist Belarus, the OSCE, like nongovernmental agencies throughout the country,

operates at the whim of the authoritarian government. In 2002 the government denied visa extensions to OSCE mission representatives in the country, which effectively forced the mission to close in October 2002. A successor mission officially opened in January 2003 based on an agreement signed between the government and OSCE in December 2002; however, the new OSCE office resumed activities only in March 2003. No projects in the Civil Society working group were implemented during 2003. According to the OSCE, its representative on media freedom and several aides applied for visas to enter the country for a series of meetings. However, the government delayed acting on the application until after the proposed travel date had passed.

The action taken against the OSCE was not an isolated incident. The government has moved vigorously against nongovernmental organizations involved in human rights-related activities. In August 2003 the Ministry of Justice issued a warning to the Belarusian Helsinki Committee, a prominent human rights nongovernmental organization, reportedly merely for the absence of quotation marks in its letterhead and seal. The Belarusian Helsinki Committee would be closed after one more warning.

In June 2003 a regional court closed a nongovernmental organization's resource center, claiming that the organization used foreign aid for illegal purposes. In July another regional court closed a nongovernmental organization's resource center, claiming that the organization abbreviated its name in internal documents and referred to itself as an organization rather than an association as stated in its registration documents. In September, a nongovernmental organization received its third warning for contributing to the bulletin of an unregistered organization; the Ministry of Justice could at any time initiate proceedings to close the organization.

Independent observers viewed the closing of the nongovernmental organizations and resource centers as politically motivated. A Supreme Court judge closed one organization for using an incorrect seal and for having an office in a residence. The organization focused on historical research and social and cultural projects. The government closed several other cultural and social organizations, including those supporting women's issues and others providing assistance to inmates.

In December 2003, in addition to punitive measures for nongovernmental organizations introduced in earlier years, Lukashenko signed into law a bill introducing punishments for activity on behalf of organizations that are not registered by the Ministry of Justice. Those guilty of such offenses are liable to fines of \$80 to \$400 (175,000 to 875,000 rubles); a repeated offense would entail fines of \$400 to \$800 (875,000 to 1.75 million

rubles) or up to 15 days in jail. The law also prohibits the media from disseminating information issued by non-registered organizations. Nongovernmental organizations were already prohibited from receiving support from foreign sources.

Break-ins and questionable tax audits are less widely used now than in the 2001 preelection period; however, they remain a problem. The Ministry of Justice launched five separate inspections of a single human rights organization between January and July 2003. Each inspection involved all of the organization's minutes, activities, and its general convention.

A Council of Europe representative sent to Belarus to investigate the disappearances of journalists and human rights advocates reported getting little cooperation from the government; meetings were canceled after officials managed to obtain a copy of his draft report, which they regarded as too critical. The report had still not been released by the end of 2003.

Human rights monitors repeatedly reported that investigators coerced confessions through beatings and psychological pressure. In November 2000, the U.N. Committee against Torture cited concern over the deterioration in the human rights situation and noted numerous continuing allegations of torture and inhumane treatment or punishment committed by state officials or with their acquiescence, reportedly against political opponents of the regime and peaceful demonstrators. Police and plainclothesmen frequently beat individuals while arresting them or holding them in detention.

Officers have also been known to handcuff violators and beat them. Some suspected of minor offenses have had all of their clothes removed and been placed in cold cells overnight. On occasion, in an effort to coerce suspects into signing an affidavit, the policemen handcuffed them, forced them to the ground, and shot a pistol above their heads. The police also threaten and sometimes make good on the threat to electroshock suspects and deny them food.

#### **CORRECTIONAL SYSTEM**

The government has amended only slightly its Soviet-era law on detention; security forces continue to arrest arbitrarily and detain citizens, most often in connection with demonstrations, some of which are not officially sanctioned. There continue to be politically motivated arrests, although most of those arrested are soon released.

The Criminal Procedure Code provides that police may detain a person suspected of a crime for 24 hours without a warrant, within which time the procurator is notified. The procurator then has 48 hours to review the legality of the detention. If the procurator deems the detention legal, a suspect can be held for a maximum

of 10 days without formal charge. However, usually once the decision is made to hold a suspect, a formal charge is made. Once a suspect is charged, a trial must be initiated within 2 months, although in some cases the Procurator general can extend pretrial detention to 18 months to allow for further investigation. Alternatively, a suspect who has been charged can be released on a written pledge not to flee, in which case there is no time limit on the pretrial investigation. The law allows detainees the right to apply to the court (rather than the procurator) to determine the legality of their detentions. However, in practice, suspects' appeals to have their detentions reviewed by the courts frequently are suppressed because detainees are at the mercy of investigators and detention officials are unwilling to forward the appeals.

By law, detainees may be allowed unlimited access to legal counsel, and, for those who cannot afford counsel, the court appoints a lawyer. However, investigators routinely fail to inform detainees of their rights and conduct preliminary interrogations without giving detainees an opportunity to consult counsel. The information gained is then used against the defendant in court. Even when appointed by the state, defense attorneys are subordinate to the executive branch of power.

**Prison Conditions.** Prison conditions remain poor and, as in the other former Soviet states, are marked by severe overcrowding, shortages of food and medicine, and the spread of diseases such as tuberculosis, syphilis, and HIV/AIDS. According to the Minister of Internal Affairs, the prison population exceeds the capacity of the prison by approximately 20%.

Official detailed information regarding overcrowding is difficult to come by. Accounts by officials of the OSCE note that in one cell in the detention facility visited, 16 female prisoners shared 10 beds, while in another, 14 prisoners between the ages of 14 and 17 shared 8 beds. One observer reports that the prisons in one particular region are designed to hold a total of 8,550 inmates but in reality house more than 14,000. A correctional facility for women, intended to house only 1,350 inmates, holds 2,800. The average amount of space provided for each inmate is 1.2 square yards. Food provided in prisons does not meet minimum medical requirements.

A government amnesty for lesser offenders was intended to decrease the total prison population by approximately 8,000 inmates, but it is unclear to what extent it was implemented. Those convicted of alleged "economic crimes," for example, reportedly were granted amnesty and released from prison only after payment of financial restitution.

Male and female prisoners are held separately. Juveniles are held separately from adults, and pretrial

detainees normally are held separately from convicted prisoners; however, due to prison overcrowding, they occasionally may be housed together.

Detainees in pretrial detention facilities also report poor conditions and denial of medical treatment, which contribute to their declining health while awaiting trial.

Reports indicate that prison guards regularly beat detainees and prisoners. A member of the disbanded parliament and vocal critic of Lukashenko who spent 4 years in prison claimed that torture was widespread. Several individuals held in administrative detention complained about conditions and claimed that authorities ignored their complaints.

Amnesty International has called on the authorities to abolish the practice of "punishment cells" in which particularly harsh conditions are imposed on prisoners, and the use of the "press camera," a prison cell where a special prisoner, *pressovshchik*, is placed among the other inmates to carry out instructions by the prison officials.

In December 2002 the Constitutional Court ruled that prisons must consider appeals against prison-imposed punishments; however, prisons refused to consider such appeals on the grounds that there were no laws outlining the procedures for handling such appeals.

**Prison Statistics (2001 est.).** Prisons fall under the direction of the Ministry of Internal Affairs.

- Total Prison Population (including pretrial detainees/remand prisoners): 55,156
- Prison Population Rate (per 100,000 of national population); (based on an estimated national population of 9.95 million at the end of 2001): 556
- Detainees/Remand Prisoners: 17.5%
- Female Prisoners: 6.1%
- Juveniles/Minors/Young Prisoners — Under 18: 3.1%
- Foreign Prisoners: 2.6%
- Number of Establishments/Institutions: 37
- Official Capacity of Prison System: 43,400
- Occupancy Level (based on official capacity): 135.9%

Recent prison population trend (year, prison population total, prison population rate per 100,000 of national population):

1992	33,641	(327)
1995	54,869	(535)
1998	63,157	(620)



*Belarus*

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*Joseph D. Serio*

# Belgium

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**Official country name:** Kingdom of Belgium

**Capital:** Brussels

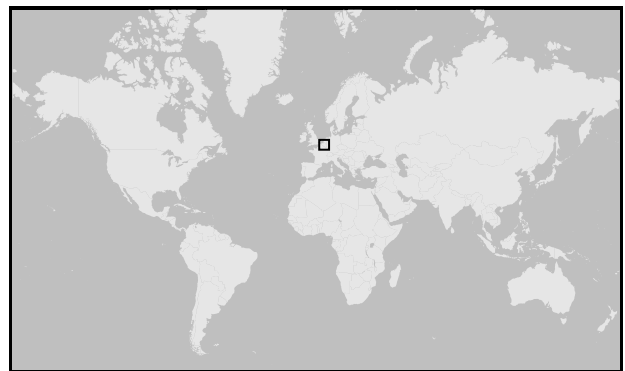
**Geographic description:** Country in Western Europe bordering the North Sea

**Population:** 10,364,388 (est. 2005)



## LAW ENFORCEMENT

**History.** Before police reforms and institution of the Federal Police, Belgian law enforcement was composed of three levels: the Gendarmerie, the Judicial Police, and Municipal/Rural Police forces. The Gendarmerie, literally translated as “guard of the kingdom,” was the federal component of Belgian law enforcement until the integrated police force was established. Initially, the gendarmerie was a branch of the Belgian military, but lost that status in 1992. By the end of 1999, over 16,000 personnel were assigned. The Gendarmerie included several specialized assignments, such as the Central Intelligence Bureau, Special Intervention Squadron, Railroad Police, Maritime Police (including maritime, fluvial, and harbor police), Airport Police, Court and Corrections Police, Transport Police, and a General Reserve. For the Railroad Police, the rank of the officer in charge determined the size of the jurisdiction around the railroad stations. The Transport Police were also assigned the railways, airport and maritime, and roads as well as control of trucks, buses, and personal cars including weight, needed papers, security, and driving times. The General Reserve was composed of two infantry and two mounted companies. The mounted companies



provided the Royal escort and also were available for riot control. Gendarmerie duties also included schools, anti-terrorism, antidrug enforcement, protection and security of the Belgian embassies in foreign countries, close protection for VIPs, transfer of prisoners. The force was commanded by the Lieutenant-General Commander of the Gendarmerie.

The Judicial Police were created in 1919 to compensate for the lack of other Belgian police available for criminal investigations. There was also a need to provide magistrates the disposal of its own police department. There were about 1,400 officers broken down into 23 brigades, under overall command of the Commissioner-General. Twenty-two of the brigades were assigned to the 27 judicial districts in the country, while the 23rd was assigned as a national brigade against “high criminality.” Each brigade was commanded by a Chief-Commissioner who reported to the Prosecutor of the King. They all worked in plainclothes. Assigned duties included a

national computer crime unit and judicial police laboratories.

The Municipal/Rural Police comprised a total of about 18,000 personnel. The large cities were headed by a Chief-Commissioner and the smaller cities by a Commissioner. Small communes were led by a Commissioner of Rural Police. There were 589 departments, all with emergency police and traffic brigades. The largest departments had judicial brigades and antiaggression brigades assigned.

A “Committee P” was also established as a permanent control committee for the police services, akin to many agencies’ internal affairs divisions. This unit was assigned to the Federal Parliament and was composed of police officers coming from various forces and departments around the country and also included a retinue of civilians.

The SGAP was also formed to provide general service and support for the police and to assist with coordination between various departments and agencies. This agency provided central judicial and police documentation, a central description bulletin (of searched persons, etc.) support to Interpol and Europol, as well as management of the Municipal Police departments’ electronic system.

**Structure and Organization.** Major reform was initiated April 15, 2000, involving all law enforcement in the country, combining agencies and streamlining overall structure. Law enforcement currently operates at two levels: federal and local. Soon after the reform, one report noted the Federal Police employed about 12,000 police officers and approximately 2,500 other workers. According to Chief Inspector Yvon Goffard of the Belgian Federal Police in March 2004, the establishment of the Federal Police and Local Police was finalized on January 4, 2001, and January 1, 2002, respectively, with a current total of 40,000 policemen. 11,000 are assigned to Special Services under the Federal Police and the remaining 29,000 comprise the Local Police community policing efforts divided into 196 police zones (territories). Belgian cities fall within various police zones.

Some special investigation departments are available to help the local police in their investigations, to include: the strategic analysts’ special unit, behavioral sciences’ special unit (profiling), a special unit for the hearing of children, and the polygraph special unit. Testing for drugs and human samples is conducted on both local levels and at national laboratories depending on the situation.

The hierarchy of Belgian Police is as follows:

- *General commissioner:* Commander of the Belgian Police

- *General director* (rank of police chief): 5 general directors are in charge of the 5 general directions of the staff headquarters of the Federal Police
- *General officer:* chief of police (in charge of a police zone)
- *Officer:* police captain
- *Noncommissioned officer:* Lieutenant
- *Police inspector*
- *Police assistant*

Special police services include:

- Canine support department
- Air support department
- Special Intervention Unit (DSU), special forces of the police
- Traffic police
- Railway Police
- Waterway police
- Protection services (protection of the King and VIPs) and international missions
- Scientific and technical police
- Disaster Victim Identification

Monthly salary ranges are:

- Officer: 1,450 euro (\$1,800)—2,320 euro (\$2,881)
- Chief inspector: 1,285 euro (\$1,597)—1,860 euro (\$2,310)
- Police inspector: 1,203 euro (\$1,494)—1,480 euro (\$1,838)
- Police assistant: 1,136 euro (\$1,410)—1,395 euro (\$1,732)

Standard retirement is at the age of 65, but some categories of personnel may retire, under some conditions, at the age of 58 or 60.

**Uniforms and Equipment.** The shirts are light blue and the pants dark blue. The Federal Police logo is a white flame on a blue background that will be used on the hats, collars, or shoulder badges.

The police arsenal includes the .38mm handgun, semiautomatic gun GP 9mm, machine-gun type Uzi, shotgun 12mm (riot-gun), stun-gas spray, teargas grenade for the maintenance of public order, and night sticks (short and long).

The Belgium Police were the first in Europe to pioneer face recognition technology nationwide. This is done by comparing images to photos in the national



***Mounted police guard a house owned by a French forest ranger who allegedly kidnapped and murdered eight young girls, April 13, 2005. The ranger, Michel Fourniret, lived near Sart Custinne in southeast Belgium. Police and judicial officials searched his house for more bodies and evidence in the investigation. AP IMAGES.***

database, which will include all mug shots taken digitally across the nation. Law enforcement has many Web sites available for use in French or Dutch, and current statistics and law enforcement related information is available online.

Belgian communications are state of the art, using a centralized network called ASTRID, for all the special services (police, ambulance, civilian rescue organizations, etc.). ASTRID is based on the TETRA (Terrestrial Trunked Radio) which has been a European standard for voice and data digital radio communications, and has since become recognized as a worldwide standard of reference, using the 380 to 400 MHz frequency range. Police are dispatched using computer-aided dispatching technology.

**Community Relations.** The Local Police is established as a community oriented police and are in charge of pre-

liminary inquiries. When the enquiry seems to be important, the Federal Police respond to assist them.

**Education and Training.** Education for Belgium's law enforcement community can be seen as broken into two distinct groups. One is education provided for the Belgium police and the other the Belgian Gendarmerie.

An associate level of police education is available for the Gendarmerie, but not for the police. This education can be obtained in educational institutions (i.e., colleges and academies) that are run by the police. The prerequisite is two years as a police officer, and then a mandatory obligation of one and a half times the length the education took is added to their service requirement. While some countries recognize the associate level of education as an associate degree in nonpolice fields, Belgium recognizes it only within the law enforcement community. Both males and females are eligible and after graduation, the employee receives additional on-the-job training. Upon graduation, however, the education guarantees the rank of "Opperwachtmeester" in the bureaucratic structure. Course curriculum for the associate level education includes 20 percent Law, 20 percent Police Administration and Management, 20 percent Criminalistics and Criminology, 20 percent Other Police Related Subjects, and the other 20 percent is dedicated to General Subjects.

Higher police education is also available only to the Gendarmerie. Unlike the associate level, no previous police experience is needed for this level of education. It is still available to men and women. The course curriculum is general based across the same range of subjects, but with 50 percent dedicated to General Subjects, 20 percent to Other Police Related Subjects and 10 percent to the other categories. This program forms a part of a Bachelor of Arts degree, but unlike the associate level education, there is no guarantee of rank when finished and no mandatory duty after graduation.

A third level of education is also available exclusively to the Gendarmerie, a bachelor's level police education available to both men and women. The schools are operated by the police and previous experience or application to the police is required for enrollment. After completion, another year and a half times the study time must be added to the employment requirement. This degree is recognized outside of police work and guarantees a certain rank in the police hierarchy. The program takes four years and again the course load includes general topics. Twenty percent is dedicated to Law, 10 percent to Police Administration and Management, 30 percent to Criminalistics and Criminology, 20 percent to Other Police Related Subjects and the final 20 percent to General Subjects. A master's and doctoral level police education is not available in Belgium.

The second type of schooling is defined as Police Training, which is similar to what would be commonly labeled as “in-service training” in the United States. These courses may last anywhere from one day to a year and training is a process of imparting or acquiring particular knowledge or skills necessary for police work, but are not applied to a degree, even though completion may lead to a certificate of some type. All basic training for Belgium Police is conducted in police training centers, and the course curriculum is the same regardless of the trainee’s level of formal education. Active police personnel assist in the training as part-time instructors, but full-time employees from police educational institutions are also utilized. The course of instruction includes the following subjects: law (traffic, penal, civil, penal procedure, criminal, criminal procedure), general legal and administrative knowledge, psychology, crime prevention, youth problems, drug related problems, informatics, criminalistics, crime scene investigation, patrolling, stopping vehicles, crime-related information gathering, witness interviewing, intervening in public disorders, and history of law enforcement. The following skills are also taught: criminal evidence handling, traffic regulation, self-defense, swimming, shooting, report writing, first aid, communication, using computers, public relations, crowd control, using batons, handcuffs, gathering information, using correct police procedure, documenting, using technical equipment, cooperation in group decision making, administrative skills, foreign languages, and physical training.

Management training is also available to police and gendarmerie who are of higher rank or acting in a supervisory capacity. Again, police instructors conduct this training exclusively within police training centers. The training is not always necessary for promotion, but some management positions include the training as a prerequisite. Managers and supervisors tend to receive about 60 training hours per year. The curriculum specifically includes topics such as coaching, leadership, negotiation, effective meeting conducting, listening and communication skills, delegation, and project and operation management. The topics fall under three categories. The first is Organizational Behavior (leadership, motivation, working with groups, team building, stress management, conflict management, decision making). Next is Human Resource Management, which includes recruiting and selection, career development, human resource development and training, and effective use of human resources. The third category is Supervision and Management of Police Operations.

Belgium has eight police training institutions that provide the basic, specialized and management training. Belgium does not offer a police high school education and statistics show no employment of person’s not

having graduated from high school. It is unclear from available data whether a high school education is a prerequisite of employment. Ninety-four percent of Belgium Police enter the organization after completing high school, 5 percent after completing an associate level education, and 1 percent after completing a higher professional education degree. The schooling lasts about ten months. Subsequent “specialized police training” is also available for areas such as motorcycle police, dog handlers, shooting instructors, self-defense instructors, as well as in the areas of traffic, horses, dogs, and criminal investigation where additional, specific and detailed knowledge is deemed necessary. This training is done exclusively at police training centers and is conducted in conjunction with on-the-job training and tends to last from one day to as long as four weeks, depending on the specialty.

**Police Statistics.** The Sixth United Nations Survey on Crime Trends and the Operation of Criminal Justice Systems released on March 15, 2000, reported the police budget at \$2,351.3 million in 1997, the most recent data available. The *European Sourcebook*, in the article “Police Statistics,” shows that Belgium law enforcement had a ratio of 300 to 399 officers per 100,000 of its population in 1995. As noted previously, there are currently 40,000 officers for a population of approximately 10.2 million. There are currently 3,900 Officers, 8,800 Chief Inspectors, and 27,000 Police Inspectors.

#### CRIME

Similar to other countries, crime rates are increasing, yet are still quite low. According to the *CIA World Factbook*, they are “a growing producer of synthetic drugs, a transit point for U.S.-bound ecstasy, a source of precursor chemicals for South American cocaine processors, transshipment point for cocaine, heroin, hashish, and marijuana entering Western Europe, money laundering related to trafficking of drugs, automobiles, alcohol, and tobacco.”

In January 2001 the Belgian federal government redefined the drug policy for the nation in effect “adopting a kind of tolerance policy towards cannabis. Possession of a small amount of cannabis for his/her personal use will no longer be prosecuted [even though it remains illegal]... [W]hen the drug consumption causes social nuisance (consuming drugs in the presence of minors, smoking near schools or in situations where it may disturb other people), the police will serve a summons. Other illegal drugs (cocaine, heroine, ecstasy, etc.) remain forbidden” (Belgian National Report on Drugs 2001, p. 17). The same report noted that about 12 percent of students aged 15 to 16 years experienced with cannabis at least once during the last month, and about 20 percent of students aged 17 to 18 in the same time period. After age

15, “cannabis derivatives are the products most used” (Belgian National Report on Drugs 2001, p. 9). One report notes the maximum drug trafficking penalty is currently set at 20 years (“Drug Intelligence Brief” 2002, p. 4).

**Organized Crime.** Ernesto Savona provides a glimpse of organized crime in his working paper titled “Organized Criminality in Europe. A Descriptive Analysis.” Belgium’s central location in Eastern Europe, international airports such as in Antwerp, and large ports have resulted in the development of “domestic bilateral organizations” influenced by Italian organized crime groups that participate in the drug trade. Colombian cartels, working with the Spanish Galician and Italian Mafia, distribute cocaine. Chinese triads, whose main activities include drug trafficking, alien smuggling, local extortion, illegal gambling, and prostitution rackets, have established stable communities in the country. Additionally, he relates that “Belgium is a consumer market for synthetic drugs and the trafficking is carried out through co-operation between networks of Belgian and Dutch citizens” (1997, p. 2). Savona adds that well-established criminal trading communities within the nation have arisen from extensive organized crime networks who thrive on fraud against the financial interests of the European Union as a whole. His analysis showed that local criminal groups specialized in the production and export of synthetic drugs in and outside the European Union, and white-collar criminals are primarily responsible for the fraud cases (1997, pp.5–6). With regard to enforcement, Savona notes that as the criminal organizations have become better established, the “hierarchical distance between the leaders . . . and the rank-and-file is increasing, thus causing the ‘trail of evidence’ linking the crime with the top leaders to become obscured, providing insulation from law enforcement” (1997, p. 6).

## HUMAN RIGHTS

Belgium has been a proactive member of the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment of Punishment ratified by 132 countries, as well as the Geneva Convention ratified by almost all countries. Until recently, Belgium was one of a very few countries who would undertake investigations into charge of atrocities committed regardless of where the crime took place and even if none of its citizens were a victim and the suspect was not Belgian. However, in April 2003 amendments were adopted to limit the acceptance of cases where there is no connection with Belgium and bring the country more in line with the Roman Statute of the ICC and International law on immunity.

In the 30th Session of the Committee against Torture, held April 28 to May 16, 2003, a report states

that Belgium has expanded upon the definition of torture as previously agreed upon by the committee, indicating a true concern for human rights. The report further addressed the committee’s concern about a lack of available medical facilities and legal counsel to detainees during the 24-hours following apprehension. Complaints were also raised about repeated allegations of harsh treatment and the use of force against demonstrators and asylum seekers when they arrived or were deported. The committee submitted recommendations to enhance training for medical and penitentiary staff to limit violence and abuse by both the officials and the prisoners.

On a more specific level, the Federal Police set up an internal service for prevention and protection at work, concerning the issue of Occupational Safety and Health (OSH), in accordance with laws for all Belgian employees. The goal is to promote the most favorable social climate and working environment possible within the framework of statutory provisions. Concern for employees is shown in the liaison that the internal OSH service has with other departments providing necessary services to police such as stress relief, and the occupational medicine service. The program operates at a local level that leads to flexibility in handling specific topics as they develop and issues of limited duration. Another agency with strong local affiliation is the Belgian Information REITOX Network that cooperates with the National Focal Point and the regions or communities regarding drugs and drug addiction. They monitor treatment, health care and conduct drug research and epidemiological surveillance, among other drug prevention efforts. The U.S. Drug Enforcement Agency (DEA), in its “Drug Intelligence Brief,” notes, “all regions in Belgium are implementing drug hotlines and HIV and hepatitis prevention programs” (“Drug Intelligence Brief” 2002, p. 3).

Human rights have improved in the military sector as well. The Belgian government currently prohibits the participation of military persons under 18 years old from serving in combat.

## CORRECTIONAL SYSTEM

According to the DEA intelligence division, Belgium’s prison system has established “drug free” sections in the prisons “to segregate non-users in an attempt to prevent an increase in users in the penal system” (“Drug Intelligence Brief” 2002, p. 1).

### Prison Statistics.

- Total Prison Population: 9,245
- Prison Population Rate per 100,000: 88
- Pretrial Detainees: 39.1%

**Belgium**

- Female Prisoners: 4%
- Juvenile Prisoners: 1.1%
- Number of Prisons: 34
- Official Capacity of the Prison System: 8,092
- Occupancy Level: 113%

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*Timothy Ocnaschek  
Nathan R. Moran  
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# Belize

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**Official country name:** Belize

**Capital:** Belmopan

**Geographic description:** Middle Central American country bordering the Caribbean Sea, between Mexico and Guatemala

**Population:** 279,457 (est. 2005)



## LAW ENFORCEMENT

**History.** The first constabulary force in British Honduras (as Belize was known until 1973) was formed in 1885. It was populated by men imported from Barbados, as local men were opposed to enlistment, and retained a military character until it became the British Honduras Police Force in 1902. In 1957 the first commissioner was appointed. Following the country's independence in 1973, the agency became the Belize Police Force.

**Structure and Organization.** Directly subordinate to the Ministry of Home Affairs, the Belize Police Force is headed by a commissioner and is divided territorially into eastern (including Belmopan and Belize City), central, and western agencies. The police headquarters is in the former capital of Belize City, but the commissioner resides in Belmopan.

There are three operational branches at the headquarters: General Duties, Criminal Investigation, and Special. The Special Branch is the internal security organ.

In descending order, the principal ranks are:

- Commissioner
- Assistant Commissioner



- Senior Superintendent
- Superintendent
- Assistant Superintendent
- Inspector
- Assistant Inspector
- Sergeant
- Corporal
- Constable

**Uniforms and Weapons.** The main working dress for sergeants and lower ranks consists of a dark-blue peaked cap, khaki shirt, blue serge trousers with a green seam on both sides, and a brown leather belt. Ceremonial uniforms include a white tunic with a white buff belt. Members of the Special Branch wear plainclothes.



**Education and Training.** Education is provided at the police training college at Belmopan. British influences are prominent in training programs.

**Police Statistics.**

- Total Police Personnel: 865
- Population per Police Officer: 323
- Percentage of Women Police: 9%

**HUMAN RIGHTS**

The government generally respects human rights but less so in matters involving the police. There are reports of unlawful police killings, brutality, excessive use of force, arbitrary arrest, and detention. Allegations of abuse by officials are investigated by the police department's Internal Affairs Department (IAD). In 2003 there were 322 sanctions against police officers by the IAD. An Amnesty International study found that human rights violations by the police were sporadic but that the government was slow to take action against errant officers. There is also a Human Rights Commission that monitors police actions that violate human rights.

**CRIME**

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

- Murder: 12.8
- Assault: 20
- Burglary: 600
- Automobile Theft: 4

**CORRECTIONAL SYSTEM**

Prisons are administered by the Superintendent of Prisons, who heads the Department of Corrections under the Ministry of National Security.

Pretrial detainees are housed separately, but first-time offenders are housed together with hardened criminals. There are reports of physical brutality by prison wardens. Troublesome inmates are beaten and then placed in isolation wards, which measure eight feet by

ten feet and are unlit and unventilated. Prisoners in isolation wards are served a diet of bread and water. Incidents of gang- and drug-related violence are common. There are frequent prison breaks and smuggling of weapons such as machetes and guns. A few inmates are allowed to work outside the prisons, often in construction. Otherwise, opportunities for work or skills training are limited.

Hattieville Prison, the only prison in the country, includes a separate facility for women, where conditions are significantly better and where each inmate has her own bed. The inmates in this facility also have access to vocational and limited educational programs.

In 2002 the government privatized the management of the Hattieville Prison. The Department of Prisons retained oversight, but management was taken over by the nonprofit Kolbe Foundation created by the Prison Advisory Board and the Rotary Club.

**Prison Conditions.** Overcrowding is a serious problem in Belize's prison. The occupancy level is 219.4% over capacity. More than 150 inmates share 30 cells, with only 30 beds and one bathroom. The roofs leak and the cells are flooded during rain. Uncovered buckets are used as toilets. Meals are delivered in small buckets on wheelbarrows. Prisoners have to pay for their own medicine and treatment. The prison medical budget is only 25 cents per inmate per month.

**Prison Statistics.** The only prison in the country is the Hattieville Prison.

- Total Prison Population: 1,097
- Prison Population Rate: 459
- Pretrial Detainees: 12.2%
- Female Prisoners: 6.4%
- Number of Prisons: 1
- Official Capacity of Prison System: 500
- Occupancy Level: 219.4%

*George Thomas Kurian*

# Benin

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**Official country name:** Republic of Benin  
**Capital:** Porto-Novo; Cotonou (seat of government)  
**Geographic description:** In West Africa, between Nigeria and Togo  
**Population:** 7,460,025 (est. 2005)



## LAW ENFORCEMENT

**Structure and Organization.** The National Police of Benin is composed of the Gendarmerie Nationale and the Sûreté nationale. The Gendarmerie is by law a regular branch of the armed forces and is concerned with the maintenance of law and order. Though under the jurisdiction of the minister of defense, it has separate hierarchy and is divided into six companies. The Sûreté nationale is involved in criminal and investigatory work.

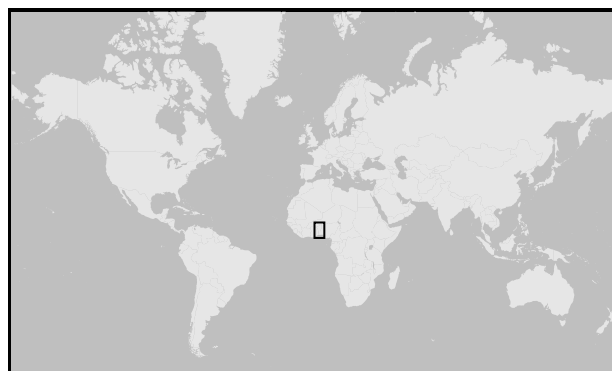
### Police Statistics.

- Total Police Personnel: 2,166
- Population per Police Officer: 3,444

## CRIME

**Crime Statistics.** Offenses reported to the police per 100,000 population: 297. Of which:

- Murder: 5.1
- Assault: 102
- Burglary: 4.6
- Automobile Theft: 0.6



## CORRECTIONAL SYSTEM

Prisons are under the Ministry of Justice, Legislation, and Human Rights and are administered by a director.

**Prison Conditions.** Prison conditions are extremely harsh and are characterized by a lack of proper sanitation and medical facilities, overcrowding, malnutrition, and disease. Family members are expected to provide food for inmates to supplement food rations. Women are housed separately but juveniles and pretrial detainees are housed with convicted prisoners. The prison at Natitingou is the only prison that is not overcrowded.

**Prison Statistics.** There are eight prisons, with an official capacity of 1,950 and a prison population of 4,961. Per 100,000 population, the prison inmate rate is 81. About 64.5% of the inmates are pretrial detainees, 3.5% women, and 1% juveniles. In 2004 a new prison opened at Akpro-Misserete in Oueme Department.

*George Thomas Kurian*

# Bermuda

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**Official country name:** Bermuda

**Capital:** Hamilton

**Geographic description:** Group of islands in the North Atlantic Ocean

**Population:** 65,365 (est. 2005)

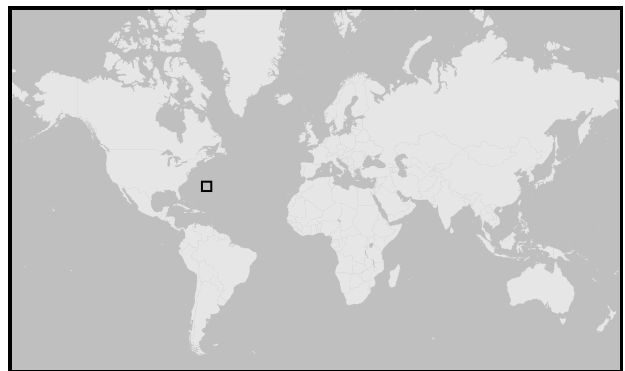


## LAW ENFORCEMENT

**History.** The island was first settled in 1609, and the settlers tried a number of police systems borrowed from their home country of England. These included parish constables and a town watch. The first islandwide police force was instituted in 1879.

**Structure and Organization.** For operational purposes the headquarters in Hamilton consists of four divisions: Operations, Eastern, Western, and Central. Headquarters is responsible for administration, finance, provost marshal, general stores, Criminal Investigative Division (CID), prosecutions, recruitment, training, crime prevention, and public relations. The three territorial divisions are responsible for general duties, personnel, parish constables, and CID. The Central Division is also in charge of the Marine Section and the Women Police. The Operations Division is in charge of Traffic Section, Information Branch, Motorcycle Patrol, Driving School, Radio Section, and Beach Squad. The administrative divisions are led by chief inspectors and the territorial divisions by inspectors. There is a reserve constabulary of 300.

In descending order, the principal ranks are:



- Commissioner
- Deputy Commissioner
- Chief Superintendent
- Superintendent
- Chief Inspector
- Inspector
- Sergeant
- Constable

**Education and Training.** Training for all ranks is provided by the Police Training School in Hamilton.

**Uniforms and Weapons.** There are two basic uniforms, one for summer and another for winter. The summer uniform consists of a light-blue (white for officers) short-sleeved, open-neck shirt, a black webbed belt, navy-blue shorts, navy-blue long hose, and black shoes. The winter uniform is basically identical to that worn by British

policemen except that it is lightweight. Plain flat black caps are worn by all ranks, with the exception of beat personnel, who wear helmets. Police personnel are unarmed.

**Police Statistics.**

- Total Police Personnel: 382
- Population per Police Officer: 171

**HUMAN RIGHTS**

The government respects the constitutional commitments to protect human rights. The police department has internal controls to monitor police behavior and punish the use of excessive force.

**CRIME**

**Crime Statistics.** Offenses reported to the police per 100,000 population: 8,871. Of which:

- Murder: 5.1
- Assault: 221.7
- Burglary: 1,949.2

**CORRECTIONAL SYSTEM**

**Prison Conditions.** The prison conditions meet international standards in terms of food, medicine, and ventilation.

**Prison Statistics.**

- Total Prison Population: 343
- Prison Population Rate per 100,000: 532
- Pretrial Detainees: 19.2%
- Female Prisoners: 10.5%
- Juveniles: 5.6%
- Number of Establishments: 3
- Official Capacity of the Prison System: 369
- Occupancy Level: 93%

*George Thomas Kurian*

# Bhutan

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**Official country name:** Kingdom of Bhutan

**Capital:** Thimphu

**Geographic description:** A landlocked country in the high Himalayas between India and China

**Population:** 2,232,291 (est. 2005)



## LAW ENFORCEMENT

**Structure and Organization.** The national police is the Royal Bhutan Police under a commissioner who is stationed in Thimphu. It is sometimes assisted by a national militia. There are police outposts in each block that report to the superintendent of police in each district. There is a special unit in charge of criminal investigation. Superior police officers are sent to India for training. Policemen are generally unarmed.

## CORRECTIONAL SYSTEM

The principal prison is in Thimphu, but there are smaller jails in every district. The Chemgang Prison is five miles



east of Thimphu. The total prison population is estimated to be 1,400, of which 35% are pretrial detainees.

**Prison Conditions.** Prison conditions are austere because of the small budget of the prison service. Prisoners receive small food rations and little or no medical services. The prison buildings tend to be ill maintained.

*George Thomas Kurian*

# Bolivia

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**Official country name:** Republic of Bolivia

**Capital:** La Paz

**Geographic description:** A landlocked country, fifth in size in South America

**Population:** 8,857,870 (est. 2005)

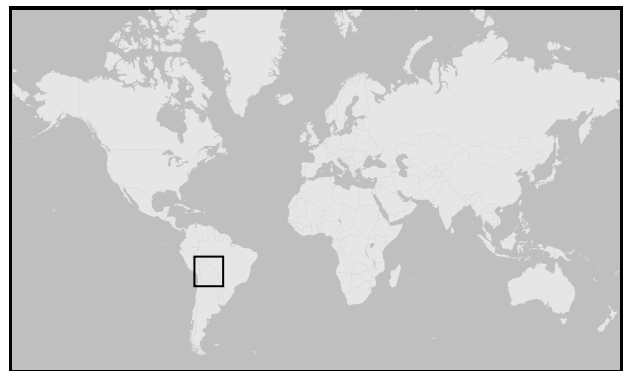


## LAW ENFORCEMENT

**History.** Bolivia has one of the most centralized law enforcement agencies in Latin America. Its constitution defines law enforcement as one of the functions of the central government. Police organization and functions were first spelled out in an 1886 law, which remained unchanged until 1950 when it was substantially revised in the Organic Law of Police and Carabineros, also known as Law No. 311. Together with the law of 1886, it provides the legal basis for the present-day police system.

Until the Revolution of 1952, the Police Corps was subordinate to the regular armed forces and the most senior police posts were given to army officers. The situation changed radically in 1952 with the rise to power of the Movimiento Nacionalista Revolucionario (MNR; National Revolutionary Movement). The Corps sided with the MNR and was rewarded with greater autonomy. During this time, it also received technical assistance from the United States.

**Structure and Organization.** Under the constitution, the president of the republic is the commander in chief of the National Police Force of Bolivia (PNB), the National



Corps of Carabineros (rural police force), and other police units. In this capacity, he names the director general of the PNB and other key officials. During times of internal unrest, the president may take over the direct control of the police. In times of war the uniformed carabinero units may be transferred to the Ministry of National Defense and their operations integrated with those of the armed forces.

Administrative jurisdiction over the police is vested in the Ministry of the Interior. Operational control rests with the director general, who may hold the rank of a colonel if he is a career police officer. The director general is also the commandant of the National Police Academy, the head of the National Identification Service, and liaison with the Interpol. The Interpol connection is significant because Bolivia is one of the chief producers of coca leaves from which cocaine is made. The office of the director general consists of a command group and twelve numbered staff sections.

Under the Office of the Director General in La Paz, field elements are stationed in all areas of the country where they function outside the control of departmental, municipal, or provincial governments. Subordinate headquarters, known as brigades, are established in each of the nine departments. Each brigade is divided into two commands, one urban and the other provincial. The urban command, at the departmental capital, has charge of the police stations and local jails, and is divided into sections with assigned personnel to patrol and carry out criminal investigations.

Most corps personnel and units within a department, regardless of their size, composition, mission, or station, are considered part of the brigade in the area they serve and are members of a single departmental unit. An exception is the city of La Paz, where two separate regiments of the police are kept under the direct control of the director general and the president. Other exceptions are made in sections of the country where dependence on the regular departmental brigade forces is not deemed advisable or feasible. Two such areas—San Ignacio de Velasco in Santa Cruz department and Tupiza in Potosí—have independent carabinero detachments besides the departmental brigades.

Certain departmental brigade personnel of the rural command are on duty at a series of frontier posts scattered at twenty-seven critical points along the border and at river and lake ports of entry. They include customs police now integral to the corps, as well as uniformed carabineros engaged in combating smuggling and illegal border crossing.

Most of the police force is concentrated in the La Paz area where about 50% of its uniformed members and 60% of its civilian personnel are stationed. Elsewhere, the national distribution of the corps is in direct proportion to the density of the population or the strategic importance of the area. Within the corps itself approximately 80% are uniformed carabineros and about 20% are civilian police investigators, specialists of the identification service, and minor functionaries. Both elements are undermanned, particularly in the field of routine police activities. In La Paz there is a small forensic laboratory. Some use is made of police informers if funds are available, but crimes are solved mainly through periodic roundup of all known miscreants.

Besides the corps, two other official agencies are involved in the maintenance of public order. One is the Directorate General of Traffic and Travel, and the other is the Municipal Police. The Judicial Technical Police conducts investigations for common crimes that do not involve narcotics. The Special Counternarcotics Force, including the Mobile Rural Patrol Unit, is dedicated to antinarcotics enforcement.

**Education and Training.** Corps personnel are usually men between the ages of twenty-one and twenty-five who have already completed their tours of obligatory duty in the army. They usually come from the lower economic strata and are, in most cases, illiterate. Pay scales are low, opportunities for personal betterment and advancement are rare, and little prestige, if any, is attached to police work.

The quality of officers and higher civilian employees, drawn mainly from the small urban middle class, is relatively higher. Officers receive their commissions regularly following graduation from the National Police Academy, by transfer or after retirement from commissioned status in the armed forces, or by direct political appointment for demonstrated ability or by outright patronage. Civilians are nearly always political appointees. Cadets accepted for the National Police Academy are not subject to the age limitations for military service and matriculation automatically exempts them from their military obligations. Entrance requirements are minimal. Since 1956 cadets receive specialized training in criminal law personnel administration, police methods and techniques, and riot control tactics. Following graduation, cadets receive a bachelor of humanities certificate, a symbolic saber, and a commission as a second lieutenant in the carabineros.

Personnel of the corps are classified into three groups. The first is made up of uniformed personnel. The second includes technical and auxiliary personnel chaplains, physicians, social workers, and communication and transportation workers, who may be uniformed carabineros or civilians. The third group is exclusively civilian and consists of investigators and detectives.

Uniformed personnel have three classifications, with three grades in each class. In descending order, the classifications are field officers (*jefes*), company officers (*officials*), and privates (*tropes*). Uniformed personnel are promoted on the basis of annual examinations. Captains and sergeants must spend five years in a grade before becoming eligible for promotion. Civilian personnel have only a two-tier hierarchy composed of superiors (*funcionarios superiores*) and subordinates (*funcionarios subalternos*).

In-service training is provided by the National Police Academy while some officers are sent abroad for special training. The academy offers a four-year program for privates and agents covering riot control, police ethics, and unarmed combat; for civilian detectives, scientific crime detection, criminal law and procedure, and methods of interrogation and identification; and for officers, tactics and administrative functions. For noncommissioned grades, there are additional courses in public relations, preparation of reports, personnel management,



*Bolivian police forces take cover as stones are thrown by demonstrators at a protest in El Alto, Bolivia, March 3, 2005. The demonstrations were part a general strike called to shut down a French-owned utility company. Protestors claimed the company failed to provide water to thousands of poor residents in El Alto and La Paz. AP IMAGES.*

and leadership. Other types of training, such as self-improvement courses, are offered at off-duty classes in universities. A specialized course in counterinsurgency is offered at the police academy.

The Young Men's Basic Police School provides a one-year training course at the operational level for subalterns. The Higher Police School prepares officers for management duties and police operations.

#### Police Statistics.

- Total Strength of the Police Force: 17,000
- Population per Police Officer: 521
- Percentage of Women Police: 10%

#### HUMAN RIGHTS

The government generally respects human rights, but problems remain in certain areas because of legal and institutional deficiencies. There are a number of allegations of torture by the police and security forces. There are also credible reports of use of excessive force, petty

theft, extortion, and improper arrests. Investigations of alleged official abuses are slow. At times, the police arbitrarily arrest and detain persons, and during violent demonstrations, they are known to kill protesters.

#### CRIME

**Crime Statistics.** Offenses reported per 100,000 population: 660. Of which:

- Murder: 28.6
- Assault: 59.4
- Burglary: 0.9

#### CORRECTIONAL SYSTEM

The Penal Code recognized three types or orders of punishment that may be imposed on criminals, regardless of whether the offense was a misdemeanor or a felony: corporal punishment, such as imprisonment; noncorporal punishment, such as deprivation of civil rights; and pecuniary punishment, such as fines. Capital punishment was abolished in 1961 but was restored in 1973.



The national penitentiary is at La Paz and there is one in each of the nine departments. Most provinces have jails of their own. Other facilities include a correctional farm at Caranavi, a reformatory for women at La Paz, and three reformatories for juveniles, one at La Paz and two near Cochambamba. These institutions, with the exception of the reformatories, are under the Ministry of the Interior.

The Correctional Farm at Caranavi is the best run correctional institution in the country. Regulations there are strict, prisoners are secluded in their cells at night, communication with the outside world is closely regulated, and families are rarely permitted to visit inmates. But meals are better than in urban prisons and prisoners engage in common work in the fields. The Women's Reformatory at La Paz is run under contract by a Roman Catholic order of nuns.

**Prison Conditions.** Prison conditions are harsh. Prisons are generally overcrowded. With the exception of the maximum-security prison at Chonchocoro in El Alto, prison authorities have effective control of only the outer perimeter of prisons. Inside prison walls, prisoners have free rein. Violence among prisoners and between prison guards and prisoners is common. Corruption is a problem among low-ranking and poorly paid prison guards and wardens. Detention centers, which house the accused before the completion of their trials and sentencing, are also overcrowded.

According to the director general of the Penal System, there are 7,165 prisoners in facilities designed to hold 4,700 persons. The majority of all prisoners are held for narcotics crimes. The Pardon and Extraordinary Freedom Jubilee 2000 Law has begun to reduce overcrowding. The law pardons prisoners below the age of twenty-one and older than the age of sixty, reduces felony sentences by one-third for all persons sentenced before August 2000, and prisoners who are parents of minor

children and have completed at least 50% of their sentences. The law does not apply to prisoners convicted of murder, treason, terrorism, rape, kidnapping, and narcotics traffic.

A person's wealth can determine cell size, visiting privileges, day-pass eligibility, and place or length of confinement. Cell prices range from \$20 to \$5,000 and are paid to prior occupants or to prisoners who control cell blocks. In the poorest parts of San Pedro prison in La Paz, inmates occupy tiny cells that measure three by four by six feet, with no ventilation, lighting, or beds. Crowding in such low-rent cells obliges inmates to sleep sitting up. Children up to six years of age are permitted to live with their incarcerated parents, but children as old as twelve sometimes do. The standard prison diet is so poor that it causes anemia. The government budgets only 32 cents per prisoner per day for food. Prisoners who can afford to supplement their diet do so at their expense.

There is no adequate health care within the prisons, and only affluent prisoners get permission for outside medical treatment. Drugs and alcohol are readily available for those inmates who can pay.

**Prison Statistics.**

- Total Prison Population: 8,315
- Prison Population Rate per 100,000: 102
- Pretrial Detainees: 36%
- Female Prisoners: 16.7%
- Juveniles: 10.6%
- Number of Prisons: 89
- Official Capacity of Prison System: 4,959
- Occupancy Level: 162.5%

*George Thomas Kurian*

# Bosnia and Herzegovina

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**Official country name:** Bosnia and Herzegovina

**Capital:** Sarajevo

**Geographic description:** Almost a landlocked country in southeastern Balkans; a narrow corridor extends to the Adriatic Sea

**Population:** 4,025,476 (est. 2005)



## LAW ENFORCEMENT

The situation in Bosnia-Herzegovina is unique. This small nation, or better put, this small federation, is the product of military and social intervention from numerous outside entities. Having once been a part of Yugoslavia, Bosnia-Herzegovina is now a war-torn nation being rebuilt into a democratic entity. In the process, its criminal justice system is being virtually created within the evolving governmental infrastructure. This civilian criminal justice system often works in conjunction with peace-keeping forces within the area. Due to the new establishment of this unstable nation and equally due to the inadequate nature of the Bosnian-Herzegovinian criminal justice system, much of this country's information is scarce or ill defined. Record keeping in this country is extremely new and lax. In mid-2005 numerous entities were involved in maintaining order and in creating both a government and criminal justice system. Thus, statistical facts and/or data were virtually nonexistent.

**History.** After four years of intensive conflict, the war in Bosnia and Herzegovina was finally brought to an end with what is commonly known as the Dayton Peace



Accords in December 1995 (note that this occurred in Dayton, Ohio, in the United States of America). The international community, having invested so much in the peace process in this country, became intimately involved in implementing the accords as part of an unprecedented effort at postconflict peace-building. The goal was to prevent further warfare and to build a national infrastructure that could ensure lasting peace. This required cooperation between three warring factions—the Bosnian-Muslim forces, the Bosnian-Croat Croatian Defense Council, and the Bosnian-Serb Army—that had wracked the country with nonstop warfare. This ultimately resulted in the establishment of the Bosnia and Herzegovina Federation and the Republic of Srpska, which together form the state of Bosnia and Herzegovina.

The United Nations (UN) implemented several programs of force restructuring to create a new professional police force. The UN created, as part of the UN Mission in Bosnia and Herzegovina (UNMIBH), the International

Police Task Force (IPTF) that, in turn, developed a three-point plan concentrating on: (1) restructuring a postcommunist and postparamilitary police force, (2) reforming the police through training, selection, certification, and decertification procedures, and (3) making a democratic police force by establishing a nonpolitical, impartial, and multiethnic police force that utilized principles of community policing.

**Structure and Organization.** As of 2005, the Bosnian police system, which is at best a loose term, was going through a transition period. Specifically, the NATO-led Implementation Force was being replaced with the European Union's own oversight personnel. In the midst of this external military policing from other countries, the Bosnian system was slowly developing as an organized civilian police force. Numerous agencies came together to provide assistance in the building of this civilian police force. Some of these were the U.S. Department of Justice's International Criminal Investigative Training Assistance Program (ICITAP), the European Union's Immigration Pact Team, the UN High Commissioner for Refugees, the Office of the High Representative's Antifraud Department, and many others.

There are basically two entities (the Federation of Bosnia and Herzegovina and the Republic of Srpska) that maintain their own police forces under the control of their respective interior ministers. Authority over the police is further decentralized in the federation, with each of the ten cantons also possessing a ministry of the interior. While the Republic of Srpska police are merely subdivided geographically into regional public security centers and local police stations, the chiefs of which remain directly accountable to the Republic of Srpska's interior minister.

The limited policing power of the federation is reflected by the short list of policing tasks that fall within its purview: coordinating interentity and intercantonal cooperation (especially in regard to terrorism and other serious and organized crimes), protecting VIPs, and guarding diplomatic premises. The ten cantonal interior ministries are responsible for all other aspects of law enforcement, with each municipality having a police administration. In contrast, the Republic of Srpska maintains responsibility for all crime prevention and enforcement within its borders.

Bosnia's police forces suffer from several institutional weaknesses that stem from the country's wartime division, thus endowing it with a disorganized collection of authorities. Bosnia has fourteen separate police forces, and cooperation between these police forces is poor. Weak collaboration among the police, prosecutors, and judges also undermines the overall effectiveness of the

criminal justice system, particularly when it comes to prosecuting the organizers of ethnic violence or making corrupt officials responsible for their acts. So long as policing structures remain flawed, providing for too much latitude at the local level and too little accountability to the center, international efforts to prevent corrupt political influences on the police will remain futile.

**Principle Agencies and Divisions.** Besides its regular police forces, the federation also has separate Court Police (under the authority of the Federation Supreme Court) and Finance Police (under the Ministry of Finance). The Federation Court Police are responsible for protecting trials, court buildings and witnesses, transporting prisoners, enforcing court-ordered evictions, and carrying out court-ordered arrests. The Republic of Srpska has neither court police nor finance police. These two police entities were absorbed into the tax authority in the autumn of 2001.

**Salaries.** Police salaries are both very low and, more often than not, long past due. The problem is somewhat varied by rank and region with some police officers' salary being just KM 455 per month, with a regional police chief earning KM 820. Moreover, many police have had no pay raise since 1999. Federation police do a bit better, with an average monthly wage of KM 530 in 2001. It should be noted that the real incomes of most police do exceed these figures but are due to "gray areas" of policing and to the product of private employment, which is much more lucrative in Bosnia-Herzegovina.

**Police-Community Relations.** In general, police-community relations within this nation are poor. In fact, public opinion polls show little public confidence in the police: only 48.1% think the police are now more professional than the prewar police, and only 42.7% think they treat all people equally (King et al. 2002). Furthermore, citizens have expressed dissatisfaction with the performance of the international peace mission in Bosnia-Herzegovina, which has yet to achieve the expected results with key points in the arrest of war criminals and other criminal justice and human rights-related issues. However, the role of the peace mission was perceived differently in the Federation of Bosnia and Herzegovina and the Republic of Srpska. Namely, while people in Bosnia-Herzegovina generally urged that the indicted war criminals be apprehended and punished, in the Republic of Srpska the majority of citizens still helped to keep them in hiding. This notes how the complex confluence of ethnicity, religion, and local politics can greatly shape police-community relations to a point where starkly different community expectations are held.



***Police secure an area near the Potocari Memorial Centre after explosives were found before the tenth anniversary of the massacre in Srebrenica, Bosnia, July 5, 2005. The explosives were found in two locations near the center. More than 50,000 visitors, including political diplomats and dignitaries from the region, were expected to attend an anniversary ceremony on July 11, 2005. The city was the site of a 1995 massacre where Serbian armed forces entered the town and killed between an estimated 7,000 and 8,000 Muslims. AP IMAGES.***

**Special Police.** The recently created State Investigation and Protection Agency (SIPA) takes responsibility for exchanging law enforcement information and providing protection for national institutions and representatives. SIPA is also meant to facilitate interentity and regional cooperation in the fight against organized crime, human trafficking, and international terrorism.

The Citizens Identity Protection System (CIPS), a state-level civil registry, facilitates SIPA's work. The CIPS has a state-level Network Operations Center, which maintains a registry of blacklisted lawbreakers compiled by Interpol.

The State Border Service (SBS), established by order of the High Representative in 2000, is responsible both for controlling Bosnia's 1,666-kilometer-long frontiers and for pursuing border-related crimes throughout Bosnia-Herzegovina. These police are not required to

seek the consent of cantonal authorities, but are encouraged to notify local agencies if they operate in their jurisdiction. The official establishment of the SBS in June 2000 ended a long-standing feud between Bosnia's two entities. Despite facing repeated upsets and problems with funding, logistics, and political resistance, the SBS controls approximately 1,660 kilometers of international border area and employs over 2,700 officers. In 2005 the SBS covered the entire Bosnia-Herzegovina border and three international airports in Sarajevo, Mostar, and Banja Luka.

While the NATO-led troops stationed in Bosnia do not uphold the laws of the country, they do perform significant security tasks that local police are not always able to carry out. As part of the post-September 11 "war on terrorism," U.S. troops have captured and ordered the apprehension or taken custody of suspected terrorists.

Because of this, NATO troops must now also be seen as a part of the law enforcement establishment in Bosnia.

**Education and Training.** Beginning in 2005 outside pressures from multinational forces and the European Union compelled the Bosnian police academies to coordinate both their curricula and selection procedures. The Association of European Police Colleges (AEPCC) is the authority that links the European Union's various police academies. The AEPCC has a program known as the "Working Group on Regional Civilian Police Training in Southeast Europe," which has plans to provide training to several police forces in the Balkans. This training is designed to provide professionalism to the civilian police force in Bosnia, but there have been noted difficulties. One of the most prominently cited problems has been in the recruitment and representation of minority Serbs within the police training academies.

The ICITAP has provided training to the IPTF itself and to local police forces. The European Commission has also been active in police reform as have numerous European Union countries. While police advisers and trainers have improved the technical aspects of policing, efforts to establish police forces that respect human rights have been less successful. One important lesson has been the realization that while technical capacity and police attitudes can be improved in a short period, the success of long-term reform is jeopardized if the responsible international organization lacks the authority to remove elements of political influence.

The UNMIBH initiated a program to check whether serving police officers have the proper educational qualifications and have not falsified documents to obtain employment. It is thought that up to 20% of the police officers in Bosnia have lied on their application forms, thereby committing documentary fraud (International Crisis Group 2002).

**Uniforms and Weapons.** Police officers of the Federation of Bosnia and Herzegovina most often use Austrian Glock side arms. The Republic of Srpska police continue to use their traditional Yugoslav model (Cervena Zastava CZ99). The high-powered armament of the Bosnia-Herzegovina police is due to the fact that these officers frequently possessed a "mix of weapons" that included the Hungarian Marakov and other eastern European varieties, requiring a broad range of expensive ammunition.

#### **Transportation, Technology, and Communications.**

**Surveillance and Intelligence Gathering.** Intelligence organizations have largely remained outside of international reform and restructuring efforts. In the federation, unrestrained intelligence services, located in the police stations of several municipalities, obstructed

early efforts to unify police forces. Fortunately, European Union authorities have been successful in removing intelligence services from police facilities in the federation and are making progress in the Republic of Srpska.

Several intelligence services have been active in the territory, believed to be under the control of various political parties. Besides the intelligence services of Croatia and Serbia that, no doubt, operate in Bosnia, Bosnia's own services include the intelligence and security service of the Republic of Srpska, the Bosnian-Muslim Agency for Investigation and Documentation, and the Bosnian-Croat National Security Service. It is estimated that each of these services has up to 700 operatives. International officials have expressed concern that political parties oversee the operation of intelligence services for their own purposes.

In March 2002 a Federation Law on Intelligence Service was adopted to establish a Federation Intelligence and Security Service to replace the current ones. The service included the following other bodies: an Inter-Resource Group, established by the federation government, and a Working Group for Monitoring and Controlling the work of the service, established by the federation parliament. Besides the service director and deputy, the federation government appointed an executive director (operator of services) and a chief inspector. The service will operate until the eventual establishment of a state intelligence service.

**Police Statistics.** There has been a reduction in police numbers from 45,000 after the war to approximately 23,000 today. This is considered a fairly acceptable police-to-population ratio by regional standards (King et al. 2002). As of 2005, there were approximately 11,500 officers in the federation, 6,800 in the Republic of Srpska, and 280 in Brcko (International Crisis Group 2002). An additional 2,700 officers are due to be employed by the SBS and approximately 500 by SIPA. Although most of these will be recruited from the ranks of ordinary policemen, the addition of new officers will not solve the mismatch between professional skills and numbers, on the one hand, and resources and sustainability, on the other (International Crisis Group 2002). In 2005 Bosnia's population was estimated at around 3.7 million. This means that there was approximately 1 police officer for every 171 citizens. The European standard is usually 1 police officer for every 330 residents (International Crisis Group 2002). In Kosovo, where the international community took over policing and started to build an indigenous police service from scratch in 1999, there were approximately 9,000 police officers (International Crisis Group 2002).

#### **HUMAN RIGHTS**

With respect to the policing system of Bosnia-Herzegovina, discriminatory actions, lack of minority protection, and abuse of authority are commonly

encountered problems. Corrupt police officers were involved in the trafficking of human beings, prostitution networks, and drug dealing. In addition, numerous local police officers lived illegally in apartments or houses belonging to refugees.

There is an overwhelming need for a comprehensive and truly independent criminal justice system that can effectively address the wartime violations committed in Bosnia-Herzegovina. Thousands of perpetrators still continue to escape punishment for war crimes, crimes against humanity, and genocide committed during the wartime period in Bosnia-Herzegovina. Nearly 250,000 people were killed during this conflict, many as a result of summary executions and arbitrary killings. According to Amnesty International (2003), the official number of persons still unaccounted for is around 16,000 (including thousands of unresolved “disappearances”). Rape and sexual abuse of women and girls have occurred on a massive scale. However, most of the vast number of case files, recorded and investigated by Bosnian police and prosecutors, have not been pursued by the criminal justice system in Bosnia-Herzegovina. Thus, many thousands of persons responsible for the worst possible crimes in Bosnia-Herzegovina still have not been brought to justice.

## CRIME

**Organized Crime.** Organized crime elements conducting human trafficking and smuggling have exploited Bosnia’s lax visa requirements and border controls to further their trade. For example, the UN reported that of the 1,298 Iranian passport holders entering Bosnia-Herzegovina on one- to two-week visas in the period June 1–28, 2000, only 116 “officially departed” the country. The other 1,182 are suspected of having left Bosnia-Herzegovina and entered western Europe illegally through the porous southeastern European borders. An estimated 50,000 illegal migrants transited Bosnia-Herzegovina territory in 2000, representing 10% of the estimated 500,000 that enter the European Union every year. International civilian police and aid workers have also reported an alarming number of incidences in illegal trafficking of women in Bosnia-Herzegovina. To assist the Bosnia-Herzegovina government, the international community embarked on several exercises to assist with capacity building and material support to fortify the country’s border services.

**Crime Statistics.** Those few statistics that are provided by Bosnia-Herzegovina generally come from the SBS. Since 2001 the SBS has had immediate impact in two core areas of border security. First, combating pervasive illegal migration: in 2001 the SBS achieved a 66% reduction in illegal migrants passing through Sarajevo airport alone—from 24,000 in 2000 to 8,000 in 2001. Second, by

closing illegal smuggling routes and redirecting commercial traffic to recognized border crossings, the SBS is largely attributed with increasing customs revenues in both entities by at least 20% (King et al. 2002).

While the issue of war crimes is a prime concern, Amnesty International (2003) notes that there are currently no exact numbers available for persons currently under investigation for war crimes in Bosnia-Herzegovina. But Federation of Bosnia and Herzegovina and Republic of Srpska public prosecutors estimate the number of suspects for these crimes to be around 3,000 and 6,000 in their respective jurisdictions.

## CORRECTIONAL SYSTEM

**Prison Conditions.** In 2003 an Amnesty International inspection found that the prison administrations and staff were familiar with international regulations on the treatment of prisoners and no serious cases of inhuman treatment of prisoners were registered. However, inmates have complained of poor physical conditions and bad food quality. Most prisons did not meet the minimum physical conditions for accommodation. The buildings are frequently in very poor condition and are overcrowded, particularly in the Federation of Bosnia and Herzegovina. Local monitors fear the spread of infectious diseases unless the conditions improve soon.

Overcrowding resulted in long-term prisoners being accommodated in the same wards as short-term inmates and juvenile delinquents, contrary to international standards. Discontent took the form of hunger strikes, riots, and self-mutilation. Cases of homosexual abuse by inmates have been reported in some prisons as well.

**Prison Statistics.** As of 2005 there were fourteen penal institutions in Bosnia-Herzegovina, eight in the Federation of Bosnia and Herzegovina, and six in the Republic of Srpska. In January 2002 the Human Rights Office of the UNMIBH conducted a total of forty-nine visits to prisons in Bosnia-Herzegovina. It was recorded that there were 2,251 inmates in the Bosnia-Herzegovina prison system. Specifically, 1,438 were in the federation system and another 813 were in the prisons of the Republic of Srpska (King et al. 2002).

- Total Prison Population: 1,509
- Prison Population Rate per 100,000: 58
- Pretrial Detainees: 16.9%
- Female Prisoners: 2.5%
- Juvenile Prisoners: 1%
- Number of Prisons: 8
- Official Capacity of the Prison System: 1,183
- Occupancy Level: 113.1%

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*Robert D. Hanser  
Nathan R. Moran*

# Botswana

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**Official country name:** Republic of Botswana

**Capital:** Gaborone

**Geographic description:** A landlocked country in south-central Africa, formerly Bechuanaland

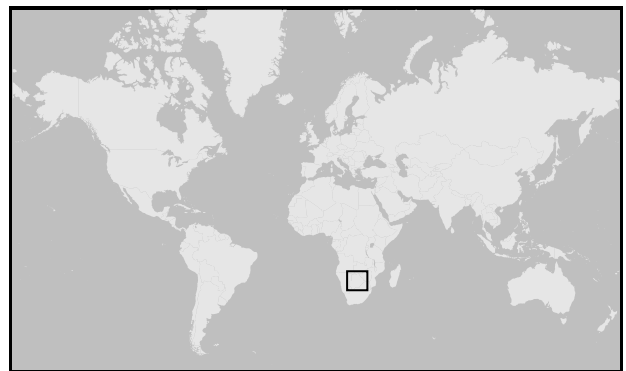
**Population:** 1,640,115 (est. 2005)



## LAW ENFORCEMENT

**History.** Formal policing in Botswana has its origins in the colonial experience. During the late nineteenth century British interest in the Tswana-controlled Kalahari region was intended to establish a buffer state to check Boer expansion and German imperial ambitions in central Africa. In 1885, when Great Britain declared its intention to administer the territory as the Bechuanaland Protectorate, one of the first measures enacted was the introduction of the Bechuanaland Border Police. Composed entirely of Europeans, its principal objective was to secure the frontier areas of the British colonial empire in southern Africa. In addition, it was also expected to perform internal administrative functions such as mediate tribal disputes, dispatch communiqués to and from the chiefs, and enforce native regulations consistent with the British policy of indirect rule. It became increasingly clear, however, that indigenous officers would conduct these latter tasks more efficiently and in 1895 a Protectorate Native Police Force was organized under European command. In 1902 the two forces were merged to create the Bechuanaland Protectorate Police.

After independence in 1966 the Protectorate Police continued in the form of the Botswana Police Force



(BPF) that, though now serving the newly formed state, retained the vertical command structure and centralized management of its colonial predecessor. The transfer of police authority to the new republic proceeded smoothly and within a few short years the BPF was composed almost entirely of African officers. A more important structural change occurred in 1977 when the BPF relinquished its military duties and transferred the Police Mobile Unit to the newly created Botswana Defense Force. Even before 1977, however, the police had already begun to shift to those responsibilities typically associated with the police function, such as the detection of crimes and the maintenance of order. In 1996, commensurate with its focus on community policing and the appointment of a new commissioner, the BPF reorganized itself as the Botswana Police Service (BPS). The Office of the President has had administrative oversight of police services in Botswana since independence.

**Structure and Organization.** Until 1996 police coverage in Botswana, a country roughly the size of France and



Belgium combined, was separated into 2 divisions that were subdivided into 13 districts, 6 in a Northern Division and 7 in a Southern Division. Subsequently, a third division (South-Central Division) was created to accommodate the urban growth radiating outward from Gaborone along a pluvial eastern corridor, where most of the population expansion has taken place in recent years. Three districts were drawn from the Southern Division including District #3 (Gaborone), District #13 (Gaborone West, a completely uninhabited area in 1966), and District #12 (Mochudi, a large village about 40 kilometers north of Gaborone) to form the South-Central Division. In addition, the new division also included the district surrounding Serowe (District #2), the traditional residence of the most prominent Tswana chiefs, a district formerly consigned to the Northern Division. Excluding District #2, the Northern Division remained intact. The four remaining districts in the Southern Division were augmented by the establishment of a fifth district (District #14) to serve the Kanye area. Consequently, present-day police operations consist of 3 divisions, 14 police districts, and 75 police stations. District headquarters are located in the largest villages or towns. The sparsely populated western part of the country is bisected by two of the three divisions constituting Districts #6 and #9 (Southern Division) and District #5 (Northern Division). Maun, a frontier town with a rough-and-tumble tradition, is the official headquarters of District #5 and the largest population center in the arid Kalahari region.

*Hierarchy and Ranks.* Three deputy commissioners, one each for Operations, Support Services, and the Security Intelligence Services, assist the commissioner of police. The eleven senior assistant commissioners are in charge of each of the major branches (e.g., Training, Criminal Investigations Department, Traffic, etc.) along with the three divisional commanders. The deputy directors and deputy commanders all hold the rank of assistant commissioner. From an office at District Headquarters, the districts are commanded by senior superintendents and are assisted in their administrative responsibilities by as many as three superintendents. Most police stations are also commanded by superintendents who, when off duty, are relieved by an assistant superintendent. When the size and magnitude of the attendant duties merit it, typically in the more isolated regions, the commanding officer of a police station may be an inspector. No commanding officer of a police station is lower in rank than an inspector. Inspectors and subinspectors are responsible for the routine day-to-day operations within the precinct forming the lowest stratum of the command structure. Sergeants and constables perform direct services to the public and conventional patrol activities.

*Police-Community Relations.* The cornerstone of the BPS-community relations program is a system of crime prevention committees that was established during the early 1980s in many of the traditional villages and later extended to urban neighborhoods. Composed of citizen volunteers organized at the division, district, and station levels, this effort at grassroots community participation is supported by the Crime Prevention Coordination Unit, which conducts seminars and workshops. As consultative bodies, these local crime prevention committees have been instrumental in promoting positive relations between the police and the public. As of 2002 there were 619 crime prevention committees throughout the nation.

*Local Police.* The government of Botswana acknowledges a dual legal system that grants legitimacy to customary law, customary courts, and a local police separate from the national police system. The origins of the local police are deeply rooted in traditional tribal society. The authority and pronouncements of the chief or the headmen, the chief's representatives in the wards and remote villages, were enforced by the chief's messengers who administered corporal punishment and guaranteed that the will of the communal assembly was respected. When European missionaries arrived, several traditional authorities, most prominently Khama III, the paramount chief of the Bamangwato, converted to Christianity. One of the consequences of this newly acquired faith was a prohibition against the brewing and consumption of traditional beer. So widespread was this practice that Khama III eventually appointed a regular tribal policeman to bring violators of the alcohol ban to justice. Based in Serowe, the traditional seat of Bamangwato authority, each successive chief incrementally augmented the size of the tribal police force. With the passage of time the duties of the tribal police came to include assisting in the collection of tax revenues, collecting court fines, and arresting people found to be in illegal possession of stray cattle. Throughout the colonial period, however, the tribal police officers were under funded, almost entirely illiterate, and not required to undergo any form of training. After independence, the tribal police continued to be poorly organized, ill equipped, and lacked any legal basis for its authority. In 1972, however, a special government commission appointed to investigate the conditions of service among tribal employees recommended that the tribal police receive proper training, that educational qualifications be raised, and that officers be given statutory arrest powers. Later that same year, the legislature acted on these recommendations and reconstituted the tribal police as the Botswana Local Police. By 2004 a contingent of local police officers was attached to all customary courts that handled more than 80% of all



*Britain's Princess Anne is escorted by Botswana police during a visit to a newly built training college in Otse, Botswana, July 9, 2003. Princess Anne was on a three-day official visit to the country to support the government's efforts to fight AIDS. Botswana has one of the highest rates of HIV infection in the world. AP IMAGES.*

court cases in Botswana. Both local police and BPS officers are located in the urban areas and major villages of Botswana, but only the local police are stationed in the smaller, remote hamlets. There is some jurisdictional overlap between the two police services, but typically the local police confine their enforcement activities to routine public order offenses (e.g., disorderly conduct, domestic disputes, etc.) and minor criminal offenses like petty larceny and common assaults.

#### **Special Police.**

*Special Support Group.* Since the transfer of the Police Mobile Unit to the Botswana Defense Force in 1977, the Special Support Group (SSG) has served as the paramilitary arm of the BPS. As its name implies, many SSG duties involve a supporting role to other police units including traffic surveillance, mobile patrols, manning road blocks, providing escort services for the president and other dignitaries, delivering emergency services, preventing cross-border stock theft, and being deployed to

control foot-and-mouth disease. Its most controversial role is its employment in the suppression of civil disturbances. The democratic process in Botswana, however, is characterized by a broad consensus and mobilized challenges to state authority have been rare. On only on a few occasions has the SSG been called on to restore public order. As of 1999, the SSG consisted of 727 officers administered by a commander (senior assistant commissioner), a deputy commander (assistant commissioner), and a supervisory corps of twenty-six individuals above the rank of inspector.

*Diamond and Narcotics Squad.* Because Botswana's economic development depends on its mineral sector, the state has a vested interest in the security of its mining operations and the integrity of its product. The Diamond and Narcotics Squad was established in the 1980s with a mandate to investigate all cases involving the theft of precious stones and to provide security for the transport of diamonds. In 1988 its responsibilities were expanded

to include cases of illegal drugs and those involving the illegal trade in ivory.

Mining operations in Botswana are state of the art with comprehensive checkpoints and sophisticated monitoring devices. Therefore, most of what the Diamond and Narcotics Squad has accomplished has been to apprehend the trafficking of illicit gems and prevent fraudulent stones and “conflict diamonds” from entering Botswana.

The consumption and distribution of illegal drugs is insignificant in Botswana. There is some local cultivation of marijuana (referred to locally as *dagga*), but the most pressing problem is vast uninhabited areas and porous borders that make Botswana attractive as a transit point to the lucrative South African market.

Botswana’s burgeoning tourist industry depends on the preservation of its natural fauna. A policy of unfenced wildlife reserves and the presence of the largest herd of elephants in Africa, however, make Botswana an obvious target for the clandestine ivory trade. In 2002 the Diamond and Narcotics Squad investigated 17 cases of unlicensed poaching and confiscated 632 elephant tusks.

*Traffic Division.* In 1966 the road network of an independent Botswana consisted of only 25 kilometers of paved surface. The transportation system was so rudimentary that in 1966 there were only 323 road accidents (involving 302 trucks) resulting in a mere 21 fatalities. One consequence of the substantial wealth generated by the mining industry was a series of ambitious road construction projects begun in the 1980s and a commensurate increase in the number of licensed vehicles especially in the Gaborone metropolitan area. Nevertheless, throughout the 1980s only ninety officers were assigned to traffic enforcement under the command of a superintendent. Although the number of traffic officers grew incrementally thereafter, it was not until 1994 that a Traffic Branch was created with its own headquarters and divisional offices. By that time an assistant commissioner had been appointed to head a formation of 361 officers. By the end of the decade the Traffic Branch, now directed by a senior assistant commissioner, had increased to nearly 600 officers, a clear acknowledgment of the need to regulate vehicular congestion on urban thoroughfares.

*Serious Crime Squad.* This police unit is responsible for investigating cases involving motor vehicle theft, fraud, murder, and robbery. Since rates of violent crime and fraud are relatively low, most of its operations involve cases of stolen automobiles. The proximity of the Gaborone metropolitan area to the South African border makes it relatively easy to both export and import stolen automobiles. Since the 1880s, as mineral revenues have generated higher living standards, Botswana has

become an important market for stolen vehicles from South Africa. Conversely, a government program of generous loan guarantees extended to all civil servants has expanded vehicle ownership in Botswana. Therefore, many automobiles purchased in Botswana have found their way to South Africa and to a lesser extent Zimbabwe and Zambia. The Serious Crime Squad, in cooperation with the South African police, has had some modest success in tracing and intercepting the trafficking in stolen vehicles.

**Education and Training.** An enhanced training curriculum has been facilitated by the recently constructed Botswana National Police College in Otse, which is located a few miles outside of Gaborone. The new facility has enabled an expansion of course offerings beyond those required for recruits including refresher courses for sergeants and inspectors, courses covering specialized police functions, and in-service training in management and administrative skills for supervising officers. The BPS also draws on the resources available at local educational institutions such as the University of Botswana, Botswana Institute of Administration and Commerce, and area technical schools for advanced training. In 2002 the BPS also sponsored the attendance of sixty-three officers in training courses abroad mostly in the United Kingdom and South Africa.

In July 2000 Botswana entered into a bilateral agreement with the United States to establish an International Law Enforcement Academy (ILEA) located on the grounds of the Police College near Gaborone. The state-of-the-art training facility was completed in 2002 with a mandate to serve as a training academy for police executives from the member countries of the Southern African Development Community. The central feature of the ILEA program is a six-week personal and professional development curriculum designed for midlevel police officers that concentrates on leadership, ethics, internal controls, the rule of law, and managing the investigative process. Special instruction for police and other criminal justice officials in drug enforcement, violent crime, white-collar offenses, firearms, and border security is also offered under ILEA auspices.

**Recruitment and Conditions of Service.** The steady growth of the BPS suggests that manpower requirements are being met through the normal recruitment process. Because there is a substantial and persistent unemployment problem in Botswana, jobs in law enforcement are coveted. Moreover, women are increasingly attracted to the police service. The relatively low compensation, however, especially at the entry-level positions, has meant that the BPS has been unable to effectively compete with

other occupations for the most educated sector of the population.

One of the most important prerequisites of the police service is the provision of housing for constables and sergeants. Police housing units are modest, but comfortable, most are equipped with all the requisite utilities, and they can accommodate a small family. These residential developments are usually located in close proximity to police stations except in some urbanized areas where congestion and land costs has forced the government to construct police housing on remote, more affordable sites. Nevertheless, there is an acute shortage of available housing (in 1997 there were 1,673 police houses) despite an ambitious construction program.

**Uniforms and Weapons.** The BPS uniform consists of a slate-blue, short-sleeved, belted waistcoat with matching pants and dark-blue cap (officers assigned to the Traffic Branch wear white caps with a blue brim and visor). The insignia of the Botswana Police appears above the brim of the cap. An officer's rank can be determined by the chevrons that appear on the epaulets. Female officers are attired in a plain slate-blue skirt hemmed just below the knees, a white short-sleeved blouse, and dark-blue ankle-length socks with standard issue black shoes. This is accompanied by a dark-blue, short-brimmed bowler hat ringed at the base with a blue-and-white checkerboard patterned band.

In keeping with the traditions of the British police, patrol officers are unarmed. The SSG is the only component of the force that is normally armed. Since 1996 fully armed members of the Botswana Defense Force have been attached to several urban police stations and have been patrolling various areas of Gaborone in the evening hours.

**Transportation, Technology, and Communications.** Most police stations are connected through a digital microwave telephone framework. To reach the more isolated areas of the country, several digital microwave spurs have been commissioned. To improve communications efficiency, switchboards are being phased out and replaced with a PABX system. Radio communication has been greatly improved by the installation of a trunk VHF radio system that has increased coverage and reduced blackout spots.

A newly created Information Technology Unit has been vested with the responsibility for improving the delivery of information services to the BPS. Its first initiative has been to computerize the current Crime Recording and Criminal Records systems, but the development of data management systems continues to be relatively primitive.

**Vehicles and Equipment.** The vehicular fleet of the BPS consists of about 1,600 automobiles and 150 motorcycles, most of which are disproportionately distributed to the more populated areas. In the rural areas, where roads are sometimes impassable, the BPS also maintains a stable of seventy-eight horses and twenty-six camels. Although Botswana is a landlocked nation, river transport in the form of motorboats and airboats is necessary during the rainy season, when the Okavanga region is flooded. Two airboats and sixteen motorboats are stationed in Maun, Seronga, and Shakawe for emergency and recovery operations.

**Surveillance and Intelligence Gathering.** Apart from detecting and preventing crime, the legislation enabling the BPS also requires the police to maintain internal security. When the Botswana Defense Force was created to respond to external threats, the preservation of internal security fell to the specialized unit of the police known as the Special Branch. In the first two decades or so after independence, Botswana was a "frontline" state serving as a refuge for South African antiapartheid groups. During this period the Special Branch monitored the activities of these groups and sought to prevent South African undercover agents from operating outside their jurisdiction. Since the collapse of the apartheid regime in South Africa, tensions have eased considerably.

Today, internal security has been reorganized as the Security Intelligence Services overseen by a director-general (deputy commissioner). Besides a presidential detachment, the intelligence service is organized regionally with operations in each of the three divisions and an agency for the west and north-central areas as well. Present-day concerns of the Security Intelligence Services include the ripple effects of a simmering border dispute with Namibia and the current instability in Zimbabwe.

**Police Officers Killed in the Line of Duty.** Police officers are seldom killed in the line of duty. From 2000 to 2002 the number of police deaths averaged seventy-four per year. The largest share of these deaths, however, was attributable to illness, most likely the consequence of the HIV/AIDS epidemic, which has devastated Botswana.

**Police Statistics.** The cumulative effect of the colonial administration was a legacy of egregious underdevelopment. At the time of independence, a gross national product per capita of US\$14, the product of an economic system based on subsistence agriculture and animal husbandry, was the third lowest in the world. Only eight secondary schools operated throughout the entire country, responsible for a net secondary school enrollment of 3%. An infant mortality rate of 112 per 1,000

live births and a life expectancy rate of 49 for females (46 for males) indicated a seriously deficient quality of life.

The level of police services during this period reflected Botswana's impoverished status. Two years after attaining independence, the police establishment for the entire country totaled 689 officers and more than one-third of those were members of the Police Mobile Unit. The largest contingent of officers was stationed in the Northern Division, whose headquarters was in Francistown, the principal city at the time. Although police headquarters was located in Gaborone, the institutional infrastructure of the capital was in the process of being constructed. Except for the precincts in the larger population centers, most police stations had fewer than ten officers assigned to them. Only seven individuals, including the commissioner and deputy commissioner, occupied ranks greater than senior superintendent, suggesting a small centralized command structure.

By 1980 the BPF had almost tripled to nearly 2,000 officers. The largest detachments were the 280 officers assigned to District #3, which included Gaborone, Molepolole, and Mochudi, and District #1 (192 officers), which served the Francistown area. Of almost equal size was District #10 (183 officers), located in the eastern region near the South African border, which served an expanding population drawn to a large copper-nickel mining operation in Selebe-Phikwe. By this time metropolitan growth had overwhelmed the capacity of the single police station (Central Police Station) that had served Gaborone since independence and a second station (Urban Police Station) was constructed in the new settlements that had taken root. One-quarter of the force was now assigned to police headquarters that besides its administrative agencies also housed the Police Training College, the SSG, and the Criminal Investigations Department command structures.

A decade later the BPF had expanded to 4,130 serving officers and the primacy of Gaborone had become much more pronounced. The Molepolole and Mochudi regions were now served by separate districts (District #11 and #12, respectively) and District #3, which had been augmented by two additional police stations (Broadhurst and Tlokweg), was given exclusive jurisdiction over central Gaborone and the metropolitan growth to the north and east. Moreover, a separate Gaborone West District (#13) was created to handle the needs of the periurban expansion to the west, particularly the area known as Naledi, where many rural migrants had settled. Combined, these two districts meant that more than 700 officers were assigned to the Gaborone metropolitan area. Also noteworthy was the 100-man detachment (a fourfold increase since 1980)

assigned to Jwaneng, the site of one of the largest diamond mines in the world.

At the turn of the twenty-first century the establishment of the BPS had increased substantially to 6,424 officers. By virtue of its importance as the administrative and commercial center of Botswana's mineral based economy and one of Africa's fastest growing cities, the policing of Gaborone has continued to assume the most prominent role. District #3, served by 504 officers and now including an additional station (Borakanelo) to complement its four existing precincts, has been eclipsed by District #13 (525 officers) responsible for the exponential growth of the city's western and southern sectors. Of the 10 police stations in the entire country with more than 100 officers assigned to them, 6 are located within the Gaborone metropolitan area. The SSG (Antiriot Police) also bivouacs in Gaborone and grew significantly (755 officers in 1999) since 1980, when only 79 officers were enlisted in this branch.

## HUMAN RIGHTS

Botswana is a multiparty, parliamentary democracy with all the requisite institutional practices normally associated with the democratic process. In general, the police respect the rights accorded to citizens by constitutional guarantees. Detainees must be charged within forty-eight hours, have the right to contact a family member, and may retain counsel of their choice. In most cases, the police comply with these strictures except that in practice most defendants are unable to afford counsel (except in capital cases, the government does not provide counsel for indigents) and in rural villages, legal assistance is not always readily available. Although suspects have the right to remain silent, there have been reports that the police occasionally resort to intimidation and other extralegal measures to obtain evidence or confessions. As a rule, the police do not interfere with constitutional provisions ensuring freedom of assembly and association and the right to move freely from place to place.

With regard to the rights of women, traditional practices often consign females to a status of second-class citizens. Customary law grants husbands the right to "chastise" their wives and consequently domestic abuse is widespread. Since there is no legal provision that empowers the police or prosecutors to take action, the police seldom intervene in such instances.

## CRIME

**Criminal Identification and Forensics.** The Criminal Investigations Department (CID) is charged with the responsibility of collecting evidence and identifying criminal suspects. The Criminal Records Bureau maintains an archive of fingerprint classifications and identifications in

an attempt to match crime scene prints with individuals having previous criminal records. Besides CID headquarters in Gaborone, there is an agency presence in each of the three divisions. The CID also has jurisdictional command over the Diamond and Narcotics Squad, the Serious Crime Squad, and the Central Arms Registry, which maintains a current roster of licensed firearms that can be used to trace handguns.

The scientific support for criminal investigations is conducted by the Police Forensic Science Laboratory. A large share of its work involves drug tests though it also conducts blood alcohol, toxicology, ballistic, and physical chemistry analysis. The laboratory's contribution is also particularly helpful in the area of forensic serology and pathology, where its analyses have assisted in cases of sexual assault and murder. DNA trace evidence analysis is currently beyond the ability of forensic scientists in Botswana.

**Crime Statistics.** As it has for centuries and still does to a considerable extent, social life among the Tswana people is regulated by a normative system of social control based on deference to customary authority. Consequently, everyday social interactions have been governed largely by traditional practices and the policing of routine order has seldom accounted for a significant share of the law enforcement task. Low arrest rates for offenses that disrupt orderly civic relations (e.g., public intoxication, disorderly conduct, prostitution.) imply that the normal order maintenance function of the police is not a priority. The sole exception to this pattern of policing has been the enforcement of the laws relating to common assault. Since independence, when a colonial prohibition against the sale and consumption of European-style beer and spirits was repealed, the police frequently have been called on to intercede in such conflicts, most of which are alcohol-related encounters. From 1966 to 1970, for example, 64% of all arrests for crimes against persons involved common assaults. Arrest rates for common assaults increased substantially until 1980, when annual rates stabilized thereafter at about 50 per 10,000, suggesting an optimal level of police tolerance for these forms of minor conflicts.

Like common assault incidents, most cases of serious crimes against persons have been unpremeditated, often arising as a product of some trivial provocation. Throughout the independence period, rates for homicide and forcible rape have been exceedingly low. By contrast, the incidence of aggravated assault has been steadily rising during this period constituting between 25 to 30% of all arrests for crimes against persons. Most of the altercations, however, are unintended and situational

resembling the profile of common assaults. Of greater concern is the trajectory of arrest rates for robbery. At the time of independence, arrest rates for larceny-violence were lower than homicide rates and remained relatively low until, beginning in the 1990s, the arrest rate began to increase significantly. Nevertheless, while this increase is troubling, armed robbery does not yet pose a major problem for the police. Few of the targets are commercial establishments and most are interpersonal interactions involving small sums or articles of little value.

Considering the social inequalities between the commercial/civil service elite and the indigent rural migrants who inhabit the shantytowns of Gaborone, an increase in urban property crime would hardly be surprising. Indeed, the prevention of petty theft has been one of the central police tasks since the end of the colonial era. The incidence of petty larceny increased steadily until, for ten years starting in 1974, arrest rates attained a plateau of stability averaging almost 58 per 10,000. Beginning in 1985, however, roughly coinciding with a visible affluence generated by mineral sector revenues, the arrest rate began to rise sharply and within ten years had doubled. Though of a lesser magnitude, the same pattern prevailed for burglary cases. The arrest rate for burglary in 1966 (8 per 10,000) rose incrementally during the early 1970s, stabilized between 1975 and 1985, and increased precipitously in the 1990s. By 1994 police interventions for burglaries stood at 58 per 10,000, nearly twice what it had been a decade earlier.

## CORRECTIONAL SYSTEM

**Prison Conditions.** Prison violence is a problem. HIV/AIDS and tuberculosis take a heavy toll on the prison population. Violence is endemic and often leads to rape or death. There is no independent monitoring of prison conditions by international human rights organizations.

**Prison Statistics.** Botswana has 23 prisons with 6,105 inmates or 339 prisoners per 100,000 population. The largest is the maximum security prison at Francistown. Nearly 25.1% of the prisoners are pretrial detainees and 5% are women. The official capacity of the prison system is 3,870 and the occupancy rate is 157.8%. Men are held separately from women and juveniles from adults. A new prison for male juveniles opened in 2004. Prisons are supervised by the Prison Commission, which has the right to release terminally ill prisoners and prisoners sentenced to less than a year under an extramural labor program.

*Frederick P. Roth*

# Brazil

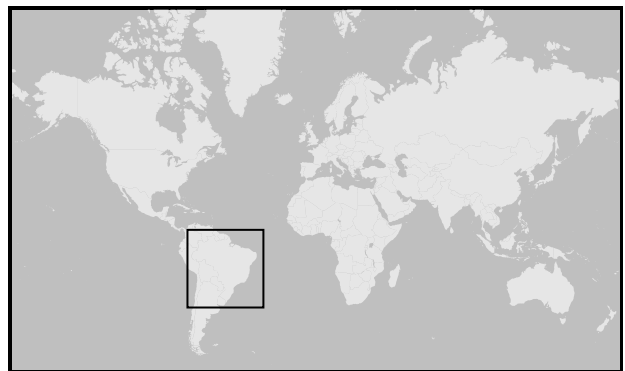
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**Official country name:** Federative Republic of Brazil

**Capital:** Brasília

**Geographic description:** The largest country in South America, stretching from the Atlantic Ocean eastward to the headwaters of the Amazon River; it touches the borders of every country in South America except Chile and Ecuador

**Population:** 186,112,794 (est. 2005)



## LAW ENFORCEMENT

**History.** Police in Brazil originate from the colonial period. After Brazil's discovery, Portugal did not show immediate interest in the new land and did not abandon the land due to constant invasion by foreigners, notably the French.

The first expeditions focused on patrolling the coast rather than on colonizing the land. However, some facilities were installed along the coast, thus leaving settlers to guarantee Portugal's ownership. Those settlers played a multiple role as harvesters, members of a defense force, and police officers.

The first organized troop was settled in the town of São Vicente in 1542 and its missions meant to expel a Spanish force that threatened the Capitany. Further on, three troop lines in the colony were formed: The first one was paid and its aim was external defense. The second, also paid, had the role of internal safety, or the police. And the third one, formed by volunteers, helped to supply the failures of the two previous ones. The three were composed of citizens who, when not needed for

internal or external services, would exercise their usual activities: they were harvesters, tradesmen, and teachers. During the colonial period, although there were these divisions in lines, there was no structural difference among the troops of external defense and maintenance of the internal order.

The constant wars with the Spanish colonies, which extended beyond their independence and the boring life of the colony before and of the vice kingdom afterward, would foster the use of military people in internal actions (rare ones) and in external actions (more frequent ones).

Until the early nineteenth century the second- and third-line troops would play the role of the police in the São Paulo Capitany. They were well-trained and well-dressed units.

*The French Influence in the Creation of the Military Police.* In seventeenth-century France the military people were in charge of the security in general (internal and external). They were the marshals and were

active in France until the eighteenth century (Illuminism). Then came the Human Rights Declaration in 1789 and its twelfth article, which created a “public force” to guarantee the rights set in the declaration. Napoléon Bonaparte’s troops would spread the notion of those troops to all of Europe. Inspired by the French police, Portugal created the Royal Police. And so, when the Portuguese royal family came to Brazil, they brought along with them the Royal Police, which was reorganized and named the Court Police (Rio de Janeiro). Independence disorganized the Royal Police. Later on, the Regency government passed a law on October 9, 1831, that created the Body of Permanent Municipality in the Court and the same was done in the provinces. The former Royal Police was reorganized, but it was also the birth of the military police.

**Federal Police History.** In March 1944, in the old capital of the republic, Rio de Janeiro, the Federal District Police was transformed into the Distrito Federal Segurança Pública (DFSP; Public Security Federal Department). Although it had the name “federal,” the DFSP only performed in the area of the federal district, as regards the public safety performing at national level only in the area of maritime police, air police, and borders.

In mid-1946 the tasks of the DFSP were extended to all the national territory in some cases, such as the clandestine commerce of drugs and crimes against the public faith, when it was the National Revenue Service interest. However, with the new federal constitution, which was passed on September 18, 1946, the states began to have powers to fulfill their needs of government and administration and thus considered the existence of a safety department with national performance as a kind of limitation of this autonomy.

With the move of the federal capital in 1960, the DFSP was transferred to Brasília, and so the state of Guanabara remained with the public safety services as well as the great majority of its active personnel. Due to the scarcity of personnel, the DFSP had to be restructured, and the police departments in England, the United States, and Canada served as models. By November 16, 1964, it had attributions in all the national territory. In 1967 the DFSP changed its name, and the Departamento de Polícia Federal (DPF; Federal Police Department) emerged, as per article 210 of Decree Law Number 200.

**Fire Brigade History.** The province capital was as large as three hills and construction began to become more valuable. The idea of how to fight possible fires began to be analyzed. In case of fire, women, men, and children would stand in line and from the nearest well they would pass water buckets hand to hand until they reached the fire location. In 1851 the first municipal regulations regarding fighting fire were passed, due to a fire that had occurred in December 1850. Two pumps

were acquired, which were not used until 1862, because in those twelve years, no fire had occurred. On March 10, 1889, a team to fight fires was set up in the capital of the State of São Paulo, it was made up of twenty men.

The fire brigade began to expand in the country in 1943, by making agreements with the municipalities and an organizational process at the state level began. At that time, there were 1,212 active officials.

In 1959 the radio network was inaugurated, thus making communication among the cars and headquarters easier, the cars could be guided in the best way to take, and how the fire was evolving; it also centralized the requests and distributed them in a rational manner among the posts. One year later, the alarm boxes were inactivated, but the telephone was not fulfilling all the needs of the population. There were just a few lines and the numbers were not easy to memorize. After 23 years, the emergency line 193 would be adopted.

In 1964, the School Company was inaugurated and the course for Officers was created. In 1967 the Central Station was demolished and a new one built.

Due to two big catastrophic fires that occurred in São Paulo in the Andraus Building (1972) and Joelma Building (1974), hundreds of lives were lost. Because of this, auto-pumps were imported, as well as auto-platforms, command and support vehicles and all cars had radios installed besides an improvement of legal requirements regarding fire prevention.

In 1990, to improve the quality of prehospital assistance in salvage events, a rescue system was implemented in Greater São Paulo and in more than 14 municipalities, formed by personnel, specialized vehicles, and helicopter support.

**Federal Road Police History.** Federal Road Police was created by the Brazilian president Washington Luiz on July 24, 1928, by means of the Decree Law Number 18.323, which defined the traffic rules at that time. In 1935 Antonio Felix Filho, who was considered the first patrol man, was called by the administrator, Natal Crosato, to organize the inspection services on Rio de Janeiro–Petropolis, Rio-São Paulo, and Uniao Industria roads.

At that time, the heavy rains demanded better road signs and some detours and red lamps were used during the night. Filho, with Carlos Rocha Miranda, founded the first police group called the Traffic Inspectors in 1935.

In December 1945 Decree Law Number 8.463 (also known as Jopert Law) created the National Department of Roads and in came the denomination of Federal Road Police.



**State Road Police History.** On January 10, as per State Decree Number 17.868, the state, at that time being governed by Ademar Pereira de Barros, the Road Police Patrol was created. It consisted of sixty men and was commanded by Lieutenant Jose de Pina Figueiredo, who belonged to the Public Forces, which were responsible for inspecting the recently inaugurated Anchieta Road.

From November 16, 1962, on, the Road Police became a fraction of the Paulista Police, being called Road Police Inspection, then the Force of Road Police, and finally Road Police Inspection Command.

Directly subordinate to the Interior Police Command, its jurisdiction comprises all the entire road network in the state of São Paulo. The network is divided into three units: the first BPRv (located in São Bernardo do Campo City), the second BPRv (located in Bauru City), and the third BPRv (located in Rio Claro City). Made up of 3,700 men, its function is to inspect 24,000 kilometers of roads.

It has acquired modern and latest generation equipment, such as breathalyzers and radars. In 1989 the Road Ostensive Tactics was created. Its vehicles are equipped with heavy weapons that are intended to combat the organized gangs involved in truck robberies and/or their cargoes.

The Road Police actions focus on providing safety to the users by using preventive police inspection, helping to avoid accidents, issuing tickets when some illegal actions are performed, visiting schools and clubs, making audiovisual demonstrations, supporting authority escorts, escorting dangerous products and excess cargo, among others.

As of 2005 its 134 operational bases operated as support posts, supported to the public, and functioned as centers for vaccination campaign and for collecting sweaters for the poor people in the winter season. They also work jointly with the State Revenue Service to prevent tax evasion and with the Road Department to inspect the intermunicipal bus lines.

The state of São Paulo Road Police, like the major police departments around the world, are totally computerized. They have computer terminals that provide information about vehicles and drivers and that are directly linked to the National Registry of Auto Vehicles (which is accessed through the Data Processing Federal Service), the Civil Police, the traffic departments of seventeen states, and the Operational Information System of the Military Police. Concerned with the updating and improvement of the personnel, now that the New Brazilian Traffic Code is in force, the Road Police Inspection Command Instruction Office offers refresher and specialization courses so as to train the troops from all states and from some neighboring Latin American

countries. Following its twentieth anniversary, the Road Police opened its doors to Brazilian women. Initially, forty female police officers worked under the Anchieta/Imigrantes System, and this proved to be very successful.

To reach and improve the means to combat criminality, the Group of Motorcycle Men of Road Police was created, whose mission is to provide support to the areas of bigger criminality rates as well as to act in escorts and provide agility in events such as traffic jams, accidents, and so on. In 1998 thirteen vehicles were specially designed for preemergency support in events with dangerous products, with the intention of preventing and/or minimizing the incidence of accidents in this area of transport.

**Civil Police History.** The São Paulo Police was created by the Secretariat of Justice Affairs and the first São Paulo Police chief was Counselor Rodrigo Antonio Monteiro de Barros.

In 1904 the secretary of justice proposed the creation of a career police department, but only on December 23, 1905, in the Jorge Tibirica government, as per Law Number 979, did the measure became active, and Secretary of Justice Washington Luis Pereira de Sousa was in charge of the first actions to organize it. With this law, it was run by a police chief, who reported to the Department of Justice.

In 1906 the police chief post was eliminated so that the police were run by the Secretariat of Justice Affairs and Public Security. In 1927 the Central Police Department was created and several police departments became subordinate to it. In 1928 the police regulation was edited, thus consolidating the pertinent provisions of the police service.

In 1930 the Secretariat of Public Safety was created, as per Decree Number 4.789, and the police force was separated from the Secretariat of Justice and were subordinate to the new department of the existing police corporations.

**Military Police History.** On December 15, 1831, the Body of Permanent Municipals was created in São Paulo, which consisted of 100 police officers (walking officers) and 30 officers on horseback.

## **Structure and Organization.**

### ***Principal Agencies and Divisions.***

**Federal Police:** Acting in all the national territory, the Federal Police Department has a modern and functional structure that allows centralized planning, coordination, control, and decentralized execution.

Its current structure allows for excellent performance, besides favoring the integration with several departments of the federal administration.

The General Management has support and technical departments, in Brasília, which are responsible for planning, coordination, and control tasks. For the execution activities, the DPF has 27 regional superintendencies, 54 federal police stations, 12 advanced units, 2 fluvial bases, and 2 terrestrial bases.

*Military Police:* Based on the structure as set by federal legislation, the Military Police of the State of São Paulo is organized in way to achieve efficiency and effectiveness in military police actions. It is divided into a number departments:

- General Management Departments
- Sectorial Management Departments
- Support Departments
- Special Support Departments
- Execution Departments
- Especial Execution Departments
- Military Police Special Departments

*Federal Road Police:* The Federal Road Police, which is a permanent department and career oriented, patrols the federal roads. Its mission is related to public safety and safety norms. It renders assistance to the traffic accident victims and protects the country's property.

In 1990–1991 the Federal Road Police became part of the organizational structure of the Ministry of Justice. This department became part of the Traffic Secretary of the Ministry of Justice. Shortly after the turn the century, due to Decree Number 1796, the Federal Road Police Department became part of the Planning Secretary for Public Safety National Actions of the Ministry of Justice. After being integrated to the organizational structure of the Ministry of Justice, the Federal Road Police Department had five directors.

*Local Police:* The Metropolitan Civil Police was created in 1986. However, it has not been able to define and create a definite identity yet. The inexistence of a career plan, the lack of material resources, the lack of planning of its actions, the lack of clear political priorities, and difficulties relating to other police departments are some of the problems that show the poor understanding of the role of this police, not only by the police officers themselves but also by the Municipal Administration and the community.

The high rate of violence, criminality, and social exclusion in the municipality of São Paulo, linked to the existence of a devaluated municipal police, have been the key factors that made Mayor Martha Suplicy present a bill to the city council that led to the creation of the Urban Safety Municipal Secretary.

The Urban Safety Municipal Secretary, which was created on July 26, 2002, as per Law Number 13.396, inaugurated a new urban safety concept and the Metropolitan Civil Police is the main executor of this policy. The role of the Metropolitan Civil Police is regarded as preventive and community police, and its priority is to promote an administrative and philosophical restructuring of the department and to create material conditions to the good development of its performance.

To do so, the Urban Safety Municipal Secretary will supply bullet-proof light jackets to all police officers who work on the streets and will renew the fleet of small- and medium-sized vehicles, motorcycles, and bicycles. In 2005 a team was constituted to develop the Career Plan and a law was under study by the city council that would create the Metropolitan Civil Police Disciplinary Regulation.

The Urban Safety Municipal Secretary has also created several departments to provide support to its safety police. Among them are:

- A safety training center
- An independent and autonomous general corrective magistrate
- Community city committees
- Special projects

*Traffic Police:* Crimes in the Traffic, one of the Urban Safety Municipal Secretary departments, consists of Police Assistance, Notary Public Office, Support Team, Operation Basic Teams, Crime Technical Sector, and Clerical Sector. The objective is to report traffic accidents that result in death or serious injury of uncertain or unknown authorship and also criminal violations to the Brazilian Traffic Code.

*Regional Special Performance Group:* The state of São Paulo provides the Regional Special Performance Group for the prevention and repression of organized crime in seven regions of the state. The role of units are as follows: robbery and receiving of automobiles and aircrafts, theft and receiving of cargo, money laundering, illicit traffic of narcotic substances, and crimes practiced by civil servants against the public administration.

*Salaries.* The salaries are based on the public legislation, because police officers are considered civil servants.

*Retirement Age.* The civil servant has the right to retirement when the following occurs: men (thirty-five years of work), women (thirty years of work); also, in proportion to the period of service: thirty years for men and twenty-five for women. If she is sixty years old and he is sixty-five, they can go for retirement even if the period



*A child watches a policeman patrol the streets of Rocinha's shantytown in Rio de Janeiro, Brazil, October 31, 2005. Authorities suspected gang members were behind the killing of a local drug lord, who was shot in the city's largest slum. Drug lords, often linked to corrupt local politicians and police, have exerted control over the slums of Rio de Janeiro for decades.*

AP IMAGES.

of service has not been completed. The civil servant who is seventy years old will go on compulsory retirement.

**Police at Work.** The State of São Paulo Military Police renders its services to the community by performing several modes of police actions:

- Patrolling—mobile activity
- Permanence—static activity in a risky location or fixed location inside the module, being able to communicate
- Diligence—search and seizure of objects or people in the act or by a judge's order
- Escort—activity destined to the custody of people or property in dislocation

- Checking—collecting data or evidence for subsequent actions
- Warning—warning of the police officer to the citizen so that he or she may change his or her behavior and attempt to avoid any illegal act
- Orientation—the police officer clarifies to the citizen safety measures that he or she may adopt to prevent occurrence of any illegal act
- Prison—the military police takes the citizen to the competent authority and as there is evidence of any illegal action in the act or a judge's order, the citizen will be kept in custody and at the justice's disposal
- Assistance—essential support to the public
- Charging—the police officer registers, in writing, his or her participation in the event, reporting about the essential aspects for legal and statistical purposes, normally done on the Police Report Form

**Education and Training.** Concerned with police training, the Military Police keeps professional programs and specialization courses for all employees. In addition, it keeps five special departments that teach the basics for scientific improvement of the corporation.

**Barro Branco Military Police Academy.** The Barro Branco Military Police Academy, created by Law 1.244, on December 27, 1910, was named at that time, Company of the Public Force, and later became the Military Police School. It has the following purposes:

- Graduating people to exercise positions and inherent functions at the Military Police, such as teaching and providing professional instruction, leadership, and command in the corporation
- The development, promotion, and diffusion of the culture, science, sport, and police knowledge through teaching and research
- Rendering services to the community through extension programs and civil subjects

The winter area of Barro Branco, located next to Cantareira Mountain, in the municipal district of São Paulo, has been regularly occupied by the Military Police since 1983. The remodeling, at that time, by the Public Force, coincides with the installation, in the area of the shot line (1904) and other support facilities.

The present building, inaugurated in 1944, has sheltered several formation and extension courses of the Military Police held for officers and enlisted men.

In 1950 it became the Center of Formation and Extension until 1969 when, exclusively destined to form, to specialize, and to improve officers, it had its curricula restructured and was renamed the Military Police Academy.

As Barro Branco Military Academy since 1978, the school started to be exclusively devoted to form the future officers, with the creation of two new teaching units in the Military Police: the Center of Extension and Superior Studies, which took the responsibility for the formation of the officers, and the Center of Specialization of Officers and Enlisted Men, which was responsible to provide further studies to the professionals of the Military Police.

**Center for the Formation and Improvement of Enlisted Men.** The immediate origin of the Center for the Formation and Improvement of Enlisted Men goes back to the creation of the Battalion of Guards, on September 1, 1936. The School of Sergeants, as it is known, is responsible for the Formation of Sergeants and for the Improvement of Sergeants, promotes exams for the Formation of Corporal PM, which enables the soldier to perform his new function, the Course of Specialization of Enlisted Men Teaching Monitors makes them able to teach in the several existing courses in the corporation, and it receives soldier students that accomplish the second phase in this center. Between 2004 and 2005 four courses of Formation of Sergeants were completed, eleven courses of Specialization of Enlisted Men Teaching Monitors, with 2,829 sergeants to help the community and 797 monitors to work for the corporation.

**Police Officer Formation Center.** This center has the purpose of increasing the development of the Military Police soldiers' formation, by standardization and uniformization, in a corporation level; it was created, on October 2, 1984.

With Decree 37.548, on September 29, 1993, CFSd was renamed Center for the Formation of Soldiers of the Military Police Colonel Eduardo Assumpção, being attributed a fair homage to the memory of the former general commander of the corporation, who did a lot for this Formation Unit.

Thus, assimilating the necessary modifications and adapting itself in the best way to assist the soldiers, as new candidates, to the Military Police career, the CFSd—Colonel Assumpção, Department of Support for Teaching, subordinate to the Teaching and Instruction Council of the Military Police, continues to promote the accomplishment, advice, and inspection of CFSd PM in the state of São Paulo. It is also responsible for the accomplishment of extension apprenticeships of enlisted men; police drivers extension apprenticeship of officers; and police driving instructor and extension apprenticeship of enlisted men—Community Police.

**Center of Superior Studies.** The center is an organ of teaching support, subordinate to the Teaching and Instruction Council of the corporation, and is responsible for the updating and further knowledge of the officers

through the course of extension of officers and the Police College. It provides two types of programs:

- **Course of Extension of Officials:** Updates the professional knowledge of the Military Police captains, enabling them to exercise the functions of officers and to help in the planning of the legal missions attributed to the corporation.
- **Center of Superior Studies:** Provides a master's degree; the Course of Superior Studies updates the knowledge of the superior officers, enabling them to be promoted to the Military Police colonel's position and exercise functions in the political and strategic ambit of the corporation.

**Physical Education School.** Created in 1910, the School of Physical Education of the Military Police is the oldest School of Physical Education in Brazil. Inside of the organizational structure of the Military Police of the state of São Paulo, it is the organ of higher education of the corporation entrusted the physical education teachers' formation for the Military Police of Brazil and nowadays is devoted to the instructors' formation for the Brazilian Air Force. Located on Av. Cruzeiro do Sul, 548, it possesses a 42,000-square-meter "campus," a Laboratory of Effort, Clinic of Physical Therapy, classrooms, dressing rooms, two semi-Olympic swimming pools (including a heated one), three courts adapted for several sports, an indoor gym, area for track and field, and a soccer field.

Besides the teachers' formation, it develops research in the physical education area and activities for the community through schools of sports initiation in swimming, soccer, basketball, judo, exercises for the elderly, clinics of postural rehabilitation, services for children in need and the handicapped, and physical rehabilitation in its physiotherapy clinic.

For community attendance, it develops several sports events open to the public such as bicycling meetings and vacation camps for children.

**Uniforms and Weapons.** Police officers receive two units of shirts, trousers, boots, belts, and caps. The uniforms do not differ from state to state. The only change is the insignia on the shirt.

**Recruitment and Conditions of Service.** To have a police career, one needs to go through a public examination, disclosed in a notice in the *State Daily Gazette*, subject to the existence of vacancies in the several units of the São Paulo State Police.

## HUMAN RIGHTS

The job of a police officer is one of the most dangerous and risky in the modern world. In Brazil the vast majority of the police officers receive low salaries. They are

generally unprotected and are exposed to becoming victims. As the salaries are low, they use their days off to make extra money, when they have no support from the corporation. Therefore, they are often murdered when their identity is discovered.

## CRIME

**Crime Statistics.** Kidnapping in the state of São Paulo decreased 63% between 2002 and 2003. The figure went from 321 cases in 2002 to 118 cases in 2003. In the capital city, the decrease was 35%. In 2002, 184 cases were registered and in 2003 there were 84 kidnappings.

The rate of homicides has decreased in the state 7.6%. In the capital city, there was a decrease of 7.84%. In the greater São Paulo, there was a decrease of 8.89% and in the countryside a decrease of 6.21%. Homicide attempts decreased by 3.11% in 2003.

In 2003 the police registered twenty-three slaughters (multiple homicide) in the capital city and solved twenty-two cases. According to a study of the Department of Homicides and Protection to the Person (DHPP), the number of slaughters registered in 2003 was 42.5% lower than the number registered in 2002.

In 2003 the police registered a decrease of 6.81% in vehicle thefts in the state in relation to 2002. In the capital city, there was a decrease of 6.54% and in the interior there was a 0.21% decrease. Comparing the fourth quarter of 2003 with the same period in 2002, there was a decrease of 9% in car robberies in the state, 7% in the capital, 15% in greater São Paulo, and 5% in the interior.

The number of drug seizures also increased in 2003. In 2003, 13.9 people were arrested in the state as opposed to 12.1 in 2002, representing an increase of 14.80%. In the capital city, there was an increase of 49% in traffic criminals caught in the act, from 2.9 in 2002 to 3.2 in 2003. In greater São Paulo, there was an increase of 41% in drug seizure and in the interior drug dealers' arrests increased 92%.

Over 55,000 tons of marijuana was seized. The volume was 112% higher than in 2002. In 2002 in the greater São Paulo area marijuana seizure increased 816%. In the capital city, marijuana seizure increased 146% in 2003: 24.6 tons of this drug was seized compared to 10 tons in 2002.

An increase of 89% in cocaine seizure occurred in 2002. In the interior, cocaine seizure increased 266%, rising from 323 kilos in 2002 to 1 ton in 2003.

In 2003 the seizure of weapons increased. The increase was 4.18% in the state. The seizure totaled 39,551 weapons in 2003. In the capital city, 12,622 weapons were seized in 2003.

The number of prisons of adults and adolescents increased in 2003. In the state of São Paulo 97,663 prisoners were processed. The number increased 8.22% in relation to 2002, which registered 90,242 prisoners.

In 2003, 24,818 prisoners were processed, representing an increase of 3.29% in relation to 2002, when 24,027 prisoners were registered. In greater São Paulo, there was an increase of 21.53% in the number of prisoners in 2003, from 16,380 prisoners in 2002 to 19,906. The interior registered an increase of 6.23% in the number of prisons in 2003. In 2003, 52,939 prisoners were processed compared to 49,385 prisons in 2002.

The number of people arrested in the state in 2003 was 73% higher than in 2002.

There were 756 reports of resistance followed by death due to riots that involved military police officers in the state in 2003. This number corresponds to 0.53% of arrested people in 2003.

In the capital city, 38,592 people were arrested in 2003. The increase was 6.96% higher than in 2002. In greater São Paulo, the number of arrested people went from 20,121 in 2002 to 24,136 in 2003, representing an increase of 19.95%. In the interior, the growth of arrested people was 8.36% between 2002 and 2003. In 2003, 80,699 people were arrested in the interior of São Paulo.

In 2003 the Military Police performed 90% more operations than in 2002 (107,734 compared to 56,530).

## CORRECTIONAL SYSTEM

Brazil does not actually have one, but several correctional systems and detention centers in Brazil are managed by the state governments. That is, every one of the twenty-six state governments as well as the government of the federal district manages a separate set of locations with distinct organizational structure. Independent police sometimes use supplementary laws of criminal execution. The independence that the states possess when they establish the criminal policy reflects the variety in such diverse issues such as levels of overpopulation, monthly cost per prisoner, and salaries of prison agents.

The criminal systems do not follow a rigid model. More often, the state executive power, which is led by the governor, manages the prison system by means of the Secretariat of Justice, while the Public Safety Secretariat, which is in charge of the police forces, manages the police offices. In the state of São Paulo the prison system has its own secretariat as recommended by the Law of Criminal Execution. In the state of Amazonas, however, both the prisons and the police offices were controlled by the Public Safety Secretariat.

**Prison Conditions.** Brazil manages one of the ten biggest criminal systems in the world. However, its prison rate, that is, the ratio of prisoners per population is relatively moderate. With an approximate rate of 183 prisoners per 100,000 inhabitants, Brazil has fewer people in prisons per capita than many other countries in the region and much less than the United States.

#### Prison Statistics.

- Total Prison Population: 330,642
- Prison Population Rate per 100,000: 183
- Pretrial Detainees: 23.8%
- Female Prisoners: 3.3%
- Number of Prisons: 868
- Official Capacity of Prison System: 180,953
- Prison Occupancy Level: 182.7%

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*George Thomas Kurian*

# Brunei

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**Official country name:** Negara Brunei Darussalam  
**Capital:** Bandar Seri Begawan  
**Geographic description:** Country in the northwest off the island of Borneo, an enclave of Malaysia  
**Population:** 372,361 (est. 2005)



## LAW ENFORCEMENT

**History.** The first uniformed police force was created by the British authorities in 1905, seventeen years after they took the Brunei sultanate under their protection. Under the command of the resident, this was a small detachment of the Straits Settlement Police. In 1921 this force received the formal designation of the Brunei State Police, to which the title “Royal” was added in 1965.

**Structure and Organization.** The sultan is also the inspector general of the Royal Brunei State Police. Directly under the sultan, the commissioner of police is the operational head of the force. Territorially, the country is divided into two police districts: Brunei, with headquarters at Bandar Seri Begawan, and Belait, with headquarters at Kuala Belait.

Operationally, there are three branches:

- Operational, including reserve units, marine branch, ports and airports, the Royal Guard, training, and the two operational districts.
- Administrative, including transportation, communications, personnel, and buildings.



- Criminal investigation, including the internal security branch known simply as the Special Branch; Interpol; and fingerprint and criminal records. Specialized units include the Marine Police, the Airport Police, and the Royal Guard. A volunteer police unit guards the oil fields. There is also a Police Reserve Unit with two companies.

In descending order, the principal service grades are:

- Commissioner
- Deputy Commissioner
- Assistant Commissioner
- Senior Superintendent
- Superintendent
- Deputy Superintendent
- Assistant Superintendent

- Chief Inspector
- Senior Inspector
- Inspector
- Subinspector
- Sergeant Major
- Sergeant
- Corporal
- Constable

**Education and Training.** Training for all grades is provided at the Police Training Center at Manggis.

**Uniforms and Weapons.** A blue peaked cap is worn with a silver-gray shirt and khaki slacks. Officers wear bush jackets instead of the shirt for normal duties. The police officers are generally armed and are issued rifles, pistols, and automatic weapons for emergencies.

#### **Police Statistics.**

- Total Police Personnel: 3,510
- Population per Police Officer: 106

#### **HUMAN RIGHTS**

Under an autocratic Islamic sultan, the subjects of Brunei have no human rights—there is no freedom of political activity, religion, the press, assembly, or association. Labor rights are circumscribed and foreign workers are exploited. The judiciary is subservient to the administration and the judges themselves are terrified of the ruler. Under the Internal Security Act, citizens may be detained without trial for years.

#### **CRIME**

**Crime Statistics.** Offenses reported to the police per 100,000 population: 932.9. Of which:

- Murder: 1.5
- Assault: 1.2
- Burglary: 79.8
- Automobile Theft: 57.5

#### **CORRECTIONAL SYSTEM**

The prison system is administered by the director of the Prisons Department under the Ministry of Home Affairs.

**Prison Conditions.** Prisoners are generally treated humanely, but there are exceptions. Caning is mandatory for forty-two drug-related and other criminal offenses and is part of the sentence in 80% of criminal convictions. Convicted juveniles are housed together with adults, but females are placed in separate sections.

**Prison Statistics.** There is only one central prison in the sultanate with 463 prisoners, yielding a prison occupancy rate of 127 per 100,000 population. A new detention facility was opened in Tutong to accommodate the growing prison population.

- Total Prison Population: 463
- Prison Population Rate per 100,000: 127
- Pretrial Detainees: 8.4%
- Female Prisoners: 8%
- Number of Prisons: 2

*George Thomas Kurian*



# Bulgaria

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**Official country name:** Republic of Bulgaria

**Capital:** Sofia

**Geographic description:** Located in the Balkan Peninsula in southeastern Europe, bordering the Black Sea

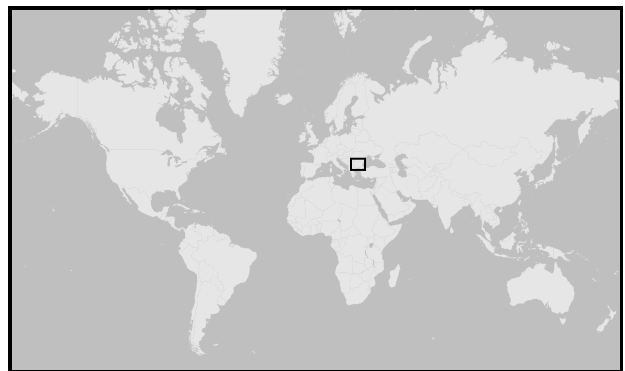
**Population:** 7,450,349 (est. 2005)



## LAW ENFORCEMENT

**History.** Past events in Bulgaria provide a foundation for understanding the structure of the current law enforcement system. As a nation, Bulgaria can trace its roots back to 681, when the Cyrillic alphabet was introduced. Christianity is currently the primary religion; however, there is a sizable Turkish minority that is Islamic. Bulgaria has a population of over 7.4 million; 9.4% are Turks and 4.7% are Roma. Slightly less than three-quarters of Bulgaria's population is urban. Sofia is the capital and has a population of 1.2 million. Since the fall of the communist regime in 1989, Bulgaria has had a parliamentary republic. In April 2004 Bulgaria was admitted to NATO and is making progress toward joining the European Union.

As a modern political entity, Bulgaria first emerged in 1878, winning independence after almost 500 years of Ottoman rule. Thus, Bulgaria began its own criminal justice system only with the Penal Act of 1896, which was influenced by the Hungarian and Russian ones. Despite being physically located on Europe's periphery, Bulgaria was well within the mainstream of the European criminal justice system. During the interwar period law enforcement



activity was directed toward rooting out corruption and cracking down on political dissent. By 1934 Bulgaria was no longer a parliamentary democracy. Legislation was passed that made people liable for acts committed retroactively. However, the collapse of the pro-Axis monarchy in 1944 and the establishment of a pro-Soviet regime in 1946 caused some changes in Bulgaria's legal code.

The adoption of the Bulgaria's first Communist-era Penal Code in 1956 reflected the influence of the Soviet Union. Corrective labor without imprisonment and the political notion of social danger replaced unlawfulness as a prime criminal characteristic. Also, punishment of crimes against the state and public property were strengthened. Bulgaria, however, diverged from the Soviet model. For instance, the main Western concepts of criminal legislation concerning crime, guilt, criminal liability, and statutes of limitations were retained.

In the post-Communist era Bulgaria's criminal justice system began to reflect the classical Western model. Bulgaria's 1991 constitution enshrines a separation of

powers among the legislative, executive, and judicial branches. The judiciary is composed of the court, the prosecutor's office, and the investigative bodies, which are all independent of one another. Criminal proceedings, with only a few exceptions, are open to the public. The age of legal responsibility is fourteen; however, there is a special category for juvenile offenders between the ages of fourteen and eighteen. Prosecutors and court officials have more discretion in juvenile proceedings; thus, juveniles do not typically receive prison sentences that are as long as those that adult offenders receive. Furthermore, Bulgaria's criminal justice system has evolved to include protection of private property by police forces.

**Structure and Organization.** The police forces of Bulgaria are organized through the Ministry of the Interior. There are five major police branches:

1. National Security Service
2. National Police Service
3. National Service for Combating Organized Crime
4. National Border Police Service
5. National Gendarmerie Service

The National Security Service has more of a counter-intelligence than a police function. Some of its goals are to crack down on terrorism, illegal drugs, and arms trafficking. The National Police Service has a wide range of responsibilities. Besides maintaining public order and investigating crimes, it is also in charge of traffic, passport regulation, and the issuing of identification cards. The National Service for Combating Organized Crime is, as the title suggests, aimed at eliminating Mafia organizations. In particular, this service focuses on eliminating drug trafficking and counterfeiting. It also maintains a presence on Bulgaria's borders. The National Border Service has the responsibility of maintaining Bulgaria's territorial sovereignty. Not only does it protect Bulgaria's land borders but it also defends the skies and waterways. The National Gendarmerie Service has a strategic role of primarily combating terrorism and providing stability in towns and villages.

Within the Ministry of the Interior there are twenty-eight regional directorates divided by territory. The regional directorate directors are responsible for maintaining order in their territory and they report directly to the interior minister. The directors have police, security, and antiorganized crime units at their disposal.

**Retirement Age.** Police officers are eligible for retirement at the age of fifty or after serving for twenty years.

**Police at Work.** Increased attention to Bulgarian police at work is reflected in the updating of their handbook. They are encouraged to apply restraint when dealing

with suspects and psychological training is emphasized. The importance of the moral and ethical behavior of police officers is an important theme of the handbook. Additionally, nondiscriminatory practices are urged.

**Police-Community Relations.** At the national level, there are regular daily press briefings. There are also phone numbers that citizens and journalists can call to get information. Furthermore, there is contact information on Bulgarian police Web sites.

**Local Police.** Local police are required to report to their districts, which, in turn, report to the interior minister. It is still a fairly centralized system, a reflection of its communist heritage.

**Special Police.** The National Service for Combating Organized Crime, the National Border Police Service, the National Gendarmerie Service, and the National Security Service can all be considered special police.

**Riot Police.** The National Police Service and the National Gendarmerie Service function as the riot police.

**Traffic Police.** The traffic police are part of the National Police Service. Not only are they responsible for the traffic but they are also register cars and ensure that they pass the regulations designed to make them safe to drive on Bulgaria's roads.

**Education and Training.** The major Bulgarian police academy, located in Sofia, offers four-year bachelor's degrees, two-year master's degrees, and a doctorate. Spaces are limited; there are 10 slots available for those with a military background, 10 from a nonmilitary background, and 5 for women. Students are given a stipend, which is 40% to 60% of the first-year salary of a police officer. There is only one slot available for the doctoral program. The academy is a modern facility with computers and faculty who have strong academic backgrounds. For sergeants, the training is carried out in four public schools for a period of one year. As a member of NATO and as a potential future member of the European Union, Bulgarian training and education standards may shift to reflect the requirements of these organizations.

**Uniforms and Weapons.** There has been a recent change in the style of Bulgarian police uniforms. Gone are the Soviet-era uniforms. In their place are dark blue and navy blue uniforms more in the fashion of the western European police services. This is only natural, since Bulgaria has become a part of NATO. What is distinctive about the uniform is the patch of a lion on the left shoulder, which serves as a symbol of Bulgaria.

The police carry pistols. They also have bullet-proof vests available. Antiterrorist and antiriot police are armed



*Police officers investigate a bomb explosion site in the Black Sea resort town of Obzor, Bulgaria, July 13, 2005. A two-year-old girl and her parents were killed as a bomb destroyed their car. Several others passing by were injured and investigators suspected that the incident might have been related to an underworld score settling. AP IMAGES.*

with more advanced weapons, such as semiautomatic weapons.

**Hierarchy and Ranks.** There is a militaristic structure with officer and sergeant ranks. Civilians are also recruited to fulfill administrative duties.

**Transportation, Technology, and Communications.** The Bulgarian radio equipment is standard. In recent years the police forces have begun developing Web sites. Although they do not have detailed information yet, there is basic geographic data. At the national level, the Ministry of the Interior provides a wealth of information, including the organization of the police, names and contact information of officials, and current news stories about the Bulgarian police. However, there is still a lack of detailed statistical information.

**Surveillance and Intelligence Gathering.** The National Security Service, and to a lesser extent the National Gendarmerie Service, provides much of the intelligence gathering. Counterintelligence is the primary function of the National Security Service while the National

Gendarmerie Service handles strategic matters. The National Police Service also gathers intelligence on crimes.

#### **HUMAN RIGHTS**

Bulgaria has been criticized in several areas: torture and excessive police force, treatment of the mentally ill, and abuse of ethnic minorities. The International Helsinki Federation for Human Rights states that the use of force is the rule rather than the exception when Bulgarian police apprehend suspects. There have also been suspicious suicides by suspects while in the custody of the Bulgarian police. A survey carried out among prisoners showed that 43% had been tortured or ill treated after their arrest. On the positive side, the Ministry of the Interior requires that criminal suspects be read their rights, with a signed statement by the suspect. Also, the nongovernmental organizations have been given greater access to Bulgarian prisons.

People have been arbitrarily put in social-care centers. Conditions are so poor in these centers that patients have died from starvation. There have been reported beatings of patients by the staff and bedridden patients have been

completely neglected. Also, there has been a shortage of doctors at these facilities with untrained staff filling in the gaps. The facilities are located in remote areas of the country, thus making them inaccessible to medical specialists.

Human rights organizations have also condemned Bulgaria for the ill treatment of the Roma minority. Racist groups have targeted the Roma and the police have been slow to protect the minority. Also, there has been a rise in the amount of anti-Semitic literature released by Bulgarian publishing houses. There have been reported cases of Nazi symbols being scrawled on walls in Roma neighborhoods and on a Jewish school. Still, no racist Bulgarian political party has any significant electoral support.

## CRIME

After the end of Communism, Bulgaria experienced a substantial increase in crime. Although this may be due to new methods of accounting, some forms of crime, such as Mafia-related crime, have definitely grown. During recent years, however, crime has noticeably leveled off.

**Criminal Identification and Forensics.** The Bulgarian National Police Service has the primary responsibility for conducting investigations, which lead to the identification of criminals. Information is not readily available on the forensic techniques that they use.

**Organized Crime.** Organized crime remains a problem in Bulgaria. As with many former Communist countries, many of the fired government employees found work with either Mafia organizations or private security firms. The focal point of organized crime includes drug trafficking, counterfeiting, and extortion. Former government officials have used their old connections to set up their own criminal syndicates. Also, entrepreneurs have created their own Mafias to exploit the new market economy. The embargo on goods to Serbia-Montenegro during the wars of Yugoslav succession fueled the growth of criminal networks. The effect of organized crime is demonstrated by both the high coverage in the mass media and the prevention efforts proclaimed by official sources in the Ministry of the Interior. Bulgaria has one police agency, the National Service for Combating Organized Crime, that focuses on eradicating organized crime. Bilateral treaties have been signed with bordering countries to eliminate the criminal syndicates.

## CORRECTIONAL SYSTEM

There are several kinds of prisons in the corrections system. They include ones for juveniles, open, semiopen, and closed corrections labor systems. The type of establishment a prisoner is sentenced to is announced during

the punishment part of the trial. Halfway houses were added to the Bulgarian penal system in 1997. The death penalty has not been used in Bulgaria since 1990.

**Prison Conditions.** There are no laws regulating space in Bulgarian prisons. This can lead to overcrowding, which in some prisons reached 200%. Cells in Bulgarian prisons are small, and the buildings are old.

**Prison Statistics.** In 2002 there were 9,422 inmates in Bulgarian prisons and halfway houses. Over 800 inmates were in 74 investigative detention centers (International Helsinki Federation for Human Rights 2003). There are fourteen prisons and one juvenile detention center in Bulgaria (Bulgarian Law Portal 2004).

- Total Prison Population: 11,060
- Prison Population Rate: 143
- Pretrial Detainees: 17.5%
- Female Prisoners: 3.2%
- Juvenile Prisoners: 1.3%
- Number of Prisons: 15
- Official Capacity of the Prison System: 8,738
- Prison Occupancy Level: 126.5%

## MOST SIGNIFICANT ISSUE FACING THE COUNTRY

In many ways Bulgaria remains a country in transition. Thus, it is only natural that the law enforcement situation reflects this phase. Bulgaria is now a part of NATO, and it hopes to join the European Union in several years. As Bulgaria moves closer to the international community, there will be increasing pressure to conform to international standards. Since the 1990s Bulgaria has provided police forces for the NATO administration of Bosnia, and it has agreed to train Iraqi police forces. As part of the Schengen Plan, Bulgaria is required to modernize its police and criminal justice system; it has already begun to do so. As Bulgaria moves ahead, the most significant issue will be whether the country continues ahead with its plans to strengthen its ties to the international community or remains mired in the past. If Bulgaria joins with the international community, it will have increased its chances of having an effective criminal justice system. If it falls behind, Bulgaria will have less help in combating the problems of organized crime, torture, and official corruption.

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***Erik Sean Estep***

# Burkina Faso

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**Official country name:** Burkina Faso

**Capital:** Ouagadougou

**Geographic description:** A landlocked country in West Africa

**Population:** 13,925,313 (est. 2005)



## LAW ENFORCEMENT

**Structure and Organization.** The security apparatus consists of the Gendarmerie, which is controlled by the Ministry of Defense; the National Police, which is controlled by the Ministry of Security; and the municipal police, which is controlled by the Ministry of Territorial Administration. The Presidential Guard is an autonomous security force.

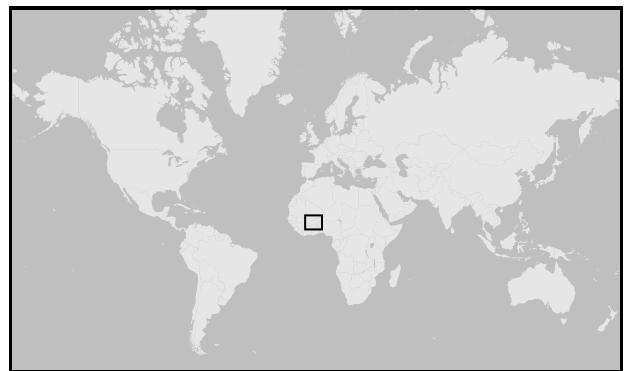
## CRIME

**Crime Statistics.** Offenses reported to the police per 100,000 population: 9. Of which:

- Murder: 0.4
- Assault: 1.7

## CORRECTIONAL SYSTEM

**Prison Conditions.** Prison conditions are harsh. The prison diet is poor and inmates have to rely on the kindness of relatives. There are separate facilities for men,



women, and children, but these facilities are typically crowded, with common rooms rather than individual cells.

**Prison Statistics.** The prison administration is under a director who reports to the Ministry of Justice. There are eleven prisons in the country with an official capacity of 1,650 and a prison population of 2,800. Per 100,000 population, the prison population rate is 23. Of all inmates, 58.3% are pretrial detainees, 1% are women, and 2.4% are juveniles. The largest prison at Bobo-Dioulasso, built in 1947, houses over 1,000 prisoners, even though it is designed to hold half that number.

*George Thomas Kurian*

# Burma (Myanmar)

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**Official country name:** Union of Burma

**Capital:** Rangoon (known by the country's government as Yangon)

**Geographic description:** Country in Southeast Asia extending 800 miles from China to Malaysia; bordered by India and Bangladesh on the west and China, Laos, and Thailand on the east

**Population:** 42,909,464 (est. 2005)



## LAW ENFORCEMENT

**History.** The Myanmar Police Force (MPF) traces its origins to the colonial days when the British set up a Western-style police force to establish law and order among the different principalities that made up the country. The principal units of this police administration were the Burma Police Service, with several special units, such as the Criminal Investigation Department and Special Intelligence Department.

Until 1967 the police forces were subordinate to the army, and relations between the two were strained. Major police grievances were the imposition of army regulations, low supply priorities compared with the military and alleged lack of army support to outlying police posts during insurgent attacks. After becoming independent of the army in 1967, police morale improved, and personnel received better pay scales and equipment.

**Structure and Organization.** The MPF is the successor to the Burma Police. It is organized under the Ministry of Home Affairs and consists of the Civil Police and the

Yangon City Police. Although organizationally independent of the army, the military continue to dominate the upper echelons of the police force. The general headquarters is in Yangon under a director general (with the rank of a major general), assisted by a deputy director general. Often, the director general is a senior army officer, and army officers hold most of the other senior posts. The director general reports directly to the minister of home affairs. The Police Council made up of ranking police, army, and cabinet officials is the senior policy-making body.

The average city police headquarters is housed in a frame building enclosed by a fence or barbed wire, and most offers basic facilities for administration, housing, and supply storage. Most rural posts are strictly utilitarian, generally consisting of a rustic fortlike compound, closely guarded and surrounded by barbed wire. Rural posts are bases of operation for fixed guard posts and area-surveillance patrols.

**Principal Agencies and Divisions.** The Yangon headquarters has two special departments and two principal staff sections: the Supply and Finance Section and the Administrative and Training Section. There is no separate operations directorate; rather, the chain of command runs directly from the office of the director general to the subordinate units in the field.

Two special units are the Criminal Investigation Department (CID) and the Special Investigations Department (SID), the latter concerned more with intelligence-gathering and counterintelligence work. Half of the SID personnel are stationed in Yangon, and the rest are dispersed throughout the country. The CID staff is distributed among three bureaus: the Crime Bureau, the Scientific Bureau, and the Railway Police Bureau.

The Yangon Police is an autonomous metropolitan force operating exclusively within the capital city and its environs. It is headed by a director and has an estimated strength of 10,000. In addition to regular law enforcement, it is responsible for the registration of motor vehicles, the surveillance of foreigners, and the security of the Port of Yangon. Other routine duties include the usual police activities associated with urban life, such as sanitation, traffic control, and the suppression of vice.

The Civil Police comprises all forces stationed outside the capital and forms the bulk of the MPF. Its uniformed personnel are patrolmen on the beat and rural constables. Its members often act as guards of government buildings and assist the army in operations against insurgents. The Civil Police is organized into fourteen subordinate geographic regions corresponding to the administrative divisions and the constituent states. Each region is headed by a director or vice director and is subdivided into districts, stations, and outposts. Much of the operational control is exercised by the army through its Security and Administrative Committees composed of civil and military officials at various levels. Police battalions are specialized units in urban areas. There are nine such battalions reporting directly to the director general. Seven are in Yangon, one is in Mandalay, and one is in Rakhine State.

**Salaries.** Grades in the MPF conform closely to those of the colonial British police force. Ranks below the director level range from constable to superintendent through corporal, sergeant, station officer, and inspector. Successive pay increases since the mid-1960s have brought police compensation into line with equivalent army ranks.

**Education and Training.** Most basic police training in modern techniques originated with a U.S. program that lasted from 1950 to 1965. The Police Officers Academy in Mandalay conducts annual courses for officer candidates and also has a course of advanced instruction for

officers at the intermediate level. The Central Training Institute at Pyin-Oo-Lwin offers training courses for officers. Two other training facilities provide six-month training courses for constables. The Criminal Investigation Division offers specialized training for detectives.

**Uniforms and Weapons.** Police uniforms closely resemble British tropical military wear. Army khaki uniforms with distinctive insignia are worn in the field and in hot weather. For garrison or urban duty, enlisted men wear blue trousers with a bluish-gray Angora shirt. Headgear is either a beret or a wide-brimmed Gurkha hat. Non-commissioned officers wear chevrons on the right sleeve only. Officers have a blue or khaki service coat and a peaked service cap or beret for field duty. Noncommissioned officers are armed with a pistol, while patrolmen carry a baton, unless issued with other weapons during emergencies. The Metropolitan division of the Yangon City Police has a distinctive uniform consisting of a white jacket worn with dark blue trousers or breeches. The police have their own decorations: four medals, one of which is reserved for officers, and the others are given for gallantry, distinguished service, and conspicuous devotion to duty. The two higher awards carry with them a monetary allowance, rated according to the rank of the recipient.

**Transport, Technology, and Communications.** As with training, most police equipment originated in the United States. Police vehicles, such as trucks, sedans, jeeps, or motorcycles, are adequate to meet local needs. Rural patrols are conducted mostly by motor vehicles, but the force also has many patrol boats covering rivers and coastal areas. All but the most remote outlying posts are tied into the police communications network, linking them with the headquarters in Yangon.

**Surveillance and Intelligence Gathering.** Counterintelligence activities are conducted by the National Intelligence Bureau (NIB) and the Bureau of Special Investigations (BSI). The NIB is made up of various intelligence and specialized security agencies, such as the Military Intelligence Service of the Ministry of Defense. Headed by a director, the NIB is a component of the Central Security and Administrative Committee. The BSI is directly under the office of the chairman of the Revolutionary Council. It was originally organized to investigate corruption among political leaders and government employees, but this aspect of its work has fallen into disuse. The agency is now engaged mostly in investigating possible threats to the regime.

#### Police Statistics.

- Total Number of Police Personnel: 64,981
- Population per Police Officer: 660



## HUMAN RIGHTS

The country has one of the most oppressive regimes in the world in terms of human rights. Citizens are subject to the arbitrary and brutal dictates of the military regime. Security forces routinely commit extrajudicial killings and rape in insurgent areas. Arbitrary arrest and detention of opposition leaders has been condemned by the international community. Persons suspected of pro-democratic activities are subject to surveillance and harassment. Homes are searched without warrants and persons relocated forcibly. Private citizens and political activists “disappear” for several days or weeks and, sometimes, permanently.

## CRIME

**Crime Statistics.** Offenses reported to the police per 100,000 population: 64.5. Of which:

- Murder: 1.9
- Assault: 26.9
- Burglary: 0.1
- Automobile Theft: 0.1

## CORRECTIONAL SYSTEM

The prison administration, under the direction of the Ministry of Home Affairs, is regulated by the provisions of the Penal Code, which appears as Volume VIII of the Burma Code. The system is loosely organized, however, and most detention facilities receive little central guidance or supervision. There is a prison facility of some kind in most towns of any size, but most of them are old buildings in poor repair. According to the best available information, there are about 40 detention facilities in the country, about 10 of which are central prisons, 20 district jails, and 10 subjails and guardhouses. Most consist of a frame or log enclosure surrounded by a barbed-wire fence. There are also quarry, agricultural,

livestock-breeding, rubber plantation, labor utilization, and rehabilitation camps. There are also a women’s center and a reformatory for juvenile offenders, called a training school.

**Prison Conditions.** None of the country’s penal institutions is known to have workshops or handicraft facilities, and none has teachers, social workers, vocational training instructors, or medical personnel assigned to their permanent staff. Prison conditions are harsh. Mortality rates in the labor camps are very high. In prisons, food, clothing, and medical supplies are short. Bedding, if any, consists of a single mat on the floor. Prisoners rely on their families, who are allowed to visit once every two weeks for 15 minutes per visit, to provide basic necessities. HIV infection rates are high due to communal use of syringes for injections. Political prisoners are separated from common prisoners, juveniles from adults, and men from women. Many prisoners die in prison and in some cases are shot to death when they become too weak to work on construction projects.

## Prison Statistics.

- Total Prison Population: 60,000
- Prison Population Rate per 100,000: 140
- Pretrial Detainees: 12.9%
- Female Prisoners: 17.8%
- Juvenile Prisoners: 1.6%
- Number of Prisons: 94
- Official Capacity of the Prison system: 26,100
- Occupancy Level: 144.3%

*George Thomas Kurian*

# Burundi

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**Official country name:** Republic of Burundi

**Capital:** Bujumbura

**Geographic description:** A landlocked country in central Africa

**Population:** 6,370,609 (est. 2005)

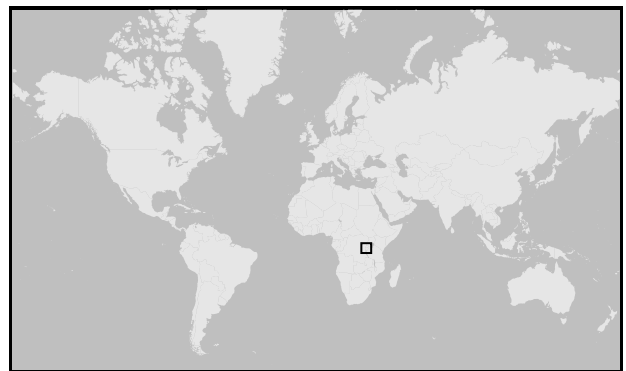


## LAW ENFORCEMENT

**History.** The earliest police force in Burundi was set up under the German occupation that began in 1896 and ended during World War I, when the Belgians took over the country. The Belgians did not create a discrete police force but used Congolese soldiers to police the country. Toward the end of their rule, the Belgians created a national police and a Gendarmerie recruited almost entirely from the Tutsis.

**Structure and Organization.** There are three branches engaged in law enforcement in Burundi: the National Police, which polices the major towns; the Judicial Police; and the Gendarmerie. All the branches are headquartered in Bujumbura and are headed by directors who report to the Ministry of the Interior.

The central directorate is organized into four sections: administrative, secretariat general documentation, identification, and professional training. There are field offices in all major towns and provincial offices in the sixteen provinces. The general documentation section includes bureaus of information, publicity, statistics, and central archives. The Judicial Police, created in 1967, has field offices called Mobile Judicial Police



Units, each commanded by a brigade chief. They collect evidence and arrest criminals.

Rural policing is undertaken by the Gendarmerie.

Since the beginning of the ethnic conflict, many police functions have been performed by Tutsi-dominated armed paramilitary civil defense units known ironically as the Guardians of the Peace. Members of the Guardians of the Peace are unpaid and poorly trained, and some are even conscripted. Being unpaid, they live by threatening and harassing people. They also recruit children to do their work and are known to beat, rape, harass, and extort money. They are responsible for most of the street killings in the country.

**Education and Training.** Officers of the Judicial Police are recruited by the Ministry of Justice on the basis of competitive examinations. Successful candidates are admitted to the Professional Training Center for an eighteen-month training cycle. After completion they are appointed

## *Burundi*

as probationary police officers for twelve months. Candidates to the National Police and the Gendarmerie are trained at the Police Academy at Bujumbura.

### **HUMAN RIGHTS**

Members of the security forces routinely commit serious human rights violations. They are responsible for tens of thousands of killings. No members of the security forces are disciplined or punished for their roles in mass killings. According to Amnesty International, there is widespread torture of children, including sexual abuse and beatings with sticks and electric flexes. The Burundian Association for the Defense of the Rights of Prisoners estimates that 45% of prisoners are tortured. The judiciary is weak and powerless, and security forces refuse to cooperate with civilian prosecutors and judges. There are also unexplained abductions and disappearances. Rapes of women by security forces are commonplace occurrences. Civilians are subject to arbitrary arrest and detention for long periods of time. Those arrested sometimes disappear and never return to their homes.

### **CRIME**

**Crime Statistics.** Offenses reported to the police per 100,000 population: 156. Of which:

- Murder: 9.7
- Assault: 10.8
- Burglary: 2
- Automobile Theft: 0.2

### **CORRECTIONAL SYSTEM**

Several types of prisons were constructed under the German and Belgian colonial regimes. Each province has a central prison and a work camp for long-term prisoners. The most important prisons are at Rumonga (near Bujumbura), Gitega, and Muhinga.

**Prison Conditions.** Prison conditions are harsh, reflecting the political strife in the country. Prisoners are not provided food but have to rely on family members for food and water. Many prisoners die from malnutrition and hunger. Disease is rampant, and inmates receive no medical care. Juveniles are placed in the same cells as adults and are subject to violence and sexual exploitation. Political prisoners and pretrial detainees are placed in the same prisons with hardened criminals. International and local human rights monitors are denied access to visit prisoners, especially those political prisoners involved in the ethnic conflicts.

**Prison Statistics.** Overall, there are eleven prisons under the control of the Directorate General of Prison Affairs, which is part of the Ministry of Justice. These prisons have an official capacity of 3,750 but actually hold a total of 8,647 inmates, yielding an overcrowding level of 230.6%. Unofficial estimates place the prison population at 12,000. The incarceration rate is 129 per 100,000 people. Of the prison population, 59.4% are pretrial detainees, 2.5% are females, and 1.7% are juveniles.

*George Thomas Kurian*

# Cambodia

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**Official country name:** Kingdom of Cambodia

**Capital:** Phnom Penh

**Geographic description:** Southeast Asian country bordering on the Gulf of Thailand

**Population:** 14,500,000 (est. 2005)



## LAW ENFORCEMENT

**History.** The history of Cambodia's legal system is one of the most varied in the world. Until the Communist and later Vietnamese takeover, law enforcement was the responsibility of the Royal Khmer Police under the authority of a secretary of state in the Ministry of the Interior. It was a loosely centralized force that included the National Police, patterned after the French *Sûreté*; the municipal police in Phnom Penh; rural town police; and the paramilitary Surface Defense Force—a constabulary composed of the Provincial Guard and the *Chivapul*, a local volunteer militia. The police were reorganized in May 1970 when most of its component elements were transferred to the army. After the imposition of martial law in 1970, the provost marshal and the military police handled the general maintenance of law and order, including traffic control. The National Police continued to act as a bureau of investigation and surveillance under a central commissariat. Under Pol Pot, the police name was changed to People's Militia. The National Police was restored to its former status after the restoration of constitutional monarchy in the late 1990s. In 1998 Cambodia's security consisted of (1) the Royal Cambodian Armed forces, (2) the National Police, and (3) the *gendarmerie*.



**Structure and Organization.** The National Police is administered by a general directorate subordinate to the Ministry of the Interior. Details of its deployment and organization are not known. The national headquarters contains five main sections:

- Criminal
- Economic
- Immigration
- Administrative
- Special Police

The Municipal Police in Phnom Penh, with ten precincts under a commissariat, have additional responsibilities, including covert operations and the security of government installations and officials.

### Police Statistics.

- Total Police Personnel: 6,308
- Population per Police Officer: 1,980

#### **HUMAN RIGHTS**

The government's record in the area of human rights is mixed. The police and the military engage in political and nonpolitical killings and are rarely prosecuted. Torture, beatings, and other forms of physical mistreatment of persons held in police custody are a serious problem throughout the country. Police officials use physical and psychological torture and severely beat criminal detainees during interrogation.

#### **CORRECTIONAL SYSTEM**

Cambodia maintains three national prisons and twenty-four municipal and provincial prisons; a prison camp is maintained on an island in the Gulf of Thailand offshore from the town of Keb in Kampot province. The prison system is administered by a director in the Ministry of the Interior.

**Prison Conditions.** Prison conditions are harsh and marred by overcrowding, health problems, food and water shortages, malnutrition, and poor security. In 2003 some 50 prisoners died of disease while in custody. There is no separation of juvenile prisoners from adults, persons

detained for minor offenses from violent criminals, or male from female prisoners. Regulations allow families to provide prisoners with food and other necessities, but they often have to bribe prison guards to do so. Human rights groups and lawyers are sometimes denied permission to meet prisoners in private or to monitor prison conditions.

#### **Prison Statistics.**

- Total Prison Population: 6,778
- Prison Population Rate per 100,000: 47
- Pretrial Detainees: 31.3%
- Female Prisoners: 5.1%
- Juvenile Prisoners: 4.2%
- Foreign Prisoners: 2.1%
- Number of Prisons: 27
- Official Capacity of the Prison System: 5,665
- Occupancy Level: 112%

*George Thomas Kurian*

# Cameroon

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**Official country name:** Republic of Cameroon

**Capital:** Douala

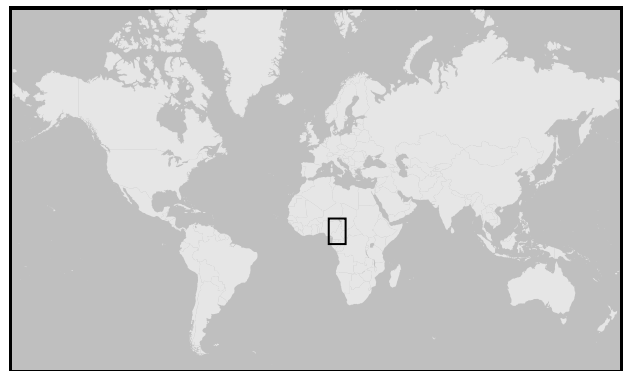
**Geographic description:** Country in central west Africa bordering on the Bight of Biafra where the coast curves into west Africa

**Population:** 16,988,132 (est. 2005)



## LAW ENFORCEMENT

**History.** Cameroon's law enforcement traditions are derived from three colonial masters: the Germans (1884–1916), the French (1916–1945), and the British (1945–1961). The French police traditions have prevailed and remain strong. The General Delegate for National Security (GDSN; the national police) and the National Gendarmerie are primarily responsible for law enforcement. The Gendarmerie was officially established in 1960 by transferring members of the French Guard and the Cameroonian Guard preindependence security forces. Members of the Old Civic Guard in the Bamileke area were also brought into the new national force. The total Gendarmerie strength of 3,000 included mobile gendarmes. The organizational structure and command hierarchy of the Gendarmerie were similar to those of the armed forces, and its officers were, in effect, military officers assigned to internal security duties. By 1965, all command and supervisory posts in the Gendarmerie were held by Cameroonians, and French personnel were withdrawn. In 1966 the Republican Guard was created to protect the presidential palace and as an honor guard for state occasions.



**Structure and Organization.** The prison system is administered by the director of the Penitentiary Administration under the Ministry of Justice. The country is divided into a number of districts, each containing general police stations (or commissariats), regional judicial police units, and frontier posts. The judicial police units are concerned with investigating serious crimes. Each province has one legion of gendarmerie, called the Provincial Gendarmerie. In addition, the Operational Command of the internal security forces maintains a special prison at Kosovo.

**National Gendarmerie.** The National Gendarmerie's responsibilities include highway patrolling and traffic control and investigation and surveillance of suspects. This agency is sometimes used by the government as a counterweight to the army.

**General Delegate for National Security.** The GDSN, the second law enforcement agency, is commanded

## Cameroon

by a delegate general on the presidential staff. It maintains regional offices in all parts of the country and handles routine police work in all large towns.

**Education and Training.** Education for all ranks is provided by the national police academy in Yaounde. There are small training schools for recruits in Douala and Garoua.

**Uniforms and Weapons.** The uniform consists of khaki bush shirts and a navy-blue cap. All personnel carry an automatic pistol.

### Police Statistics.

- Total Police Personnel: 13,833
- Population per Police Officer: 1,170

## HUMAN RIGHTS

Cameroon has one of the worst human rights records in Africa. The security forces detain, beat, and otherwise abuse suspects and detainees with impunity. Few security personnel are ever charged with violence against citizens, and they ignore prosecutors and judges. The judiciary is corrupt, inefficient, and subject to political influence. The Operational Command of the security forces was found guilty of mass murders of civilians and the detention of people in their own prison facility. The country has several mass graves, including one in the Forest of Monkeys and another off the Old Road between Douala and Edea, where bodies were abandoned in pits or buried. Another crime-fighting unit, the Israeli-trained Light Intervention Battalion, has been accused of summary executions. There are reports of disappearances of persons in the custody of security forces. They are believed to have been summarily executed, and their bodies have never been found. The Operational Command are believed to torture and otherwise abuse detainees and suspects. Security forces harass and threaten journalists and others and use roadblocks to extract bribes. The government rarely investigates or punishes officials involved in these abuses.

## CRIME

**Crime Statistics.** Offenses reported to the police per 100,000 population: 78. Of which:

- Murder: 0.4
- Assault: 1.2
- Burglary: 1.2
- Automobile Theft: 5.1

## CORRECTIONAL SYSTEM

**Prison Conditions.** Prison conditions are harsh. Prisons are seriously overcrowded and unsanitary. Prisoners are kept in dilapidated colonial-era prisons where the number of detainees is four to five times the official capacity. Health and medical care are nonexistent and inmates' families are required to bring in food to their relatives in prison. Douala's New Bell Prison contains seven water taps for 3,500 prisoners. Prison officials routinely beat, torture, and otherwise abuse prisoners, often to obtain forced confessions. Many of the prisoners die as a result of the mistreatment. Prisoners are reportedly chained and flogged in their cells. Two forms of physical abuse commonly reported are the "bastinade," in which the victim is beaten on the soles of the feet, and the "balancoire," in which the victim is hung from a rope while being beaten on the genitals. Other forms of degrading treatment include stripping, confinement in small cells, and denial of access to sanitation facilities. In the north, the government has permitted Lamibe, or chiefs, to detain individuals in private buildings, where they are tortured and where many die from mistreatment.

Corruption among prison officials is widespread. Prisoners are often bribed by prison officials for special favors or treatment, including temporary freedom. For a weekly bribe of \$20 paid to the superintendent, prisoners can buy freedom for twelve hours. Prisoners use their free time to steal in order to bribe the officials again.

Juvenile prisoners are often incarcerated with adults, occasionally in the same cells or wards, where they are sexually abused. Prisoners awaiting trial are routinely housed with convicted prisoners. Likewise, women are held in the same prison complexes as men, often in the same cells. In some cases, prisoners are kept beyond their release dates because the relevant files are lost. In one case, a prisoner was released 13 years after his release date, and other detainees have spent six years in jail without a trial.

The Cameroonian League for Human Rights has published statistics detailing the overcrowding in Cameroonian prisons (official capacity in parentheses):

- Yaounde-Kondengui: 9,530 (2,500)
- Douala New Bell: 7,000 (1,500)
- Bamenda: 4,855 (330)
- Bafoussam: 5,225 (850)
- Edea: 4,255 (750)
- Dschang: 6,845 (715)
- Garoua: 4,636 (280)
- Nkongsamba: 8,753 (630)

**Prison Statistics.**

- Total Prison Population: 21,000
- Prison Population Rate per 100,000: 125
- Pretrial Detainees: 65.0%
- Number of Prisons: 67
- Official Capacity of the Prison System: 6,749
- Occupancy Level: 296.3%

*George Thomas Kurian*



# Canada

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**Official country name:** Canada

**Capital:** Ottawa

**Geographic description:** All of North America outside the United States, Mexico, and Greenland. Largest country in the Western Hemisphere and the second-largest country in the world.

**Population:** 32,805,041 (est. 2005)



## LAW ENFORCEMENT

**History.** On December 12, 2003, Prime Minister Paul Martin announced the formation of a new Ministry of Public Safety and Emergency Preparedness Portfolio that consists of the Department of Public Safety and Emergency Preparedness (DPSEP) and seven agencies:

- The Royal Canadian Mounted Police (RCMP)
- The Canadian Security Intelligence Service
- Correctional Service Canada (CSC)
- The National Parole Board of Canada (NPB)
- The Canada Firearms Centre
- The Canada Borders Services Agency

The DPSEP and the seven agencies are responsible for Canada's policing, law enforcement, corrections and conditional releases, and national security. Under the DPSEP's control has been placed the Department of the Solicitor General (formerly in charge of the portfolio agencies), the Office of Critical Infrastructure Protection and Emergency Preparedness (formerly under National



Defense) and the National Crime Prevention Centre. The details of this major organizational change were still being worked out as of 2005 and—as with the U.S. Department of Homeland Security—it will likely be several years before the dynamics of the new organizational relationships are fully understood.

Policing in Canada, as in most countries, is a function of geographic, social, economic, and political factors that have shaped the country. As in the United States, the earliest days of policing in Canada were characterized by a fragmented, local, and ad-hoc approach to law enforcement. While a night-watchman force made an appearance as early as 1651 in Quebec, the officers did not gain a law enforcement role until 1673 with the imposition of the British justice of the peace system. The position of constable was introduced to the French-speaking provinces in 1787, most particularly in the cities of Montreal and Quebec.

Police forces did not begin to appear in the English-speaking areas until the mid- to late eighteenth century.

The development of policing in Upper Canada (now Ontario) followed a pattern similar to that of England, and English settlers incorporated the roles of sheriffs, constables, and justices of the peace into their settlements. In 1792 English common law was established as the law for Upper Canada, followed by the Parish and Town Officers Act of 1793. This act provided for the appointment of high constables who would in turn appoint citizens to serve as constables in each parish or township in the high constable's provincial district. Similarly, the governor of Newfoundland was empowered by royal proclamation in 1792 to appoint constables and justices of the peace. This constabulary-based system lasted until about the mid-nineteenth century. A rise in the perception of a crime problem—if not the actual development of a crime problem—eventually led municipalities to develop more modern police forces. For instance, a police force of six men replaced Toronto's night watchmen in 1835, and the Municipal Institutions of Canada Act of 1858 authorized municipalities to form police forces overseen by boards of commissioners. Through most of the late nineteenth century, a police presence was found mostly at the municipal level, following the English constabulary tradition. Organized policing came to the Canadian west even later. Partly due to sparse settlement and partly due to low rates of serious crime, the first organized police force did not arrive in British Columbia until 1858 with the onset of the gold rush. A formal provincial force was formed in 1871 when British Columbia joined the Confederation.

In 1867 the British North American Act delegated to the provinces the establishment of their own police forces, courts, and correctional institutions, defining for the provincial level a key role in the administration of justice. One year later, the first federal police force—the Dominion Police Force—was formed primarily to protect government buildings and property and to enforce counterfeiting laws. At the same time, under the provisions of the 1867 act, the provinces proceeded to establish their own forces. The 1867 act would have seemed to end any question of provincial leadership in law enforcement. However, the provincial forces proved to be less than effective—mostly due to considerable political interference. This situation, combined with the establishment of a new federal police force in the west, would have profound consequences for how provincial police services were to be delivered.

**Structure and Organization.** The terms *police officer* and *peace officer* are used interchangeably in Canada. Such officers are defined broadly in Canada's Criminal Code and include mayors, members of the CSC, customs or excise officers, fishery guardians, and pilots in command of aircraft (Department of Justice, Canada, Criminal

Code R.S. 1985, c. C-46, s. 2). The basic duties of Canadian police officers are similar to those of the United States and the United Kingdom and include law enforcement, order maintenance, and service.

All policing in Canada is divided among three levels: federal, provincial, and municipal. Canada has ten provinces: Alberta, British Columbia, Manitoba, New Brunswick, Newfoundland, Nova Scotia, Ontario, Prince Edward Island, Quebec, and Saskatchewan. In addition, there are three territories: the Northwest Territory, the Yukon Territory, and the Nunavut Territory.

There are three primary police forces in Canada:

- The RCMP, Canada's largest police force, is both the national and federal police force. As a result of contractual agreements, the RCMP provides policing services for eight of the ten provinces (excluding Ontario and Quebec and parts of Newfoundland and Labrador) and over two hundred municipalities.
- The Ontario Provincial Police (OPP), the police force for the province of Ontario, is the largest in Ontario and the second largest in Canada. It is responsible for areas in the province that do not have municipal or regional police services.
- The Sûreté du Québec, meaning Quebec security or safety, is Quebec's provincial police force. It provides service to areas in the province that do not have municipal or regional police forces and as such is primarily present in small rural and suburban areas. It also polices the provincial highways and is responsible for crime investigation in the province.

The national government is responsible for enforcement of federal laws and statutes as well as for providing policing services for the territories. In addition, the federal government runs a penitentiary and parole system. Criminal laws are set forth in the Criminal Code of Canada promulgated by Parliament. The criminal code is enforced by all federal, provincial, and local police forces. In theory, the administration of justice is dealt with in the provinces. Provinces and municipalities each have responsibility for their own criminal justice organizations and infrastructures although the lines dividing governmental levels are more blurred than organizational flow charts might indicate, and each province and municipality differs in its approach to its law-enforcement responsibilities.

The organization and structure of municipal police forces—and their relationship with provincial structures—vary widely across Canada. As of 2003, there were approximately 515 municipal or regional police forces, with the RCMP providing contract service to over two hundred of those forces. Municipal forces can range in

size from one to six thousand. The Metro Toronto police force is comparable in size to the OPP. Most of the municipalities bear much of the cost of such forces, with some aid from the provincial governments. At the same time, provincial forces can and do provide many specialized services that the municipal forces—especially the small ones—cannot. For example, the OPP provides such resources as Tactical Response Units (TRUs), similar to the U.S. SWAT team, canine units, bomb disposal, divers, helicopters, and major crime investigative units. Most municipal forces are overseen by police boards, but the boards vary widely in the extent to which they are involved in budgets and daily operations. In addition to the Criminal Code, municipal police forces enforce the provincial statutes within their jurisdiction as well as any relevant municipal bylaws. They also have the authority to enforce some federal statutes, such as the Narcotics Control Act.

There are two main trends evident in municipal policing. The first is regionalization. In order to offset the inefficiency of having multiple independent forces in close proximity to each other, a number of the municipal forces have joined together to form regional forces, such as the Montreal Urban Community Police and the Peel Regional Police Force. Though the first regional forces were created in the 1960s, the trend has grown significantly over the subsequent decades. Another trend can be seen in the growing amount of provincial control over municipal forces. The most obvious example is the framework set up in Quebec (discussed below), but it is also evident in efforts to standardize training through a central provincial training facility (such as the Ontario Police College and the British Columbia Police Academy) and through such efforts as uniform policing standards, discipline codes, and procedures for submitting citizen complaints.

*Police-Community Relations.* Community relations—and more specifically, community policing—has become relatively ingrained in the approaches of the main Canadian police forces. Community policing has taken front and center since the 1990s in the RCMP. In a 1990 report on the future of Canadian policing, the Solicitor General Pierre Cadieux predicted that community policing would give frontline officers unprecedented autonomy to work with communities to solve local problems. At the same time, there was a belief that such efforts already fit well with the detachment structure of the organization. The more formal implementation of community policing—mostly that of decentralization of authority—would simplify already existing relationships and allow detachment commanders more flexibility to address individual community needs. Some policing scholars argued, however, that any of the organizational

reforms that came with community policing were more a result of financial pressures and served merely to leave detachments with more responsibility and fewer resources.

Nevertheless, included in the readings for the Cadet Training Program is a report titled *The Environment of Policing by the Year 2000*. A large section of the report discusses community policing, which it refers to as a “a growing Canadian consensus.” The report seeks to introduce cadets to key aspects of community policing, such as close contact with local community members and seeking solutions to underlying problems rather than merely reacting to incidents. The report makes clear that such approaches are to be an integral part of their detachment activities. Community policing is not simply an RCMP project but has taken hold among a number of Canadian jurisdictions. The OPP refers to community policing on its Web site as the “only” way to do business and devotes a section within Strategic Services to the issue.

## ROYAL CANADIAN MOUNTED POLICE

**History.** When Canada purchased much of the Canadian west from the Hudson Bay Company in 1873, it established the Northwest Mounted Police. The “Royal” designation was added in 1904, and the RNWMP force received its new name in 1920 when it was merged with the Dominion Police Force and ultimately took its place as the national policing agency. The new force was established ostensibly to maintain order in the new territories. Other reasons behind its creation include the protection of the native population from unscrupulous traders, the establishment of political and economic sovereignty over the vast territory to ensure orderly settlement by white settlers, and settling labor disputes. In order to accomplish these objectives, the early Mounties had a wide range of powers, including the power to arrest, to conduct trials, and to impose sentences. The extent of their powers engendered a great deal of dislike on the part of both settlers and federal legislators. The image of the clean-cut, heroic Mountie may not have been entirely accurate—at least initially. Historians have found evidence of desertion, drunkenness, and illicit alliances with women.

Originally, the RCMP was designed to be a federal force meant to police federal territories. However, when Alberta and Saskatchewan joined the confederation in 1905, they established their own provincial forces (as had the other provinces under the 1867 act) and then proceeded to contract with RNWMP to provide the service under a cost-sharing arrangement. After twelve years of this arrangement, both provinces created their own forces, in truth with disastrous results. The Saskatchewan force folded in 1928 and the Alberta force

in 1932. The RCMP resumed provincial policing services for both provinces. Over the next twenty years, this type of contractual arrangement expanded into most of the other provinces. As of 2005, only two provinces—Ontario and Quebec—maintain their own provincial police forces.

**Structure and Organization.** As of April 2005, the RCMP had 22,557 active personnel. The RCMP is Canada's federal police force and is organized under the Royal Canadian Mounted Police Act (R.S.C. 1985, C.R.-10). It is designed to enforce the federal criminal laws of Canada, such as the Bank Act, Customs Act, Food and Drugs Act, Income Tax Act, and Narcotic Control Act, as well as a number of criminal code offenses involving fraud and theft against the federal government, counterfeiting, various white-collar crimes involving securities and banking, and bankruptcy. This is different than in the United States, where federal law enforcement responsibilities tend to be divided among different agencies responsible for different issues or regulatory areas.

A commissioner heads the RCMP and is assisted by four deputy commissioners, each in charge of a specific region: Central, Atlantic, Northwest, and Pacific. This regional structure is relatively new, dating only from 1996. The regional structure was designed to increase contact between the RCMP and the community and give frontline officers greater resources. Fifteen divisions—each under the direction of a commanding officer—are divided among the four regions and referred to by an alphabetical designation. Each division in turn consists of a number of detachments. The number of detachments in each region and the size of each detachment vary considerably. In each case, however, the approximately 652 detachments across Canada form the key operational units of the RCMP and are the main point of contact with citizens. Contract policing involves 47% of RCMP personnel in provincial and municipal duties.

In addition to several administrative directorates, the mandate of the RCMP is supported by a deputy commissioner of Operations and an assistant commissioner of National Police Services (NPS). The NPS in particular is responsible for providing forensic and identification resources to RCMP detachments and to provincial, regional, and municipal police forces throughout Canada. Operations houses units involved in federal and international operations, such as border security, drug enforcement, and financial crimes. Also under the Operations umbrella are the protective services for government officials, Parliament members, and visiting dignitaries. Finally, the Operations Directorate houses the Criminal Intelligence Directorate, the Community, Contract, and Aboriginal Police Services (under which

the RCMP as provincial and municipal forces are administered), and Technical Operations.

The ranks of the RCMP are divided between commissioned and noncommissioned members. Commissioned members include the commissioner, deputy commissioners, assistant commissioners, chief superintendents, superintendents, and inspectors. The noncommissioned ranks are the corps sergeant major, sergeant major, staff sergeant major, staff sergeant, sergeant, and corporal.

**Salaries.** Benefits are paid to RCMP members beginning with their period as cadets. Cadets at the academy receive an allowance to cover food, accommodation, insurance, and travel to and from the academy. When they finish their time at the academy, cadets become regular member constables. And as of 2005, they received an annual salary of C\$40,523. Within 36 months, salaries increase incrementally to C\$65,660 annually. Annual leave is based on time of service as follows:

- 0–5 years: 15 days annual vacation
- 5–10 years: 20 days annual vacation
- 10 or more years: 25 days annual vacation

#### **Special Police.**

**Specialized Units and Riot Police.** Emergency Response Teams (ERTs) are designed to deal with situations where the danger levels are higher than the expectations and operational limits required of regular police personnel. As of 2001, there were twenty-eight teams across Canada. They specialize in such things as serious-crime arrest warrants, hostage rescue, armed and barricaded subjects, and protective duties. The teams can work as separate units or with special operations units, such as drug enforcement teams and police service dog teams. Criteria for selection include at least three years experience in the RCMP and particularly strong shooting skills. Specialized skill designations within the unit include assaulter, sniper/observer, and helicopter rappel master.

**Traffic Police.** The RCMP is responsible for traffic enforcement in all three territories and eight provinces in which it holds contracts and for traffic enforcement on the federal highways within the National Capital region. Each province and territory has a divisional traffic coordinator who is responsible for all detachment efforts in this area. Approximately 10 percent of the strength of the RCMP contract divisions is involved in traffic services on a permanent basis. Traffic efforts by the RCMP are centered on three main issues: seat-belt compliance, public education regarding traffic violations, and the impaired driver. In particular, research by the RCMP has shown that the 10 percent of the population that does not wear a seat belt is responsible for 40 percent of traffic deaths.



*Chinese President, Hu Jintao, and his wife, Liu Yongqing, arrive with Royal Canadian Mounted Police at Rideau Hall in Ottawa, September 8, 2005. Hu's visit to the official residence of Governor General Adrienne Clarkson was focused on celebrating 35 years of diplomatic ties and growing trade and energy agreements between China and Canada. AP IMAGES.*

**Education, Training, and Recruitment.** Training opportunities vary widely across Canadian policing levels. As part of the regionalization efforts, a number of provinces have training facilities at which all provincial and municipal police in that province are trained. For example, in British Columbia, municipalities train their police at the Justice Institute of British Columbia's Police Academy. The institute also trains other provincial criminal justice employees, such as court personnel, probation officers, and corrections staff.

The RCMP has its own academy but also runs the Canadian Police College (CPC), which was established in 1976 and offers training not only for RCMP members but for law enforcement personnel across Canada. There are also regional programs available for officers who cannot travel to Ottawa. Courses offered by the CPC include bloodstain analysis, collision analysis and reconstruction, senior police administration, hostage and other crisis situations, explosives training, fingerprint classification, intelligence analysis, investigative training and major case management, office safety instructors, polygraph examina-

tion and forensic interviewing, the Violent Crime Linkage Analysis System (ViCLAS), and a number of courses under the CPC's Technological Crime Learning Institute.

In addition to running the CPC, the RCMP maintains separate training programs for its cadets. RCMP training runs for twelve months and begins with six months at the Police Training Depot at Regina, Saskatchewan. The six months at Regina are spent in a combination of academic courses and physical training. This is followed by another six months of field training at a regional detachment under the supervision of experienced members.

The RCMP requires applicants to be nineteen years of age, hold Canadian citizenship, be of good character, be proficient in both French and English, hold a valid driver's license, meet the required educational level, and pass a medical exam and aptitude tests. Postings depend on a combination of member preference and force needs, with postings to the territories limited to fixed terms.

**Uniforms and Weapons.** The traditional and much-beloved red serge, the RCMP's formal and ceremonial

uniform, and the chocolate-brown, wide-brimmed Stetson hats are now only used for ceremonial occasions. RCMP members have a variety of uniforms at their disposal. The modern working uniform has replaced the scarlet jacket with a brown one, worn with blue trousers and a peaked cap. The badges and insignia worn by the members vary between commissioned and noncommissioned ranks. The insignia for the commissioned ranks represents various combinations of a crown, a star, a crossed sword, and a baton. The badges can be worn on epaulettes, as shoulder boards, or as slip-ons. The noncommissioned rank insignia is based on the British army insignia and is embroidered on epaulette slip-ons. There are also specialized badges for appointments such as sharpshooter, special constable, student, auxiliary member, air services, musical ride member, emergency response team, first aid instructor, dog handler, instructor, and piper.

As of 1988, RCMP members carry Smith and Wesson .38 special revolvers along with the Winchester .308 rifle. In addition, specialized weapons are used by such units as ERTs. Some of these weapons include 9mm pistols, H&K MP5 weapons, and M16 assault rifles.

#### **Transportation, Technology, and Communications.**

Motor vehicles and other transport equipment have been a part of the RCMP since 1916. The RCMP has worked with government contractors and manufacturers to develop vehicle specifications unique to policing needs. Approximately 35 percent of the RCMP fleet consists of marked and unmarked patrol cars, mid-sized unmarked cars for surveillance, larger sedans for VIP transport, station wagons or vans for such things as dog teams or extra cargo, trucks for towing and off-road operations, and specialty trucks designed to carry teams and equipment necessary for emergency response, underwater recovery, and explosive disposal. As of January 2004, the RCMP fleet contained 5,600 cars, 2,350 trucks, 34 motorcycles, 481 snowmobiles, 181 all-terrain vehicles, 27 tractors, 3 buses, and 1 gas railway car.

The current RCMP Air Service dates back to 1946. Its responsibilities include patrol, transportation, and searches. Equipment includes approximately seven helicopters and fifteen planes. The RCMP's Marine Services currently maintains five patrol vessels for transportation and patrol in areas otherwise inaccessible. Crews range from three to four members under a sergeant or corporal. Crew members must go through the regular RCMP training as well as additional training in seamanship, navigation, and engine operation. In addition to the patrol vessels, the RCMP also maintains some 377 boats for inland waters and are involved in the enforcement of the Canada Shipping Act, the Migratory Birds Convention Act, and small-vessel regulations.

The RCMP has a number of programs and units designed to take advantage of the technological innovations relevant to modern policing. Within the purview of the deputy commissioner of operations, Technical Operations provides a wide variety of technical support for the RCMP mandate. The Technical Investigations branch uses technology to develop covert methods of surveillance, special entry, and audio-visual analysis. In addition to its surveillance and intelligence activities, this is also the branch that develops the expertise needed for response to terrorist incidents involving explosives and manages the Canadian Bomb Data Centre. Other branches not only develop and maintain RCMP's information technology systems but develop and maintain the procedures and policies needed to secure those systems. Technology also plays a role in protecting the personnel and property of the RCMP using such methods as armored systems, mechanical security services, closed-circuit video systems, and access control. These are the purview of Protective Technical Services. Finally, since technology and communications equipment is as much in the hands of the criminals as the RCMP, the Technical Crime Branch develops ways to detect and counter crime using information technology while the Technical Security Branch is responsible for various aspects of securing the systems of the federal government.

As with any modern-day police force, the RCMP makes use of a number of computerized databases to communicate with its own detachments as well as provide information and intelligence to provincial and municipal forces across Canada. For example, the Central Bureau of Counterfeits includes a database containing the serial numbers of all counterfeit notes. All Canadian law enforcement agencies have access to this database for investigation and community education. Another key database that takes advantage of computer technology is the ViCLAS, designed to track violent serial offenders. Modeled after a system in use by the U.S. Federal Bureau of Investigation (FBI), the Canadian version was developed in the 1990s. There are ten ViCLAS centers, seven of which are maintained by the RCMP. The OPP and the Sûreté maintain a center each, as do the Nova Scotia Provincial Police and the Montreal Urban Community Police. The OPP center is the largest. Each center handles its own data entry and bookkeeping. The files are then transmitted electronically to the OPP center to be placed on the main system. Data entry is handled by specialists who have experience in the investigation of sexual assaults and homicides as well as backgrounds in the humanities and computers.

*Surveillance and Intelligence Gathering.* The RCMP's Criminal Intelligence Program was established in 1991 in order to centralize RCMP criminal intelligence

functions for greater efficiency and effectiveness to managing the flow of criminal information/intelligence into and within the force. The program deals with both tactical intelligence (to assist with specific investigations) and strategic intelligence (to assist with policies developed to deal with organized crime and those crimes having national security implications for Canada). The program is divided into a number of components: Criminal Organizations Branch, Security Offenses, Criminal Analysis, Central Program Services, and Critical Incident Response. There is also a Criminal Intelligence Management Steering Committee at the headquarters level and one such committee at each division level to determine priorities and overall direction.

In addition, the Criminal Intelligence Service Canada (CISC) is composed of member law enforcement agencies throughout Canada with permanent criminal intelligence units and is responsible for enforcing provincial and federal statutes. Staff of the CISC's central bureau and nine provincial bureaus are drawn from members of the RCMP and other law enforcement and government agencies. The focus of the CISC is on organized crime groups, organized crime at marine ports, and outlaw motorcycle gangs. It also releases an annual report on organized crime in Canada. In 2003 those issues included contraband tobacco and alcohol, the diamond industry, firearms, technology and crime, sexual exploitation of children, and street gangs. The report also highlights recent activities of organized crime groups and recent operations of Canadian law enforcement agencies.

**Police Officers Killed in the Line of Duty.** Although it rarely happens, RCMP members have been killed in the line of duty. In the event of such a tragedy, families can choose to have the officer buried at the RCMP Training Depot at Regina, Saskatchewan. Memorial services are held every year at the depot for those lost throughout the RCMP's history. Their names are inscribed in a memorial at Regina and are also inscribed—along with all other Canadian law enforcement personnel deceased in the line of duty—as part of a memorial on Parliament Hill in Ottawa. On the last Sunday of September, a memorial ceremony is held on the Parliament Hill to honor them.

### Crime.

**Criminal Identification and Forensics.** With the exception of the large municipal or regional police forces, most of the specialized resources and expertise related to the forensic sciences are the purview of provincial forces, such as the OPP or the Sûreté, or are found in the RCMP. Providing such resources and expertise to local forces across Canada is the mandate of the RCMP's NPS. Under the direction of an assistant commissioner, the NPS consists of two directorates: Forensic Laboratory

Services (FLS) Directorate and Forensic Information and Identification Services.

The FLS serves as Canada's federal forensic laboratory, similar to the role played by the FBI's laboratories in the United States, and consists of six laboratories: five regional labs (Vancouver, Edmonton, Regina, Winnipeg, and Halifax) and the central lab in Ottawa. The six labs encompass approximately three hundred personnel, including scientists and support staff. The expertise available in FLS encompasses the full spectrum of forensic activities and includes testing and examination of alcohol, biological materials, chemicals, counterfeit and other documents (including handwriting analysis), firearms, and toxicology. A photographic services division provides support—in the form of visual aids—for use in court testimony and other presentations. In addition, the Scientific Information Centre provides a complete library of forensic information and databases available to all Canadian law enforcement agencies. Specialists and almost all technologists working in the FLS must have formal advanced education in the relevant subject matter, and all must undergo some period as an understudy working in the lab under more experienced members.

**Organized Crime.** The Canadian Criminal Code defines a criminal organization as “a group, however organized, that is composed of three or more persons in or outside of Canada, and [that] has as one of its main purposes or main activities the facilitation or commission of one or more serious offenses that, if committed, would likely result in the direct or indirect receipt of a material benefit, including a financial benefit, by the group or any of the persons who constitute the group” (Department of Justice, Canada, Criminal Code R.S. 1985, c. C-46, s. 467.1). Key organized crime activities, according to the RCMP, include drug trafficking, fraud, counterfeiting, money laundering, migrant and contraband smuggling, and illegal gaming. The most popular contraband smuggled into Canada by organized crime (besides drugs) include tobacco, liquor, jewelry, computer components, pornography, and firearms. Organized crime is approached through a combination of efforts at federal, provincial, and municipal levels.

There is no single directorate with an organized crime mandate within the RCMP. Instead, experts, analysts, and financial investigators are assigned throughout a number of divisions and programs dealing with organized crime issues. For example, organized criminal activity dealing with drugs is addressed through the Federal Services Drug Enforcement Branch while the Economic Crime Branch focuses on pirated and counterfeit goods as well as financial crimes and money laundering. The Financial Crime Program includes a Commercial Crime Branch that deals with business-related and white-collar

crimes while Integrated Market Enforcement Teams involve lawyers, financial investigators, and other experts in going after the most serious cases of corporate and market fraud.

Organized crime is also a focus of the Proceeds of Crime Branch (POCB). This branch targets unreported wealth of selected organized crime figures under the auspices of the Income Tax Act. Over half of the units in the POCB are integrated units, which include forensic accountants, Revenue Canada personnel, and Department of Justice lawyers. One of the biggest successes for this branch came in 1997 when the seized assets of a criminal organization in British Columbia included eight homes, six tugboats, and an oceangoing freighter.

### ONTARIO PROVINCIAL POLICE (OPP)

**Structure and Organization.** The OPP is headed by a commissioner who reports directly to the deputy minister of community safety in the Ministry of Community Safety and Correctional Services. As of December 2005, the OPP consisted of 5,300 uniformed members, 2,300 civilian members, and 850 auxiliary officers. The OPP also contracts to provide services to a number of Ontario municipalities. Indeed, the OPP is the only provincial force to hold such contracts within Ontario. It provides policing services to 128 municipalities under ninety-nine different contracts, and over 60 percent of the uniformed members are engaged in municipal policing.

The provincial responsibilities of the OPP include oversight of provincial highways and most waterways, assisting municipal forces with resources and expertise, assisting with First Nations Policing, and assisting with any major incidents requiring a large number of officers. To fulfill these responsibilities, the OPP is divided into four service organizations: Strategic Services, Corporate Services, Field and Traffic Services, and Investigation/Organized Crime. Each is broken down into several sections.

A number of sections demonstrate where OPP has placed its emphasis in recent years. For example, as part of Investigation/Organized Crime, the Drug Enforcement Section is responsible for a Joint Task Force that combines all levels of law enforcement and addresses both street-level drug crimes and—in conjunction with the Organized Crime Section—criminal trafficking organizations. Before 1973 these responsibilities were undertaken by the RCMP. The section is also responsible for drug education programs in the province. The Child Pornography Section was established in 1975 to deal with the investigation of production, importation, exportation, sales, distribution, accessing, and possession of child pornography as well as to assist other police forces in the province that lack the resources for such investiga-

tions. The section also enforces the laws against child luring.

Much of Canada's law enforcement is concerned with community involvement and crime prevention, and the OPP is no exception. Its Crime Prevention section is divided into such units as crime stoppers, youth issues, senior assistance, abuse issues, community issues, and a rural and agricultural crime team. The OPP is also heavily involved in community education on everything from elder abuse and auto theft to securing commercial buildings. The section also sponsors a Cottage Watch program similar to the neighborhood watch programs in the United States. Rescue services are also part of OPP's mandate, hence the creation of the Provincial Canine Search and Rescue Capabilities database. This database provides a searchable list of all uniformed and volunteer dog teams. To be on the list, the teams must be certified by the OPP, which requires meeting a number of standard skills criteria.

**Salaries.** The OPP is broken down between cadet levels, probationary constables, and permanent constables. The salaries for permanent constables are increased incrementally by time of service running from 18 months to seven years. As of December 2005, cadets were paid C\$29,585 and those who served three to seven years received C\$69,254 annually.

### Special Police.

**Specialized Units and Riot Police.** Units designed to deal with more specialized weapons and tactical situations or with specialized search and rescue operations are organized within the Field and Traffic Support Bureau. These units offer resources, training, and manpower at both the provincial and municipal levels. Included among these units are the ERTs. Three TRUs—located in Barrie, London, and Odessa—provide additional support to OPP detachments and consist of twelve members each. There are also two six-person teams for underwater operations and rescues, as well as seven explosive disposal units.

**Traffic Police.** Traffic enforcement is managed in the approximately 163 detachments that make up the six regions within Field and Traffic Services. These efforts are aided by a number of support activities placed under the Field and Traffic Support Bureau. Focusing on traffic enforcement efforts are units designed to coordinate all-terrain vehicle enforcement, enforcement of snowmobile regulations, the availability and accuracy of speed management and measurement devices, initiatives encouraging designated drivers, collision investigation and reconstruction programs, and a program partnering the OPP with the Ontario Federation of Snowmobile Clubs.



**Education, Training, and Recruitment.** The OPP maintains training facilities at the Provincial Police Academy in Orillia and the Ontario Police College at Alymer. Training for OPP cadets is a seventeen-week process beginning with a one-week orientation at Orillia, followed by twelve weeks at the Ontario Police College. They then return to the academy for four more weeks.

The OPP lists the following as its basic conditions of appointment: Canadian citizen or permanent resident, eighteen to sixty-five years of age, Ontario grade twelve or the equivalent, a valid driver's license with no more than six demerit points, no current criminal record, certified in first aid and CPR, passing a credit and background check, and possessing a valid Certificate of Results (gained through a number of tests and requirements administered by OPP). Fixed-term postings for the OPP range from two to six years depending on the location. In 2001 the OPP began to offer monetary incentives for accepting duration postings.

**Uniforms and Weapons.** The OPP's uniforms consist of navy blue Stetson hat, shirt, and trousers, with a light blue/gray stripe down the trouser leg. As of 1988, OPP patrol constables used a .38-caliber revolver.

**Transportation, Technology, and Communication.** The OPP contracts with manufacturers for vehicles with a specialized police package similar to that of the RCMP. The OPP receives the vehicles at their general headquarters where they are then fitted out with all the equipment needed for police cars; including lights, siren and loud-speaker systems, emergency equipment, safety cage, door locking systems, and decals (for those vehicles designated for municipal policing contracts, the decal may be that of the contracting jurisdiction). The basic patrol car is a four-door V8 sedan. In regions where road conditions may be more of a concern, the patrol car will more likely be a patrol sport-utility vehicle. These will be outfitted with the same package and equipment as the cruisers. Specialty vehicles include tactical and rescue vehicles, prisoner vans, and vehicles equipped for underwater search and rescue teams, technical accident investigation vehicles, as well as two helicopters, a passenger plane (up to seven passengers), and a fifth-wheel trailer are provided for each region for handling emergency management, major crime investigations or disasters. Also, headquarters and each region have seasonal vehicles such as snowmobiles, all-terrain vehicles, boats for lakes and rivers, some bicycles, and even a few horses for mounted patrols.

**Surveillance and Intelligence Gathering.** The Investigation Support Bureau houses the Intelligence Section, which collects, analyzes, and disseminates intelligence on groups and individuals involved in organized,

sophisticated, and professional crimes. As such, there seems to be some overlap with the Organized Crime Section of the Investigation Bureau. However, the Intelligence Section is also charged with proactively addressing terrorism at the domestic and international level. Technical support for surveillance activities needed to gather intelligence and investigate crimes is provided by the Technical Support Section, which also addresses legal issues involved in electronic surveillance.

There is also a CISC counterpart in Ontario. The Criminal Intelligence Service Ontario's mandate is to promote the sharing of information and analysis of criminal intelligence among all law enforcement agencies in Ontario. It also provides funding and resources to local and regional agencies and forms one of the provincial bureaus that make up the CISC.

### Crime.

**Criminal Identification and Forensics.** The OPP's forensic resources are to be found in the sections and units of the Investigation Support Bureau. There are two sections in the bureau specifically dealing with forensic issues—the Behavioral Sciences Section and the Forensic Identification and Photographic Services Section. The Investigation Support Bureau also includes a unit dedicated to the investigation of electronic crimes—those that use electronic equipment or the Internet as tools of criminal activity.

**Organized Crime.** Within the Investigations Bureau of the OPP is the Organized Crime Section. Established in 2001, it is composed of a number of separate units with varying substantive mandates: illegal gaming, auto theft, enforcement of weapons and precious metals smuggling laws, and a unit dealing—as in the RCMP—with the proceeds of crime. The unit's mandate includes the provision of both organized crime intelligence and investigative assistance to other OPP units as well as regional and local forces throughout the province. Included in the Organized Crime Section are unique teams called Repeat Offender Parole Enforcement (ROPE) squads formed in December 2001 to combine the resources of federal, provincial, regional, and local agencies in apprehending fugitives. In March 2002 the squads were expanded to include a Special Apprehension Team to deal with high-risk fugitives who also have immigration warrants. These teams work closely with the RCMP. In 2003, the ROPE squads had apprehended 368 individuals.

OPP efforts against organized crime can also be found in the Anti-Racket Section, which deals especially with complex fraud investigations. The section also investigates political corruption, secret commissions, check and payment card fraud, health services fraud, and frauds

against seniors. It is composed of twelve teams, a detective superintendent, and a detective inspector.

## SÛRETÉ DU QUÉBEC

**Organization and Structure.** The head of the Sûreté du Québec reports to the minister of public security. The Sûreté enforces the law throughout Quebec as well as applicable municipal laws in municipalities in which it provides services. In addition, it maintains a central information service available to all forces in the province and provides specialized services for joint operations with municipal and native police forces. Also, the Sûreté serves a consultant role in the organization and structure of native police forces. A police board was established in 2000 to supervise the Sûreté's activities.

Unlike the OPP, there is no provision for the Sûreté to enter into formal contracts to provide police services to the municipalities. Nevertheless, as one of only two provinces in Canada with its own provincial service, Quebec has dealt with a number of issues—both financial and professional—with regard to the relationship between its provincial and municipal forces. Over the last decade of the 1900s, these issues culminated in some rather sweeping reforms for the way the forces at both levels are organized.

Up until 1991, Quebec law required any locality of more than five thousand residents to maintain their own police force. Jurisdictions below that number could choose between forming their own force or drawing on the services of the Sûreté. However, according to the Ministry of Public Security, many municipalities that should have formed their own forces used instead the services of the Sûreté, which at the time were provided free of charge. This put the communities that were in compliance with the law at a considerable financial disadvantage. In response, in 1991 the government of Quebec began charging for the Sûreté's services, putting in place a differential rate system based on number of inhabitants. This led to the creation of a number of new local forces in jurisdictions of all sizes. Nonetheless, problems still remained. For example, because of the rate system, many decisions about policing services were being made based on financial concerns rather than an accurate assessment of policing needs for individual locations. In 1997 new measures were adopted to address both the amounts charged for Sûreté policing and the division of responsibilities between Sûreté and local forces. At the same time, a number of task forces and reports reflected long-term examinations into the structure of municipal and local policing in Quebec.

By the end of 2000, 123 municipal police forces existed in Quebec. This was almost double the number of local forces in Ontario designed to serve 60 percent

fewer residents. In addition, problems were identified in the following areas: overly fragmented organizational structure, a wide variety in the level of service provided, police-force instability due to high turnover rates, operational inefficiency, and lack of effective distribution of costs. The result was a much-needed overhaul in the way police services are divided between the municipal and provincial level. The new reforms resulted in the development of six different levels of service, depending on the size of the population to be served. The new framework specifies what types of services each force needs to provide. These services are divided into several categories, including policing, investigations, emergency measures, and support services. The constable-level police officers in the Sûreté are referred to as agents. From there, the ranks are (from lowest to highest): sergeant, lieutenant, captain, inspector, chief inspector, deputy-director general, and director general.

**Salaries.** Beginning officers earn approximately C\$32,000 based on C\$18.37 per hour with a 1,746 hour annual maximum. After six years, salaries can reach between C\$59,000 and C\$67,000. After one year as a sergeant, salaries hover around C\$72,000. Lieutenants start at approximately C\$78,000 and captains around C\$88,000. Salaries thereafter increase at about ten percent for each increase in rank.

**Police at Work.** The key vehicles for patrol work are Chevrolet Impalas and Ford Crown Victorias. The Sûreté units most involved in riot control and special tactical requirements are called Emergency Units.

**Education, Training, and Recruitment.** As in the United States, increasing efforts are being made at recruiting police officers at a higher level of formal education. The Sûreté takes that one step further by recruiting its candidates from community college programs that include classes in policing, criminal justice, liberal arts, and social sciences. As part of the Police Act of 2000, the former Quebec Police Institute was replaced by L'École nationale de police du Québec. The school provides basic training in all aspects of police work, including management, and is overseen by a training and research commission.

**Uniforms and Weapons.** Members of the Sûreté wear olive-green tunic and trousers, with khaki shirts for agents and sergeants and white shirts for officers. Sûreté agents carry as their main service weapon the 9-mm Glock.

### Crime.

**Criminal Identification and Forensics.** The Sûreté's laboratory—known as the Laboratoire de sciences judiciaires et de médecine légale—provides forensic services both for itself and the local police forces based on

levels of service. Services provided by the laboratory include analysis of the presence of drugs, medication, poisonous substances and alcohol, genetic profiles leading to identifications of suspects and victims, recreation of crime scenes, analysis of crime scenes, analysis of the cause of fires or explosions, ballistics and other weapons analysis, and the examination of marks such as footprints and tire prints.

#### HUMAN RIGHTS

The key human rights issue for Canadian law enforcement agencies involves the treatment of, and relationship with, the Aboriginal peoples. The Aboriginal peoples are divided into three groups: The Inuit of the Arctic region, concentrated mostly in the Northwest Territories; First Nations, the Native Indians consisting of over six hundred bands, 55 percent of whom live on reserves; and the Metis, people of mixed Indian and non-Indian blood and who are most prominent in both rural and urban areas of the prairie region and the Northwest Territories.

The Aboriginal communities tend to make up a disproportionate percentage of both criminal prosecutions and of the corrections system in general. In addition, there is a sense in the Aboriginal communities that members of the police forces are unaware of and insensitive to the cultural and social structures and needs of the communities and, consequently, act in ways that increase the negative effects of the criminal justice system on these communities.

A number of measures and programs has been established to deal with these highly sensitive issues and are part and parcel of efforts to improve overall relations between Aboriginal communities and government institutions. The RCMP's Commissioner's National Aboriginal Advisory Committee was established in 1990. It consists of thirteen Aboriginal members who meet in various communities throughout Canada as a forum in which to discuss issues of recruitment, training, and community relations. The RCMP also trains a number of facilitators to use a variety of Aboriginal forums to mitigate disputes before resorting to the criminal justice system. The RCMP also runs a Community Suicide Prevention Program and, in an effort to provide more opportunities for Aboriginal youth and increase the number of applications from members of the Aboriginal community, it also runs an Aboriginal Youth Training Program. This program provides summer employment for Aboriginal youth that combines training at the depot at Regina with work at a detachment near the youth's home. Additional programs include the First Nations Community Policing Service, Aboriginal Policing Directorate, and the Aboriginal Cadet Development Program.

#### CORRECTIONAL SYSTEM

The Canadian correctional system is divided into two levels: federal and provincial. The federal system is responsible for the penitentiary system and the national parole system for inmates released from the penitentiaries. Under the provincial system, each province is responsible for its own correctional system and deals with all persons subject to the criminal justice system but not sentenced to a penitentiary. Unlike the U.S. system, where one's assignment to a correctional system depends on where and at what level the crime was committed, the Canadian system is divided simply by length of sentence. Those sentenced to two years or more of incarceration are sent to the penitentiary system; those sentenced to less than two years—or to one of the integrative options—are the responsibility of the provincial system in which the crime was committed.

The death penalty was abolished in Canada in 1976, so the harshest sentence possible is life without possibility of parole. Even then, inmates rarely spend their entire life in prison. Maximum sentences generally fall into several categories: life, 14 years, 10 years, 5 years, or 2 years. If no maximum penalty is specified, the default is usually five years. Indeterminate sentences are used only for the most dangerous offenders.

**Correctional Service Canada.** The federal correctional system operates under the Corrections and Conditional Release Act of 1992, which replaced the old Penitentiary and Parole Act. According to section three of that act, the purpose of the correctional system is to “contribute to the maintenance of a just, peaceful, and safe society by . . . carrying out sentences imposed by the courts through safe and humane custody and supervision of offenders; and . . . assisting the rehabilitation of offenders and their reintegration into the community as law-abiding citizens through the provision of programs in penitentiaries and in the community” (Corrections and Conditional Release Act, 1992, c. 20, s. 3). To that end, the CSC is responsible for: “a) the care and custody of inmates; b) the provision of programs that contribute to the rehabilitation of offenders and to their successful reintegration into the community; c) the preparation of inmates for release; d) parole, statutory release supervision and long-term supervision of offenders; and e) maintaining a program of public education about the operations of the service” (Corrections and Conditional Release Act, 1992, c. 20, s. 5; 1997, c. 17, s. 13.).

The CSC, as well as the NPB, was part of the Solicitor General's portfolio until 2003. It became one of the portfolio agencies of the new Ministry of Public Safety and Emergency Preparedness. The service is headed by a commissioner. In 2000 that position was appointed to Lucie McClung, who was the first woman

ever to hold that post. The commissioner is assisted by a number of deputy and assistant commissioners. The service divides its operations and facilities into five regions, each headed by a deputy commissioner.

Overall policy for all federal facilities is set by the headquarters staff in Ottawa, with regional commissioners maintaining administrative responsibility for the facilities in their respective regions. The CSC runs fifty-three penitentiaries of varying levels (including five women's institutions and one women's healing lodge) and seventeen community corrections centers. They also oversee seventy-one parole offices through nineteen district offices. To administer and oversee all of these facilities, the CSC is divided into eight sectors, each under the command of a deputy or assistant commissioner: women offenders, correctional operations and programs, policy planning and coordination, community engagement, performance assurance, corporate services, human resource management, and communications and consultation. As of March 2001, the CSC consisted of slightly more than fifteen thousand employees.

**Parole.** The NPB decides when inmates are released from the penitentiary system. Forty-five full-time members are appointed to the NPB by the governor general for ten-year terms. There are also part-time members appointed for three-year terms. The board divides its responsibilities into the same five regions as the CSC. Provincial parole boards have been established only by Quebec, Ontario, and British Columbia. Although all provinces have the authority to establish their own boards, the remaining provinces use the NPB. In those cases, provincial members are selected by the lieutenant governor and are responsible for offenders in provincial facilities.

There are several types of parole available. Full parole requires that offender serve seven years or one-third of the sentence, whichever is smaller. Before being granted full parole, offenders usually start on day parole. This is available to offenders six months before they are eligible for full parole and is designed to ease their transition from inmate to parolee. First-time nonviolent offenders may also be eligible for accelerated parole whereby after one-third of the sentence has been served, the board can grant full parole to an offender without the offender having to appear before the board.

For those not granted full parole when eligible, statutory release is available after two-thirds of the sentence is served. Statutory release is no longer considered a right as it once was. The NPB can deny statutory release for violent offenders or some drug crimes. Parole by exception is rarely used but is available for situations where an offender is terminally ill or where "confinement seriously jeopardizes [the offenders] mental or physical state" (Terrill 1999).

Offenders can also apply for a temporary absence after serving one-half their sentence. These absences can be with or without escort and range anywhere from two days to two months. Reasons for temporary absences include health care, family reasons, and humanitarian reasons. The Corrections and Conditional Release Act discusses the criteria for temporary absences and eligibility for parole. These include a structure for the absence, good behavior during the sentence, and a determination that the offender "will not, by reoffending, present an undue risk to society during the absence" (Corrections and Conditional Release Act 1992, c. 20, s. 116).

The agency granting the parole is also responsible for supervising the offender once he or she is back in the community. A wide range of conditions can be imposed on parolees. Some of the most common include good behavior, no association with known criminals, reporting to a parole officer or to the local police, remaining within the parole board's jurisdiction, keeping the board informed of address and employment, refraining from alcohol and substance use, and a prohibition against possessing any firearms.

**Probation.** As indicated in the Corrections and Conditional Release Act, there is a strong emphasis on reintegration of offenders into the community, and much of the infrastructure is geared toward that end. Indeed, incarceration is seen as the last alternative, with the goal of sentencing being to impose the least-restrictive alternative possible. For that reason, most of those convicted of criminal offenses are placed on some form of probation or other alternative to incarceration and remanded to the purview of the provinces.

There are a number of nonincarceration alternatives available in the Canadian criminal justice system. At the minimum, an offender can be discharged with no penalty after a plea of guilty. Such discharges are even possible after an offender has been found guilty. Certain conditions can also be placed on an offender who, after completion of those conditions, can have the offense discharged. Fines are the most frequently used sanction. There is no statutory limit on the amount an offender can be fined. Instead, the amount must be reasonably related to the offense and the offender's ability to pay. If an offender is sentenced to prison time, that sentence can be suspended and held over the offender's head pending completion of certain conditions. A sentence can also be served intermittently—for instance, on the weekends when it does not interfere with an offender's ability to maintain employment. Finally, an offender can be sentenced to community service or community service can be part of a sentence of probation.

Probation can be part of a condition for discharge or a suspended sentence, or it can form the sentence in and

of itself. Probation is administered by the provinces and is usually imposed for a year although it can go up to three years. There are numerous possible conditions that can be imposed as part of probation. In addition to the ones for parole, probation conditions can include restitution, payment of fines, community service, job training, and other life-skills education.

**Prison Conditions.** Once an offender is sentenced, information is gathered on the offender from a number of sources, including police, family members, employers, counselors, and neighbors. Upon arrival at a penitentiary, the offender undergoes an assessment to determine the factors that led to the criminal behavior, and that assessment leads to a correctional plan. An offender's progress in meeting that correctional plan is the primary factor in all decisions relating to the offender, including parole and other release decisions.

Prisoners in federal penitentiaries are generally housed one to a cell although two inmates per cell is sometimes unavoidable. Exercise is provided daily, and inmates are "entitled to essential health care and access to nonessential mental health care that facilitates the offender's rehabilitation and enhances the likelihood of reintegration into the community" (Terrill 1999). A variety of religious services are offered, as well as numerous institutional programs. Among these programs are work assignments or work release; vocational training; life-skills courses (anger management, parenting skills, leisure education); counseling for sex offenders, domestic violence, and substance abuse; and education (including adult education, secondary education, and college-level courses). Programs specifically directed at female inmates include surviving abuse and trauma and mother-child programs designed to foster a relationship between the incarcerated mother and young children. For Aboriginal offenders, there is an Aboriginal Liaison Service, special spiritual services, and a violence prevention program ("In Search of Your Warrior") based on Aboriginal spirituality and culture. In addition, CSC operates three Aboriginal lodges while the Aboriginal communities operate another forty-five under an agreement with the solicitor general.

Family visits are encouraged. One visit is allowed every two months and can last up to seventy-two hours in some cases. Inmates meeting certain criteria may use private, separate facilities to renew or continue personal relationships.

In an effort to provide inmates with job skills upon release, CSC runs a special agency called Correctional Services of Canada (CORCAN), which is responsible for providing training and employment to offenders in federal institutions. CORCAN employs almost four thousand inmates, with working conditions structured as

much as possible to replicate the outside world. Pay for employed offenders runs from C\$5.25 to C\$6.90 per day (compared with C\$1-2.50 per day allowance for unemployed offenders). Suspension of pay is one of the sanctions available as a disciplinary action.

The 1992 act governs the discipline of inmates by listing the offenses for which discipline can be imposed and providing an approved list of sanctions for those offenses (Corrections and Conditional Release Act 1992, c. 20, s. 40-44). The purpose of the disciplinary system is "to encourage inmates to conduct themselves in a manner that promotes the good order of the penitentiary, through a process that contributes to the inmate's rehabilitation and successful reintegration into the community" (Corrections and Conditional Release Act 1992, c. 20, s. 38).

There are a number of grievance procedures available to offenders who believe they have been wrongly disciplined. Offenders may file a complaint informally or in writing to the CSC. They may also write to a number of elected and appointed officials with responsibility for corrections issues, as well as file a complaint with the corrections inspector who reports directly to the solicitor general. Finally, inmates in some circumstances have recourse to the federal courts as well as the Appeal Division of the NPB.

**Prison Statistics.**

- Total Prison Population: 36,389
- Prison Population Rate per 100,000: 112
- Pretrial Detainees: 28%
- Female Prisoners: 5%
- Juvenile Prisoners: 10.7%
- Number of Prisons: 168
- Official Capacity of the Prison System: 34,030
- Occupancy Level: 95.5%

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*Stephanie Mizrahi*

# Cape Verde

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**Official country name:** Republic of Cape Verde

**Capital:** Praia

**Geographic description:** Two groups of islands in western Africa in the North Atlantic Ocean

**Population:** 418,224 (est. 2005)



## LAW ENFORCEMENT

**Structure and Organization.** The principal law enforcement agency is the Public Order Police or the *Policia de Seguranca Publica* under the National Directorate of Security and Public Order under the Ministry of the Interior. It encompasses not only regular uniformed police but also plainclothes Criminal Investigation Police, the Judiciary Police, and the Economic and Fiscal Police who combat smuggling. Internal security functions are also carried out by the National Security Department. The prison system is under the Ministry of Justice.

### Police Statistics.

- Total Police Personnel: 3,981
- Population per Police Officer: 110

## CORRECTIONAL SYSTEM

**Prison Conditions.** Prison conditions are substandard and have experienced overcrowding, poor sanitation, malnutrition, and lack of medical assistance. Women and men are held separately but juveniles are housed with



adults, and pretrial detainees are housed with convicted criminals.

### Prison Statistics.

- Total Prison Population (including pretrial prisoners): 755
- Prison Population Rate per 100,000: 188
- Female Prisoners: 5%
- Juvenile Prisoners: 3%
- Foreign Prisoners: 4.5%
- Pretrial Detainees: 36.5%
- Number of Prisons: 11
- Official Capacity of the Prison System: 1,997

*George Thomas Kurian*

# Central African Republic

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**Official country name:** Central African Republic

**Capital:** Bangui

**Geographic description:** Landlocked country in central Africa, north of the Democratic Republic of Congo, part of the Lower Sahel

**Population:** 3,799,897 (est. 2005)

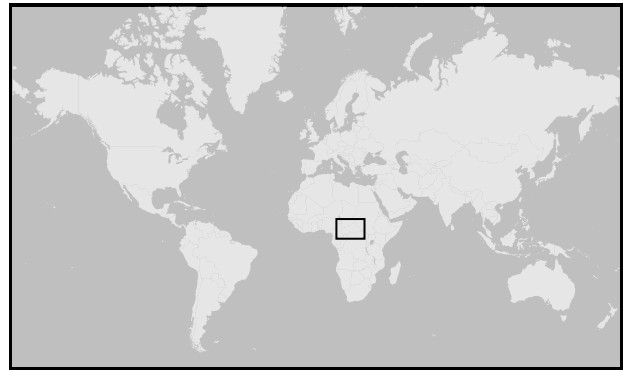


## LAW ENFORCEMENT

**Structure and Organization.** The three principal law enforcement agencies are: the National Police Force (Sûreté Nationale), which polices urban areas, the paramilitary National Gendarmerie, which polices rural areas, the Presidential Security Unit under the Ministry of Defense, and the judiciary police, which performs criminal investigation functions.

## CORRECTIONAL SYSTEM

**Prison Conditions.** Most prisons do not have a budget for medicine and food. Police station cells where detainees are kept are in worse condition and are overcrowded. Food, clothing, and medicine intended for prisoners are often diverted by prison officials for their own use. Prisoners are often used by officials and judges as personal servants. The only prisons where prisoners receive better treatment are at Bouar and Bangassou, where religious organizations are permitted to care for them.



**Prison Statistics.** The largest prison is Ngaragba in Bangui, which was destroyed during 1996 mutinies and was rebuilt in 2003.

- Total Prison Population (including pretrial detainees and remand prisoners): 4,168
- Prison Population Rate per 100,000: 110
- Pretrial Detainees: 65%
- Number of Prisons: 56
- Official Capacity of the Prison System: 6,000

*George Thomas Kurian*



# Chad

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**Official country name:** Republic of Chad

**Capital:** N'Djamena

**Geographic description:** Landlocked country in central Africa, south of Libya

**Population:** 9,826,419 (est. 2005)

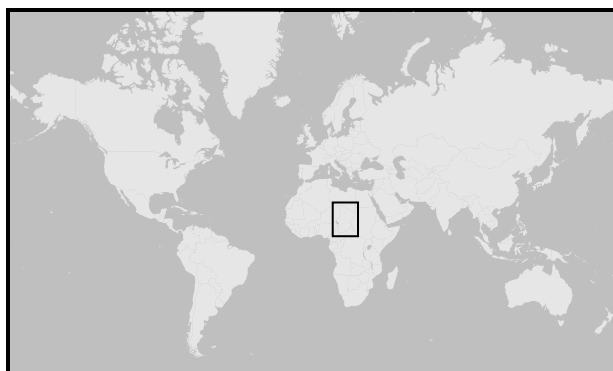


## LAW ENFORCEMENT

**History.** Until 1960, Chad was part of French Equatorial Africa and shared a police force, the *Sûreté*, with the other three members of the federation. Internal strife and rebellions have wrought various changes in policing the country; however, in 2005 several agencies had responsibility for national security, including three policing organizations: the National Police (*Sûreté Nationale*), the National Gendarmerie (a military police force created in 1960), and the Nomadic National Guard (GNNT).

**Structure and Organization.** The *Sûreté* reports to the Ministry of Public Security and Immigration, and the Gendarmerie, and GNNT report to the Ministry of Defense.

***The Sûreté Nationale.*** The *Sûreté* serves as both the police force of the major towns and the national police force. Its duties include the maintenance of law and order, crime prevention, maintenance of criminal records and identification files, control of immigration, national security intelligence operations, and border patrol. A separate judicial police operates under the direction of the courts, with authority to investigate crimes and detain and arrest people. Other elements of the *Sûreté* are a vice



squad, the Presidential Palace Guard, and the National Police Academy. Agents of the *Sûreté* are uniformed and carry light arms. In emergencies, they call upon their own quasi-military units, the Chadian Security Companies. These units were originally part of the *Sûreté* as a constabulary security force, with the structure and arms of the light infantry units, including weapons such as mortars.

***The National Gendarmerie.*** The National Gendarmerie is organized in two different types of formations: a twenty-five-person mobile platoon of gendarmes assigned for mob control, and brigades of four and eight gendarmes whose primary duties include regular police work and patrol in small towns and rural areas. The gendarmes are usually armed with rifles or machine guns as well as pistols. In a typical situation, gendarmerie in the Mongo district in central Chad has nine brigades and two mobile platoons although police work in the town of Mongo itself is performed by the urban corps of

the police. Most of the National Gendarmerie is concentrated in the southern and southwestern parts of the country although some units are located in Abeche in east-central Chad.

*The Nomadic National Guard.* The National Guard has no central headquarters. Instead, the companies are allocated to the various prefectures to perform guard duty or other security services as assigned by the local prefect. The National Guard also performs ceremonial duties in the capital and protects government buildings against terrorists. Although National Guard members are given light infantry weapons, they are not as well trained or equipped as the other security forces. Its forces have no basic police powers.

**Education and Training.** Police training is undertaken primarily at the National Police Academy, which provides an eight-month course for recruits, and at the Officers' School at N'Djamena. High-ranking officers are sent to France or Israel for additional training. The average educational level of the average policeman is quite low, and many have no formal schooling. Training is slow and perfunctory.

**Police Statistics.**

- Total Police Personnel: 9,087
- Population per Police Officer: 1,081

**HUMAN RIGHTS**

Security forces commit numerous violations of human rights, including abductions, rapes, murders, tortures, and other abuses, but they are almost never punished or disciplined. Although security forces are centrally controlled, governmental oversight outside the capital is difficult. As a result, policemen commit human rights abuses with impunity. They also use arbitrary arrest and detention to threaten the local population.

**CORRECTIONAL SYSTEM**

Prisons are administered by the Director of the Penitentiary Administration under the Ministry of Justice.

**Prison Conditions.** Prison conditions are harsh, characterized by overcrowding, poor sanitation, and absence of medical facilities. Prisoners receive little food and are given meat only once a year. Only those who can bribe the guards receive medical attention. The law authorizes forced labor in prison. Women are kept separate from men but juveniles are housed with adults.

**Prison Statistics.** The largest facility is N'Djamena's Central Prison, with 700 inmates. The following statistics are for that prison only:

- Pretrial Detainees: 22.6%
- Female Prisoners: 2.4%
- Juvenile Prisoners: 3.3%
- Foreign Prisoners: 1.3%
- Official Capacity: 320
- Occupancy Level: 249.1%

The following statistics are for the entire prison system:

- Total Prison Population: 3,883
- Prison Population Rate per 100,000: 40
- Number of Prisons: 46

*George Thomas Kurian*

# Chile

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**Official country name:** Republic of Chile

**Capital:** Santiago

**Geographic description:** A fringe along the western side of the South American continent bordering the South Pacific on the west and Argentina on the east, extending 2,600 miles between northern and southern extremities but only 100 miles wide on average

**Population:** 15,980,912 (est. 2005)



## LAW ENFORCEMENT

**History.** The first police organization in the country was established in Santiago in 1758. This consisted of a squadron of fifty men, called the Queen's Dragoons, quartered near the governor's palace. The then governor, Manuel de Amat y Junient, directed this unit to protect the citizens from the increasing number of robberies and assaults by armed bands. As this force became more effective, its name was changed to Chilean Dragoons and its size was increased. By 1850 its strength had grown to three hundred. In 1903 it was incorporated into the army as the Regiment of the Gendarmes, and in 1927 the unit was placed under the Ministry of the Interior by presidential decree. The name was changed to Carabineros de Chile, and it was made responsible for the internal security of the entire country. A second organization responsible for law enforcement is the Investigaciones, and a third is the Judicial Police Force, known as the Gendarmerie de Chile.

### Structure and Organization.

**Carabineros de Chile.** At the head of the organization is the director general, whose offices are in the Zonal



Headquarters in Santiago. Under the headquarters are the prefectures, first-rank police stations; *comisarias*, second-rank police stations, *subcomisarias*, third-rank police stations; and *tenencias*, fourth-rank police stations; and *retenes*, police posts and advance guards. The director general functions as the liaison between the Minister of the Interior and the organizational units and personnel of his command. The senior police chief in each province is directly subordinate to the *intendente*, the provincial representative of the president of the republic, and the police chief in each department of the province is subordinate to its governor. The country is divided into three zones for internal security administration: The Northern Zone comprises the departments of Tarapacá, Antofagasta, Atacama, Coquimbo, Aconcagua, and Valparaíso. The Southern Zone comprises the departments of O'Higgins, Calchagua, Curico, Talca, Linares, Maule, Nuble, Concepcion, Arauco and Bío-Bío. The Extreme Southern Zone comprises Malleco, Cautin, Valdivia, Osorno, Llanquihue, Chiloe, Aisen, and Magallanes.

For operational purposes, the Carabineros are divided into seventeen departments, and ten prefectures. The departments are: Analysis and Evaluation; Armaments and Munitions; Borders and Boundaries; Civil Action; Data Processing; Drug Control and Prevention of Offenses; Finance; Forestry; Internal Security; Legal, Minors; Police Services; Public Relations; Social Action; Supply; Traffic Control and Transport. The prefectures are: Santiago Central, East, West, North, South, Air Police, Minors, Radio Patrol, Special Forces, and Traffic. The Carabineros is also the municipal police in Santiago. The city is divided into thirty-five *comisarias*, of which twenty-six are territorial and the remaining are operational. The Carabineros Information Service is the intelligence-gathering arm of the Carabineros.

The Carabineros is considered one of the most efficient and effective police forces in South America. It patrols not only the rural and urban areas but also the most isolated sections of the country. In addition, they are engaged in a number of relief and rehabilitation efforts. It runs facilities for the housing and schooling of homeless boys three to eighteen years of age. In many of the more remote areas of the country, it assists in educational programs and in the improvement of public sanitation. It is also regularly called upon to provide first-aid and rescue services.

**Investigaciones.** The Investigaciones has the responsibility for investigations and civilian investigation activities. The total strength of the Investigaciones is only one-tenth of that Carabineros. There is a high degree of collaboration between the two forces, as well as exchange of information and joint use of facilities.

The headquarters of the Investigaciones is in Santiago. In addition to the offices of the director general and his deputy, there are the offices of the provincial inspector, the secretary general, and the director of the technical school; and the departments of personnel, foreign and international police, administration, sanitation, welfare, and justice. The Special Units Prefecture is divided into six brigades: fraud, murder, robberies, vehicle theft, vice, and women. Substations are located in the provinces of Antofagasta, La Serena, Valparaíso, Santiago, Talca, Concepción, Temuco and Valdivia. Personnel are located in urban centers throughout the country and perform investigative duties in connection with reported crimes and collect intelligence information concerning both criminal and internal security matters. This agency supervises a National Identification Bureau, which contains registers of the fingerprints of all citizens taken when they reach the age of twenty-one. The bureau issues to all adult citizens identification cards, which must be carried on their persons.

**The Gendarmerie de Chile.** The Gendarmerie de Chile is independent of other police forces and reports to the Ministry of Justice. It runs probation and prison services.

**Uniforms and Weapons.** Police officers wear khaki gabardine military-style uniforms with four pockets and open neck, worn over a fawn shirt and khaki tie with a khaki peaked cap.

The inventory of the Carabineros includes .38-caliber revolvers, machine guns, automatic rifles, carbines, shotguns, revolvers, and gas grenades. The weapon of first instance is the wooden club.

**Education and Training.** The Carabineros run two training schools, one for the regular personnel and the other for staff officers. The Escuela de Carabineros provides basic training and the Instituto Superior de Carabineros offers postgraduate and refresher courses. Specialists graduate from the Centro de Especialidades de Instrucción de los Carabineros and noncommissioned officers (NCOs) from Escuela de Suboficiales de Carabineros. Competitive physical and mental examinations are required for admission to the ranks of the Carabineros. This places them in a higher educational status than the average army conscript. They are also required to be skilled in a number of related areas, such as sanitation, health, education, and welfare.

#### Police Statistics.

- Total Police Personnel: 32,612
- Population per Police Officer: 490

#### HUMAN RIGHTS

The government generally respected its citizens' human rights. The most serious problems continued to be excessive use of force by the police and physical abuse in jails. Detainees are not often advised promptly of the charges against them nor granted a timely hearing before a judge. The law provides that if a member of the police force uses "torture or unlawful coercion," either physical or mental, or orders them to be applied, or commits them against a person under arrest or detention, the officer would be sentenced to imprisonment. Officers who know about the abuse and have the necessary power and authority to prevent or stop it and fail to do so would be considered accessories to the crime. This law has had an important impact on the Investigaciones but less so on the Carabineros. Courses in human rights have become part of the core curriculum in police academies for both rank-and-file police and officers.

#### CRIME

**Crime Statistics.** Offenses reported to the police per 100,000 population: 1,366. Of which:

- Murder: 4.5
- Assault: 84.8



*A Peruvian resident is detained in Chile for protesting against former Peruvian President Alberto Fujimori outside the judicial police academy in Santiago, November 8, 2005. Fujimori was arrested in Chile on charges of corruption and massacres that occurred in Peru. He was attempting to return to Peru to run for reelection after spending five years in exile in Japan. AP IMAGES.*

- Burglary: 488
- Auto Theft: 12.9

#### CORRECTIONAL SYSTEM

The Prison Administration, which is under the Ministry of Justice, was organized in 1930. Previously, penal institutions had functioned more or less independently and were not responsible to the central administration. There are 124 penal institutions throughout the country. They are classified generally according to the length of the inmates' sentences. There are 65 prisons for persons whose sentences do not exceed 60 days and for those awaiting trial or under trial, 31 for prisoners sentenced to a period of from 61 days to 5 years, and 6 for persons serving sentences longer than 5 years.

There are twenty-two correctional institutions for women, supervised by a religious order that assists women who are either pending trial, under trial, or serving sentences, whatever their duration. On Santa Maria Island, west of Concepción, there is an agricultural institution for offenders who are not considered dangerous and who, because of their former occupations, wish to work in an agricultural institution in semifreedom. There is also a special rehabilitation center for delinquent minors in Santiago. In the provinces, minors are detained in special sections of adult prisons and segregated from adults as much as possible.

The usual procedure for imposition of a prison sentence comprises four stages. The first stage is solitary confinement, which lasts a minimum of one month and imposes maximum restrictions. The second stage usually runs through four phases: The first phase usually puts an

end to the isolation of the prisoner, allowing the prisoner to communicate with his or her family. The prisoner also receives a small remuneration for work and is obliged to attend classes. During the second phase, the remuneration is increased and the right of communication is expanded to include persons other than immediate family members. During the third and fourth phases, living conditions and the size of the remuneration are gradually increased. The minimum duration of the second stage is one year, but it may be prolonged in the case of bad behavior. During the third stage the prisoner is confined to the cell only at night and receives maximum remuneration for work and the right to communicate freely. The duration of the fourth stage, the period of conditional release, is half the length of the sentence for first offenders. Offenders are considered for conditional release during the semiannual visits of the judges to the penal institutions and are based on information provided by the prison board. Conditional release is granted by decree and may be revoked if the offender breaks any conditions. The criminal code imposes on offenders sentenced to a period over sixty-one days the obligation to work.

Prison labor is utilized on a number of income-generating public projects, such as public works, including the construction and improvement of public roads, bridges, dams, buildings, and parks; the drainage and clearing of lands; and the preservation of forests. It is also used in the manufacture of goods, such as office supplies and furnishings, clothing and bedding, road signs, and automobile license plates. Under a contract system, inmates are hired out to private contractors, who provide the necessary tools. Although the work is carried out entirely within prison confines, the prison administration takes no part in the operations or in the sale of the goods produced. The contractor reimburses the government for its convict labor on a per capita basis as well as for the use of prison facilities.

The guarding, maintenance and supervision of prisoners are almost completely in the hands of private contractors, who reimburse the state at a fixed rate per prisoners and unit of time and who are authorized to employ prisoners outside prison confines. There are two varieties of this system: one in which prisoners return to the prison at night, and the other in which they remain under the control of the contractor at all times.

The Directorate of Prison Workshops administers workshops where prisoners work in accordance with their aptitudes, as determined by the Institute of Criminology. Theoretical and practical training are given in printing, carpentry, mechanics, and foundry work under the direction of a foreman. The criminal code also permits prisoners to do free work of their own choosing, either alone or in tandem with other inmates, provided it conforms to prison regulations.

All prisoners are entitled to social security benefits under the Social Security Law of 1952. Six percent of earnings are paid by the state to the Social Security Service to provide for illness, old age, and invalidity. In addition, working inmates are entitled to protection under the Family Allowance Act of 1953, under which annual payments are made to wives and children. They are also covered under workers' compensation laws and receive wages during hospitalization.

The administrative and custodial personnel of prisons undergo a period of technical and practical training in a technical school at Santiago. Professional prison personnel are recruited after an examination.

**Prison Conditions.** Prisons are overcrowded and antiquated. Women's facilities tend to be less crowded than men's and have somewhat better conditions. Juvenile offenders under the age of eighteen are housed separately, but some are housed in separate sections of adult prisons.

#### **Prison Statistics.**

- Total Prison Population: 38,560
- Prison Population Rate per 100,000: 241
- Pretrial Detainees: 40.4%
- Female Prisoners: 6.3%
- Juvenile Prisoners: 1.4%
- Number of Prisons: 145
- Official Capacity of the Prison System: 23,533
- Occupancy Level: 134.3%

*George Thomas Kurian*

# China

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**Official country name:** People's Republic of China (PRC)

**Capital:** Beijing

**Geographic description:** This country occupies a strategic location in Asia, with the Pacific Ocean to the east and an overland route to Central Asia and eastern Europe to the west, it is bordered by fifteen countries: North Korea, Russia, Japan, Mongolia, Kazakhstan, Kyrgyzstan, Pakistan, Tajikistan, Afghanistan, India, Laos, Bhutan, Myanmar (Burma), Nepal, and Vietnam; the total land area is 3,705,406 square miles

**Population:** 1,306,313,812 (est. 2005)



## LAW ENFORCEMENT

**History.** China's recorded history covers a span of almost 4,000 years, and its legal and social control system has evolved through tumultuous political and social upheavals. Although the Han Chinese represent the largest single ethnic group in the country, with few exceptions there are not strong territorial boundaries, and the Han people are represented in most the thirty-four provinces, including the Hong Kong Special Administration Region and the Macao Special Administration Region.

Chinese colonialization (colonization) has a history dating back thousands of years, and various periods in history reveal both tragedy and triumph, conquerors and conquered. The development of a legal system began in China as a means of strengthening the power of rulers. The first recorded evidence of this is a set of laws



inscribed in bronze written in the second half of the sixth century B.C.E.

Law during the early periods stressed the importance of uniform rules, rights, and privileges with a system of rewards and punishments that were designed to eliminate some forms of injustice and favoritism and to better define criminal activity. The law in early China did not develop out of custom or of common practice in settling disputes, nor is it the result of a convention translating a common will. Early law was based on the power of the state, the emperor, as being supreme. The Chinese emperor's rule has a long history of more than 2,000 years, with great social and political turmoil leading to ever-changing dynasties. The Chinese traditional legal rule of the emperor may be best described as an intricate web of relations based ultimately on the family and policed by a labyrinth of mutually self-controlled units.

Han-fei-tzu (died 233 B.C.E.), the founder of the Chinese Legalist School, had set up many important

concepts on “Rule by Law” that were contrary to the “Rule by Moral and Education” of Confucius. He established a philosophical framework for legalism that stressed that knowledge of the law should be a primary goal for society; this is in contrast to the preceding emperors in China’s history who had merged Legalist concepts with Confucianism so as to gain the greatest control over people’s behaviors and minds. According to Han, law must exclude uncertain and variable judgments, and it must be objective. The judge’s task is to define the crime correctly, and in doing so, this identifies sanctions, as they are written.

Under the Han emperors, modifications of legal principles changed slowly, with punishment based on the nature and duration of mourning by the victim’s family in cases of murder or manslaughter. Dignitaries sentenced to death were permitted to commit suicide.

Between the third and seventh centuries a system of penal laws emerged; the most elaborate description available today being in the T’ang code of the seventh century. During the Han period convicts and debtors were employed as “slaves” in the workshops. Merchants were not generally looked on with favor, and emphasis was placed on working for the state.

The Han period brought a higher degree of civilization to China, as classical studies and intellectual curiosity were encouraged. Village meetings and discussion groups were seen as a means of supporting social integration.

From the beginning of the third century to the end of the sixth (the Wei, the Jin, the South dynasty, the North dynasty, the Sui and T’ang Empires) many changes took place in China. Penal legislation was strengthened and the New Code (Hsin-ly) in 229 represented an important step in Chinese law.

The next major period in Chinese jurisprudence was the period from 1800 to 1900. During this time national independence was lost during financial and economic failures, compounded by corruption, and saw a major social explosion that began in 1870 and lasted twenty years. Western nations, using economic and military power, joined by Japan, virtually eliminated the state and social structure as the economy collapsed. The first half of the nineteenth century saw the continuing decline of the empire and the introduction of Western powers with expansionist aims. The success of the East India Company, due almost solely to the import of opium into China in exchange for tea and other goods, also helped fuel expansion of the British Empire in India.

The “opium war” of 1839 represented the Chinese government’s last ditch stand to control a menace that had gripped the country and was creating a trade imbalance that threatened to destroy the economy. Chinese

efforts to end England’s monopoly on opium virtually fell apart when British naval and military contingents launched a series of attacks against those attempting to stop the opium trade. Opium became the main cargo of the shipping industry, which was licensed by the East India Company and the American clippers.

In 1843 China granted for the first time extraterritorial rights to England in which British citizens were beyond Chinese legal jurisdiction. This gave the British a significant political advantage in Hong Kong, a small island that was ceded to Britain in 1842. The Hong Kong Special Autonomous Region (SAR) included the vast area of Kowloon and the New Territories around the mainland peninsula. In 1897 the British paid 21 million silver dollars to lease the Hong Kong SAR for ninety-nine years, setting the stage for further British incursions into the region. Slowly, China gave up its independence to foreign powers. It had lost its edge in agriculture, production, and modernization, falling behind many smaller countries. In 1997 Hong Kong was returned to Chinese control.

After Sun Yat-sen’s death in 1925, and under the leadership of Chiang Kai-shek, who had wrested power from Wang Ching-wei, the political chairman, the 100,000-man Kuomintang Army, with the cooperation of the armies of the warlords, moved to capture the north of China.

However, in March 1927 Chiang broke with the Nationalist government, feeling secure that he had the backing of the powerful Shanghai business community, which also represented foreign interests. On April 18, 1927, Chiang proclaimed a new government with himself at the head. He rapidly took Beijing, and made strong progress toward unification of the country. Eventually, Chiang’s Kuomintang (KMT) Party emulated Western views, and his own personal philosophy was directed toward a strong central authority designed to eliminate dissent. He formed a political police, known as the “blue shirts,” and a so-called Census Bureau of the KMT central committee and a Census Bureau of Chiang’s central military commission whose mission it was to detect liberals and revolutionaries. He was beholden to the big banks, particularly in Shanghai and the influence of a relatively few rich families, such as the Songs, one of whom was his brother-in-law.

Hanging over the government was the threat of Japan, which had occupied the northern provinces of China since 1931. This threat, and continuing battles with the warlords, occupied much of the government’s time and money. In July 1937 Japan invaded China, marking yet another dark period in the country’s history. Meanwhile, dissatisfaction with the KMT regime grew as



peasant groups formed unions that were directed by Communist dissidents.

Until 1949 a Chinese middle class began to emerge largely as a result of the Western trade influence during this period. Armies were supported by foreign powers, such as the U.S. support of Chiang. Widespread corruption and the abuse of government power eventually resulted in the development of peasant militias and an internal civil war led by Mao Zedong. The conflict ended in a decisive battle in the winter of 1948–1949, in which more than a half-million Nationalist soldiers succumbed to the Communist troops. With the remnants of his army, Chiang fled to Taiwan. On October 1, 1949, the PRC was born.

Many of the government leaders and more wealthy citizens fled to Taiwan under the leadership of the KMT government, then known as Formosa, where the government was established with U.S. support.

The situation facing China's leadership on the founding of the People's Republic was less than hopeful. Under the leadership of Mao, the army moved quickly to control the land and within two years had unified the country, which included the liberation of Tibet in May 1951. In 1959 the Tibet Rebellion and the departure of the Dalai Lama nullified the agreement. Only Hong Kong, Taiwan, Macao, and a few islands off the coast remained under what the Chinese perceived as foreign control. In 1997 Hong Kong reverted to Chinese control as the 100-year lease with the British government ended.

The early years of the PRC were characterized by propaganda and indoctrination over economic growth and management, under the strong personal influence of Mao, resulting in a "unified" country under relatively strong central control. Mao's idea was to establish a "People's Democratic Dictatorship," a combination of Soviet Russia's Proletariat Dictatorship with the Chinese traditional rule in the new republic. In the early years of the republic the main task for the criminal justice system and police was the suppressing of counterrevolutionaries and safeguarding and facilitating political movements by legal means. Mao said in 1949, "The state apparatus, including the army, the police, and courts are the instruments for the oppression of antagonistic classes, it is violence." Factional struggles within the Communist Party resulted in the so-called Cultural Revolution, which lasted from 1966 to 1976 and saw intellectuals and high officials denounced and castigated. The emergence of the Red Guards, in response to an appeal by Mao, brought anarchy. Eventually, it was not clear who was in power, as street battles, invasions of homes, assaults, and murders characterized this period. It was also a period of hero worship toward Mao.

During this period the legal system was ignored and sabotaged. Apart from law being abolished at that time, the legal organs were largely eliminated. People's courts at various levels became paralyzed, and procuratorates were abolished altogether. Judges, teachers of law, and practicing lawyers were among the first to be sent to the countryside and the last to return. Law enforcement was placed in the hands of the Red Guards and the People's Militia. During those years the Chinese people suffered a "lawless" orientation. After 1976 political and legal organs throughout the country conducted a judicial review drive of the counterrevolutionary cases. During the Cultural Revolution, 1.2 million cases were disposed of in the country. By the end of June 1980 the people's court at different levels had reexamined 1.13 million cases. Among these, 251,000 wrong cases were redressed, involving 267,000 people—of which counterrevolutionary cases took up 175,000, involving 184,000 people. In addition, 76,000 ordinary criminal cases were redressed, involving 82,000 people. In handling criminal and counterrevolutionary cases there was neither legal prosecution nor legal sentence. The line between guilty and not guilty in cases was often confused, and a great many unjust, false, and wrong sentences were handed down.

During this period Deng Xiaoping and Liu Shaoqi, as leaders of the Party Central Committee, reportedly had doubts about the direction of the Cultural Revolution and attempted to ease conflicts between various factions. However, their attempts were rebuffed by Mao. During this period China was virtually closed to the rest of the world.

In February 1972 President Richard Nixon made his historic visit to China. By 1973 Zhou Enlai had reemerged and moved to stabilize the country. He is credited with reinstating many former officials, but he came under attack. In March 1973 the Party Central Committee, supposedly at the proposal of Mao, moved to reinstate Deng Xiaoping, and in December he was once again elected to the Political Bureau.

In January 1975 Zhou Enlai was named premier and Deng Xiaoping as vice premier, hindering efforts of the "old guard" to control the government. Mao's death on September 9, 1976, saw a failed effort by Mao's wife to take over the government, and she and three of her cohorts, known as the Gang of Four, were imprisoned. With Zhou in ill health, Deng assumed the reigns of power, and with it the beginning of major changes.

Between 1976 and the early 1980s the country began to move toward more open relationships with other countries, particularly those in the Soviet bloc. On April 26, 1984, President Ronald Reagan visited China, which began a wave of reform. This was the beginning of a new era in which Deng Xiaoping came to power and

fostered more openness with the West. Greater emphasis was placed on the rule of law, and a massive program to educate lawyers and revise the criminal justice system began.

From the mid-1980s to the present a period of economic growth was characterized by many management and policy revisions and the restructuring of the government. Progress was marred by the Tiananmen Square incident in 1989, in which hundreds of civilians, police officers, and soldiers were killed in widespread protests throughout the country.

After a period of international criticism and economic setbacks, a renewed level of economic growth began and by 1993 China had moved into prominence as a major trade nation. The death of Deng Xiaoping in 1997 marked the beginning of a new era of leadership under Jiang Zemin, who continued to foster economic growth and efforts to establish the rule of law as a guiding principle. Reform movements in education, business, and criminal justice organizations continued in earnest. Issues of human rights and civil liberties became more prominent among the populace and continue to be hotly debated to this day.

In October 2002 a new generation of Chinese leaders came to power under the leadership of Hu Jintao, the general secretary of the Central Committee of Communist Party of China (CPC) and president of the PRC, and Wen Jiabao, member of the Standing Committee of Politburo. Hu and Wen lead a group of nine that forms the Standing Committee of Politburo of CPC Central Committee. Luo Gan of this group is in charge of judicial affairs.

China venerates Mao, but many, if not most, of his principles of socialism, egalitarianism, revolutionary zeal, and a communal concept are disappearing rapidly with entrepreneurial reforms and a market economy. Despite external criticism on several fronts, the country has made much progress in improving the plight of its citizens and political reform is slowly beginning to take shape.

**Structure and Organization.** There are four levels of organization within the Ministry of Public Security:

1. Provincial and special municipality levels (which include Beijing, Shanghai, Tianjin, and Chongqin, all of which report directly to the central government)
2. Prefecture and municipal level
3. County and subbureaus at the rural and urban district level
4. Stations at the township (communes) and city district level

The local public security organizations operate under an arrangement that provides input and some control from local government officials as well as the ministry officials and authorities above the unit. For example, public security officials within a township will work with local government, but also report to the bureau or provincial authorities above them, as well as to the Ministry of Public Security. In major cases they will usually call on assistance from the larger units, particularly in criminal investigations or civil disorder. Since the 1990s, because local governments provide much of the budget, they have had more say in police operations. There are also public security units of a specialized nature that may operate in cooperation with other ministries. Some of these include:

- The Armed Police, consisting of conscripts, which have a dual reporting relationship, to the Ministry of Public Security and to the Central Military Commission of the CPC
- Police in the Ministry of Railways
- Police in the Ministry of Transportation
- Police in the Civil Aviation Administration
- Police in the Ministry of Forestry

All these units are under the jurisdiction of the Ministry of Public Security.

The Ministry of Public Security at the central government provides unified leadership and guidance to all public security work and directs all the professional police forces and the armed police forces. There are twenty-eight bureaus, several research institutes, and one publishing house under the Ministry of Public Security (MPS). In addition, there is one Political Department and one Office of General Affairs, of which both have higher official status than a bureau.

- Political Department: basically administers police personnel and education. Under the Political Department there is the Personnel and Training Bureau and the Propaganda Bureau, which is in charge of the People's Public Security Daily and the Public Publishing House.
- Office of General Affairs: takes care of paper work for the ministry and provides secretarial work for the minister and his deputies.
- Bureau of Domestic Security Defense (First Bureau): maintains the surveillance of known or suspected counterrevolutionaries and directs the investigation of all sabotage and political offenses, which are "acts endangering the PRC committed with the intent of overthrowing the political power of the dictatorship

of the proletariat (renamed people's democracy) and the socialist system.”

- Bureau of Economic Crime Investigation (Second Bureau): in charge of economic crimes, such as copyright violation, smuggling, loan sharking, and others.
- Bureau of Public Order Management (Third Bureau): directs general activities of the police, including the administration of household registration, and census. It directs the affairs of the Public Security Committees at the local level, and in 1994 assumed responsibility for the adoption of police patrol in urban areas.
- Bureau of Border Security (Fourth Bureau): supervises the border police and helps customs houses in the checking of imports and exports.
- Bureau of Criminal Investigation (Fifth Bureau): is in charge of the investigation of criminal cases. It also maintains the Interpol China Bureau.
- Bureau of Entry and Exit Control (Sixth Bureau): is in charge of entry and exit of aliens and citizen passports.
- Bureau of Fire Fighting Administration (Seventh Bureau): is in charge of the country's fire fighting and prevention.
- Bureau of Security Guard Duty (Eighth Bureau): provides security guards for people from abroad and personal protection for ordinary government or state leaders. It also provides protection of physical facilities.
- Bureau of Security of the General Office of the Central Committee of Communist Party (Ninth Bureau): is in charge of CPC leaders. It is different from the Eighth Bureau. It is affiliated with the MPS in name only and is really commanded by the head of the General Office of the Central Committee of Communist Party.
- Bureau of Public Security of the Ministry of Railway (Tenth Bureau).
- Bureau of Surveillance for Security of Public Information Networks (Eleventh Bureau): is in charge of the work of electronic computers' application in public security organs and directs computer security in the country and the prevention of computer crime.
- Bureau of Operative Technological Support (Twelfth Bureau).
- Bureau of Detention Facilities Management (Thirteenth Bureau).
- Bureau of Public Security of the Ministry of Transportation (Fourteenth Bureau).
- Bureau of Public Security of Civil Aviation Administration (Fifteenth Bureau).
- Bureau of Public Security of the National Forestry Bureau (Sixteenth Bureau).
- Bureau of Traffic Control (Seventeenth Bureau)
- Bureau of Legal Affairs (Eighteenth Bureau): drafts and compiles laws and policies regarding public security.
- Bureau of Foreign Affairs (Nineteenth Bureau): is responsible for liaison, as well as other business regarding international relations.
- Bureau of Supply and Finance (Twentieth Bureau): supplies uniforms, firearms, vehicles, and other needed equipment for all police forces. It is also in charge of a budget and handles accounts.
- Bureau of Narcotic Control Bureau (Twenty-first Bureau): is similar to U.S. Drug Enforcement Agency.
- Bureau of Science and Technology (Twenty-second Bureau): coordinates scientific and technological research in the public security sector.
- Bureau of Information Communication (Twenty-third Bureau).
- Bureau of Illegal Trafficking Crime Investigation (Twenty-fourth Bureau): founded in 1998.
- Bureau of Counterterrorism (Twenty-seventh Bureau): is founded in 2002 in the wake of the September 11 terrorist attack in the United States.
- Bureau of Securities Crime Investigation (Twenty-eighth Bureau): is founded in 2002 to combat rising speculation and other crimes in the securities market.
- Bureau of Retired Ranking Officials: is in charge of care for retired ranking officials from the Ministry of Public Security.

*Research Institutes.*

- Research Institute for Police Equipments (First Institute).
- Research Institute for Forensic Science (Second Institute).
- Institute for Information Science and Technology (Third Institute).
- Research Institute for Public Security (Fourth Institute).
- Research Institutes for Fire Fighting separately in Shanghai, Sichuan province, Tianjin City.

*Police at Work.* Following graduation from one of the educational or training institutions, a police officer will be assigned to a particular specialization, which may also involve some subspecialization within the unit to which he or she is assigned. Except for criminal investigation, most officers will be assigned to a uniformed section. Most police in China are unarmed.

Promotions in the police service are somewhat different from those in major Western nations. Introduction of a formal rank system in 1993 was designed, in part, to provide a greater degree of professional advancement. Nevertheless, once assigned an individual will likely spend the rest of his or her career in the same assignment. Exceptions are those in upper management, who have greater flexibility.

The functional titles and designated ranks in 1992 were:

Minister	Commissioner General
Deputy or Vice Minister	Deputy Commissioner General
Assistant Minister	Commissioner First Class
Director	Commissioner Second Class
Deputy Director	Commissioner Third Class
Division Director	Supervisor First Class
Deputy Division Director	Supervisor Second Class
Section Chief	Supervisor Third Class
Deputy Section Chief	Superintendent First Class
Section Chief (Sergeant)	Superintendent Second Class
Constable First or Second Class	Superintendent Third Class

There is a system of awards and citations, both for individuals and for units that are based on political quality, service ability, and merit to the revolution. Officers may also be disciplined, which can include demotion and criminal penalties in accordance with police regulations and criminal law. Article 10 of the Regulation on People's Police of the PRC states that police personnel who violate discipline and neglect their duty may be disciplined by warning, record of demerit, confinement, demotion, or dismissal. If a police officer violates the criminal law, he or she may be tried by a

people's court or a military court in accordance with the Criminal Law of the PRC.

Although a primary goal of the police officer is to prevent crime, much of his or her work is spent on other pursuits, particularly in the form of order maintenance.

Police stations, according to the Organic Regulations have ten functions, including upholding and enforcing the laws concerning public order and security, preventing and combating subversive and criminal activities, administering the household residence registration, guiding the work of the Public Security Protection Committees, and teaching the residents to observe and abide by laws.

Two aspects of these responsibilities are markedly different from Western police functions. The first concerns the administering residence registration, which requires that police keep track of all individuals living in the community, including visitors. This assignment is carried out by census officers who maintain periodic contact with each household. The second is in working with and guiding the Neighborhood Public Security Committees that, in essence, manage a neighborhood watch system using volunteers and residents who live in the community. The impact of this program would boggle the mind of most Westerners, for virtually the whole community plays some role in personal security, from grandmothers and retired persons, who are present during the day, to volunteer workers, who patrol the streets and community at night. What a surprise it is to hear a bell ringing in the heart of Shanghai, carried by a volunteer, reminding residents that it is 8:00 P.M. and that they should lock their doors and windows.

Public Security Committees are elected by residents and work under the guidance of police stations. First established in the 1950s, they now number 1.2 million across China, with more than 5.8 million members, of which 360,000 are retired workers. Additionally, there are 2.6 million public security groups with 6.3 million members. Altogether, about 12 million people are involved in more than 3.8 million public security organizations. Thus, between 2 and 4 percent of the population are involved in security-related activities.

Among the functions of these committees are educating people on crime prevention, providing neighborhood watch activities, controlling crime, and assisting police. They have no judicial or investigative powers, but they help the police by gathering information and sponsoring citizen patrols and crime prevention programs. According to one estimate, about half the criminal cases are solved as a result of the cooperation of these committees.

Officers are placed in charge of public security patrol in commercial areas and other public places such as railway stations, ports, wharves, hotels, hostels, markets,



**Convicted drug dealers are paraded before crowds at a public sentencing rally in China's Guizhou province, June 24, 2005.** The event, which included an antidrug educational show, was held in the city of Guiyang and occurred shortly before the country celebrated its International Anti-Drugs Day. AP IMAGES.

cinemas, theaters, and stadiums where criminals can hide easily and commit offenses.

**Police-Community Relations.** As noted earlier, China's cities are divided first into districts and then neighborhoods. Each neighborhood is controlled by a subdistrict of the government. A collection of residential committees report to the subdistrict, and below them are residential groups, which represent the grassroots level.

Both the Public Security Committee and the Mediation Committee play important parts in the everyday life of the Chinese people. Usually, those selected to serve on these committees are individuals who are widely respected by the community. In some instances individuals may be appointed to the committee by a higher authority, although this apparently varies significantly from city to city. These committees also report to the government and the judiciary or people's courts. Most of the power exercised by these committees is based on social and peer pressure, for the committees do not have the formal authority to demand an individual's presence,

to conduct interviews or interrogations, or to punish or detain. However, they are extremely powerful and exercise control and have strong public support. The alternative is formal action by the police or courts, which is not generally considered a favorable option by most citizens.

One of the key roles played by the police is in popularizing the law and making people aware of their rights. In working with the committees they have a ready-made system that is designed to foster communication and conflict resolution; much of the minor criminal and nuisance activity that occupies American courts is handled unofficially through these committees.

Increasing economic reform has resulted in a new form of policing as the introduction of joint ventures and other international enterprises has created a greater need for security. Much of this work is being undertaken by cooperative security firms that began to form in 1985. For the most part, these firms are supervised by Public Security officials. They frequently employ former servicemen and retired policemen.

Training for security firms is less organized than for the police service and varies greatly between cities, although new regulations are currently under way. Most training is carried out by either public security organizations or by representatives of the joint ventures.

### Special Police.

*Armed Police.* One of the more interesting units is the Chinese People's Armed Police Force, which has the responsibility as a domestic guard, similar in some ways to the U.S. National Guard, but which consists almost entirely of conscripts. The Armed Police also maintains border control activities and serves as the fire brigade.

The force is under the dual leadership of both the Ministry of Public Security and the Central Military Commission of the Central government, as well as the Central Committee of the Party. For practical purposes the day-to-day operations and supervision of the Armed Police fall under the ministry, although it should be noted that most of the commanders are career military personnel, without a traditional law enforcement background.

There are four functional units within the Armed Police:

- The internal security force that serves as guards for government and other key facilities throughout the country. This unit might be generally defined in Western terms as a security service. Until recently, there were no private security firms in the country because most facilities were state owned, and such activities were carried out by the Armed Police, some traditional police units, and frequently by volunteers of the neighborhood security committees. The quality of the Armed Police varies greatly depending on assignment. As might be imagined, those guarding dignitary offices and residences are generally well trained and motivated. In 1992 roving patrols of armed police officers were implemented in many cities, representing a distinct departure from past practices.
- The Border Security Force, somewhat like the U.S. Border Patrol, but more closely resembling the border guards of Eastern bloc countries before 1989, is a large force consisting mostly of conscripts. It is generally boring duty, and the level of training is minimal and traditionally military. This force also maintains responsibility for ports of entry, such as airports.
- Firefighting brigades receive basic training in firefighting techniques, but there is cause for concern about their effectiveness, especially in the larger cities. With the advent of high-rise buildings, especially hotels, there is reason for increased concern.

- Correctional center guards have the responsibility for security at public security detention facilities and for handling the transfer of prisoners. This unit is not to be confused with guards in the prisons and work camps run by the Ministry of Justice.

**Education and Training.** Most police officers are expected to have completed twelve years of education, although there are exceptions. Individuals usually join the police service in one of three ways: by completing a general college course or having completed four years of study at one of the many police colleges or law schools. A select group of individuals will attend the People's Public Security University in Beijing, which might be likened to the "West Point" of policing in China. A second and common method of entry is by having completed military service and being approved for further police training. Most individuals are selected at the local level on the basis of examinations, after which they must complete a two-year training program. Persons with prior military training or who transfer from other organs of government usually complete an abbreviated training program. The following educational programs are available.

#### *Universities (four-year and graduate programs).*

There are three higher education institutes, which are directly affiliated with the Ministry of Public Security:

- Public Security University—Beijing
- Criminal Police (Investigation) College—Shenyang
- Chinese People's Armed Police Academy in Langfang City, Hebei province

Students of these three institutes are from all provinces of China and they must take a nationwide exam for admission at the same time as all other colleges and universities.

Besides these institutes, there are several provincial police colleges that can provide four- and three-year programs. These colleges include:

- Zhejiang Provincial Police College
- Jiangsu Provincial Police College
- Hubei Provincial Police College

Students of these provincial police colleges are from local provinces, and they must pass the national admission exam. The goal of the four-year programs is to cultivate high-grade specialized public security personnel and to train the leading cadres above the rank of directors of the county public security bureaus or sections. There are several other types of educational institutions charged with the education and training of police in the PRC. As of 2004, these included:

- Ten three-year colleges managed by local governments, the Education Commission, and the Ministry of Public Security. Students are local and take a nationwide examination after completing high school. Some in-service officers are accepted for a two-year program.
- Eighty people's police schools (the equivalent of police academies) recruit from senior middle schools and other students according to the characteristics and needs of public security work. The average time spent by police officers in these schools is two years.
- Eleven in-service administrative colleges that provide specialized training in a variety of management and technical skills.
- One hundred public security cadres schools that offer three- to six-month courses, usually for in-service or specialized training.
- In-service training is localized training based on long-term plans and general demands made by the Ministry of Public Security.

*Government and Provincial Schools.* Run by governments of provinces, autonomous regions, and municipalities under the State Council, these schools are responsible for training directors of county public security bureaus and leaders of the public security branch bureaus in municipalities and their subordinates, such as department directors, section chiefs, substation chiefs, squad heads, rear-service personnel, and professional specialists.

To gain admission to one of the four-year police colleges or the Public Security University, an individual must pass the national college entrance examination or the national adult college entrance examination. All students in the country who wish to pursue a college education must complete the national examination, which is a competitive program. They must indicate their area of interest and the college they wish to attend. The number of people wishing to join the police service has traditionally been high, although the past decade has seen greater numbers of students seeking admission to language academies and programs that will offer an opportunity to work in joint ventures or hotels, where pay is much more attractive. Nevertheless, given the large number of students wanting to go to college and the limited spaces available, the police service continues to draw many capable candidates.

When an applicant has been selected, he or she (females represent about 15 percent of the younger generation of police officers) will attend either a two- or four-year program. Individuals with a military background may have some of the requirements waived.

*Police Training.* A major thrust in the past decade has been toward modernizing police training. There are police colleges in all the provinces and additional programs in the larger cities. In 1994 there were 285 police schools throughout China, of which 29 were universities and colleges, 156 were secondary professional schools, and 100 were police cadre schools. Of these, there were 80 higher police academies, with more than 43,000 students and 3,500 instructors, and 45 secondary police academies with about 78,000 students and a teaching staff of 3,400. Those selected for entrance to the Public Security University in Beijing are viewed largely as the future leaders of the police service. An individual will major in a field of study, such as police administration, criminal investigation, law, or public order. The Police Officer's College in Beijing, which was more technical in nature, prepares individuals for specialized operations, such as forensic science, computer technology, and traffic, was amalgamated with the Public Security University in 1998.

For example, the curriculum of the four-year program of the public order major in the Public Security University includes fifty required courses and twenty-three electives. Courses range from the areas of sociology and psychology to police management, from criminalistics and forensics to computer operations. There is also a heavy emphasis on physical fitness and fighting skills because of the general absence of carrying deadly weapons in public.

There are 100 cadre schools that are somewhat similar to American police academies that offer shorter courses, for example, to army veterans and in-service courses for serving policemen, who will attend three- to six-month courses on a periodic basis. In 1986 there were an estimated 60,000 such students. By 1990 the number had reached 100,000, with another 100,000 officers involved in self-study programs with plans to enter college. Between 1984 and 1989 more than 500,000 officers attended schools or colleges, with 26,000 completing either three- or four-year programs, and 50,000 completing two-year programs.

Between 1983 and 1989 the percentage of officers with three-year degrees increased from 3.2 percent to 13.2 percent, and those with some education beyond high school went from 32 percent to 52 percent. Between 1991 and 1995 the ministry set goals that will increase the number of college graduates to 22 percent, and education above high school to 90 percent. Since the start of the twenty-first century, all new recruits must have a three-year degree or above.

*The People's Public Security University.* With approximately 10,000 students, the Public Security University resembles a service academy more than a

traditional university. The program is rigorous. During summers students return to their home provinces to gain experience by working with their local forces. In less than a decade the curriculum has been completely redeveloped, and in recent years it has sent faculty abroad for further education and has brought in instructors from other countries as visiting experts. The university maintains a close relationship with the Office of International Criminal Justice at the University of Illinois, as well as with other American universities.

There are more than ten departments in the university, such as the Department of Public Order Management, the Department of Investigation, and the Department of Traffic Control. There are 466 faculty members, of which 49 are full professors and 187 are associate professors. Nearly all faculty members are active police officers, except for some emeritus professors who are retired. To advance professionalism in the faculty, more and more graduates with masters or doctoral degrees have joined the faculty. These graduates do not have prior police experience. However, faculty members are encouraged by the ministry to have one year of working experience at a grassroots public security organ in each five-year period. In fact, faculty members must have at least six months of experience in the Bureau of Security Guard Duty or at local public security organs before they are appointed as associate professor or full professor.

The leadership of the campus represents an enlightened group of senior officials who have been struggling to introduce new technology and modern police management. Shortly after the Tiananmen Square incident, senior officials spoke of the problems facing the police, who are not equipped, either by training or with equipment, to handle large demonstrations with minimum force. They speak with admiration of the South Korean police and their handling of student demonstrations. Most officers recognize the failures of Tiananmen Square and are perhaps thankful that the police were not called on in those difficult final days in June 1989.

There are, as might be expected in any academic institution, differences in theory and approach. Several instructors have visited the United States and other countries, and representatives of the police service have been attending a two-week course each fall run by the International Center for Sociological and Penological Studies in Messina, Italy. The course, which is attended by police representatives each year from about seventy-five countries, provides an opportunity for comparison and for learning about other police systems. This important effort to learn more about modern police practices is having a positive impact on training, particularly in the areas of community relations and human rights.

**Police Colleges.** The police colleges located in the provinces and larger cities generally prepare individuals for middle management positions with the police hierarchy. Emphasis on political education, which at one time represented about 50 percent of the curriculum, has been reduced significantly. Nevertheless, an important aspect of the learning environment emphasizes loyalty and responsibility. Emphasis is also placed on loyalty to the Communist Party, and a large percentage of those who graduate will become members of the party if they have not already been accepted.

The curriculum of the police colleges places greater emphasis on professional subjects. Since the beginning of the 1980s a large part of the curriculum is devoted to the study of law. The legal reform movement is viewed as central to police training, and the importance of following legal precepts is drilled into recruits. Each officer's retention depends largely on where in the ministry he or she is assigned on graduation.

In 1993 the Ministry of Public Security took a major step in signing an agreement with the Office of International Criminal Justice at the University of Illinois at Chicago. This agreement brought thirty-six senior police officials to the United States for one month of training, which included site visits to the FBI Academy in Quantico, Virginia, and to police departments in Chicago, New York, and Los Angeles.

#### **Police Statistics (as of 2002).**

- 1.7 million Chinese police officers
- 30,000 community policing stations
- 60,000 officers dedicated to community policing
- Provided security for 75,000 big events in 2002
- Responded to 52,000 disasters that required rescue service in 2002
- Answered 1,440,000 calls for public assistance in 2002

#### **HUMAN RIGHTS**

During 2003 politically motivated and other arbitrary and unlawful killings occurred. The official press reported extrajudicial killings, but no nationwide statistics were available. Deaths in custody because of police use of torture to coerce confessions from criminal suspects continued to occur. Beating deaths during administrative detention also occurred and sparked public calls for reform.

According to the U.S. Department of State, several hundred Falun Gong adherents reportedly have died in detention because of torture, abuse, and neglect since the crackdown on Falun Gong began in 1999. Trials involving



capital offenses sometimes took place under circumstances where the lack of due process or a meaningful appeal bordered on extrajudicial killing. Nongovernmental organizations reported over 1,000 executions during the year, including dozens on June 26 to mark international anti-drug day. Amnesty International reported that China executed more persons than any other country. In 2002 officials reportedly carried out over 4,000 executions after summary trials as part of a nationwide “strike hard” campaign against crime. The actual number of persons executed was likely far higher than the number of reported cases. The government regarded the number of death sentences it carried out as a state secret, but stated that the number of executions decreased during the year. Some foreign academics estimate that as many as 10,000 to 20,000 persons are executed each year.

The law prohibits torture; however, the State Department reports that police and other elements of the security apparatus employ torture and degrading treatment in dealing with some detainees and prisoners. The Prison Law forbids prison guards from extorting confessions by torture, insulting prisoners’ dignity, and beating or encouraging others to beat prisoners. While senior officials acknowledge that torture and coerced confessions are chronic problems, they do not take sufficient measures to end these practices. Former detainees report credibly that officials use electric shocks, prolonged periods of solitary confinement, incommunicado detention, beatings, shackles, and other forms of abuse.

Since the start of the twenty-first century efforts have been made to strengthen historically weak regulation and management of law enforcement agencies; however, judicial oversight is limited and checks and balances are absent. Many police and law enforcement units in the country remain poorly trained and lack basic investigation skills. Corruption at the local level is widespread. Police officers reportedly coerce victims, take individuals into custody without due cause, arbitrarily collect fees from individuals charged with crimes, and mentally and physically abuse victims and perpetrators.

The Chinese government strictly regulates the establishment and management of publications and does not permit citizens to publish or broadcast criticism of senior leaders or opinions that directly challenge Communist Party rule. The party and government continue to control many and, on occasion, all print and broadcast media tightly and use them to propagate the current ideological line. All media employees are under explicit, public orders to follow CPC directives and “guide public opinion,” as directed by political authorities. Both formal and informal guidelines continue to require journalists to avoid coverage of many politically sensitive topics. These public orders, guidelines, and statutes greatly restrict the

freedom of broadcast journalists and newspapers to report the news and lead to a high degree of self-censorship. The government continues an intense propaganda campaign against the Falun Gong.

The government continues to encourage expanded use of the Internet; however, it has taken steps to increase monitoring of the Internet and to place restrictions on the information available. While only a small percentage of the population has access the Internet, use among intellectuals and opinion leaders is widespread and growing rapidly. China’s Internet control system employs more than 30,000 persons and is allegedly the largest in the world. According to a 2002 Harvard University report, the government blocked at least 19,000 sites during a 6-month period and may have blocked as many as 50,000. At times, the government blocks the sites of some major foreign news organizations, health organizations, educational institutions, Taiwanese and Tibetan businesses and organizations, religious and spiritual organizations, democracy activists, and sites discussing the June 4 Tiananmen massacre.

#### CORRECTIONAL SYSTEM

Except for capital punishment, which is used primarily to set an example, the Chinese philosophy toward corrections is based on an intrinsic belief in rehabilitation. It is a widely held belief among officials in all aspects of the justice system, government leaders, and people from all walks of life that individuals who commit crimes, for the most part, can be reintegrated into society. Undoubtedly, this has a lot to do with the recidivism rate that, despite an increase, continues to be one of the lowest in the world. Even today, except for several major cities, the rate of return to prison is estimated to be between 7 and 20 percent throughout the country.

With the founding of the People’s Republic in 1949, a Bureau of Prisons was established and reported to the Ministry of Justice. However, in 1951 responsibility for prisons was transferred to the Ministry of Public Security, and in 1983 was transferred back to the Ministry of Justice.

In 1980 there were between 700,000 and 800,000 prisoners, which rose to 1.1 million in 1990, and 1.3 million in 1993. Of these, according to official sources, about 10 percent are classified as political prisoners, which is a label reserved for those convicted of a counter-revolutionary crime. The increase in prisoners is attributed to a higher rate of crime, economic conditions, and a changing social environment. Between 4 and 5 percent of the prison population is serving a life term or is on a suspension from execution.

In 1990 there were 674 prisons (reform through labor institutions), which included 35 juvenile reformatories.

This did not include detention houses, which are managed by public security. There are two types of detention facilities: those that hold individuals for trial (usually no longer than six months) and those that hold persons for up to fifteen days for “administrative violations,” which are not classified as crimes.

For the most part, the Chinese philosophy emphasizes punishment as a means of deterrence and uses a system of rewards and punishments to influence behavior. Reduction in sentence is the most common form of reward, and in the first six months of 1988 almost 100,000 prisoners had their sentences reduced or were paroled. Reductions in sentence and paroles are approved by the people’s courts usually on the basis of recommendations from the correctional authorities. Additionally, inmates may be given material rewards, such as extra visiting privileges, commendations known as “merit marks,” or better work assignments.

Using the carrot-and-stick approach, the correctional authorities may also recommend that the courts increase a sentence if an individual commits another crime while in prison, which is loosely defined. The prison administration also has the power to impose other sanctions, such as confinement, work reassignment, and denial of visiting privileges; in cases where an individual has escaped or helped others escape or resisted labor and engaged in illegal acts, it may enforce an increased stay in a labor-reform camp.

Incarceration in China is in one of the following institutions:

- Prisons are basically for holding those important criminal offenders who have already been sentenced to the death penalty with suspension or life imprisonment, but are unfit for labor outside of prison.
- Detention houses are mainly for confining in custody offenders whose cases have not been adjudged and for holding those criminal offenders who have been sentenced to less than two years of imprisonment, but where it would be inconvenient to confine in a reform through labor camp.
- Reform through labor institutions are for holding criminal offenders who have been sentenced and are appropriate for labor outside of prison.
- Reeducation through labor institutions hold those who do not engage in proper employment and who steal, swindle, or engage in other such acts, but are not prosecuted for criminal responsibility. This includes those who violate the regulations of public security administration and who have the capacity to labor, but refuse to do so for a long period.

- Juvenile reformatories discipline offenders aged between fourteen and eighteen. These reformatories fulfill the role of both reform through labor and reeducation through labor institutions.
- In most correctional institutions, there is a special section for female offenders, separate from males, that is under the supervision of female correctional officers.

Reform through reeducation is described as a coercive measure applied to those who loaf or violate law and discipline or who do not engage in proper employment and is intended to further preserve public order and to benefit socialist construction. The primary difference, however, is in the method by which an individual reaches the institution. Reform through education can be implemented without a court action by public security agencies and can be instituted for infractions of public security regulations, refusing to work, hooliganism, or other acts “not prosecuted for criminal responsibility.”

**Prison Conditions.** Conditions in penal institutions for both political prisoners and common criminals are generally harsh and frequently degrading. Prisoners and detainees are often kept in overcrowded conditions with poor sanitation, and their food often is inadequate and of poor quality. Many detainees rely on supplemental food and medicines provided by relatives, but some prominent dissidents are reportedly not allowed to receive supplemental food or medicine from relatives. According to released political prisoners, in many provinces it is standard practice for political prisoners to be segregated from each other and placed with common criminals. Released prisoners report that common criminals beat political prisoners at the instigation of guards. Some prominent political prisoners receive better than standard treatment.

#### Prison Statistics.

- Prison Population Total: 1,549,000 (as of October 2003—National Prison Administration)
- Prison Population Rate: 119 (November 2003)
- Female Prisoners: 4.4% (January 2003)
- Juvenile Prisoners: 0.7% (mid-2003)
- Foreign Prisoners: 0.03% (1997)
- Number of Prisons: 689

Recent prison population trend:

1995	1,236,543
1998	1,440,000
2001	1,428,126

*Richard Ward*

# Colombia

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**Official country name:** Republic of Colombia

**Capital:** Bogotá

**Geographic description:** A large country in northern South America, south of Panama

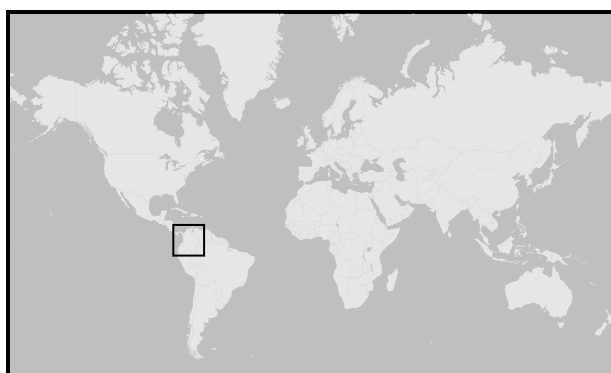
**Population:** 42,954,279 (est. 2005)



## LAW ENFORCEMENT

**History.** In the pre-Columbian age the conquest with the arrival of Spanish conquistadors and the colonial periods ruled by Spain, there was no law enforcement except for the military. Viceroy José de Ezpeleta Galdeano created a police force in Bogotá in 1791. In 1890 Carlos Holguín sanctioned Law 90 that created a National Police; this law allowed the government to contract, either in the United States or in Europe, someone capable of organizing the new National Police. In 1891 the French began helping Colombia build a police force; the force was organized by a commissar of France's National Police, Juan María Marcelino Gilbert. At the time Colombia's police force consisted of approximately 450 men. By 1899 there were 944 men in the National Police, and they were divided into eight divisions. During the Thousand Days' War, the National Police came under the governing of the Ministry of Military until 1901. Law 41, decreed on November 4, 1915, divided the National Police into three sections: one section dealt with security and monitoring, the second was a Civil Guard, and the third became the Judicial Police.

On May 4, 1946, the political police unit was created, organized by the Conservative president Mariano



Ospina Pérez; the police were used to threaten, terrify, and murder Liberals. Two years later on April 9 the political police inspired greater fear in what was known as La Violencia, which lasted until the 1960s. During the 1950s the National Police department was moved to the jurisdiction of the Ministry of National Defense from that of the Ministry of the Government. In January 1978 Colombia's Congress granted the police and the military a license to kill. This was intended to handle the widespread terror and narcotics that had increased since 1966 with the founding of the Fuerzas Armadas Revolucionarias de Colombia (FARC; Revolutionary Armed Forces of Colombia), the Ejército de Liberación Nacional (ELN; National Liberation Army), and the Movimiento 19 de Abril (M-19; April 19 Movement). In 1988 the National Police was Colombia's principal law enforcement organization. As indicated by Colombia's 1991 constitution, the National Police is part of the armed forces with headquarters located in Bogotá.

**Structure and Organization.** The 1991 constitution states that there are four main branches in the armed forces: air force, navy, army, and the National Police. The National Police deal specifically with public order and internal affairs. Each branch is barred from involvement in political matters, and only the armed forces may produce or possess weapons, munitions, and explosives without special permission.

The National Police is modeled after the military branches and its organization parallels the headquarters' command, which is divided into distinct operational sections including personnel, intelligence, operations, and logistics.

**Hierarchy and Ranks.** The hierarchy is like that of the army and each wears the representative symbol of his or her rank on the uniform. The official hierarchy is as follows:

- General
- Lieutenant Colonel
- Second Lieutenant Colonel
- Major General
- Major
- Brigadier General
- Captain
- Colonel
- Lieutenant

The executive level's hierarchy is the following:

- Commissioner
- Intendente
- Assistant Paymaster
- Subintendente
- Intendente Jefe
- Patrullero

The noncommissioned officers' hierarchy is the following:

- Sergeant Major
- Second Sergeant
- First Sergeant
- First Corporal
- Sargento Viceprimero
- Second Corporal

**Police-Community Relations.** The relationship between the National Police and the community has been strained at best. Robert H. Davis (1993) mentions

that *liberticida* was a term coined by journalists to describe the effect of the government security laws passed in 1927–1928 to allow national police forces greater latitude in suppressing alleged threats to the state. Since then, the relationship between the police and community has not improved much. Also, according to Davis, there have been scandals linking the police with murders, the destruction of unions, and more. During the 1980s some believed that the mayors and civil magistrates that had input in law enforcement matters were a corrupting influence.

**Local Police.** The National Police's primary duties are to handle common crimes along with narcotics interdiction and some counterinsurgency work. They are also to participate in rural areas in civic action and riot control. Other duties include traffic regulation enforcement, public recreation area supervision, gold and emerald mines security, and transportation of valuables between government banks and on the national railroads. The National Police also provide guards for the prison system and the necessary administration.

**Special Police.** A number of specialized units in the National Police fall under the jurisdiction of the Ministry of Defense. The Agrupación de Fuerzas Especiales Antiterroristas Urbanas (AFEAU; Urban Counterterrorist Special Forces Group), which consists of approximately 100 personnel from all branches of the armed forces as well as the National Police, is led by the commander of the armed forces. The AFEAU was formed out of the failed assault on the Palace of Justice in Bogotá. Sniper teams, assault teams, a crisis management team, and a hostage negotiation team make up the AFEAU. Little is known about this unit's actual operations, though available information states that the AFEAU provides security at the guest residences and meeting sites attended by the presidents of various nations. In support of this security effort unit operators conduct preemptive raids on suspected safe houses thought to be housing individuals who pose potential threats to the event.

Another specialized unit is the Unidad Antisecuestro y Extorsion (UNASE; Antikidnapping and Extortion Unit). The UNASE was created in response to a record number of kidnappings in Bogotá in 1991, and its specialty is hostage rescue. The guerrilla groups FARC and ELN are frequently the perpetrators of kidnapping for ransom. Being a part of the highly trained specialized UNASE team is dangerous. Members are often involved in shootouts with these terrorists. The ranks of UNASE are filled by members of the police force. UNASE units are based in major Colombian cities such as Cali, Bogotá, Barranquilla, and Bucaramanga. Part of the UNASE is



**Colombian police escort guerrilla commander Omaira Rojas from the Valledupar maximum security jail to a flight that will extradite her to the United States, March 9, 2005.** Rojas, a woman known as “Sonia,” was a commander in the Revolutionary Armed Forces of Colombia (FARC) and believed to be a key member of drug trafficking and illegal activities. Amid fears that Rojas would be assassinated by her former colleagues, authorities put her in a bulletproof vest and helmet. AP IMAGES.

Centro de Información Anti-Extorsión y Secuestro (CIAES; Antiextortion and Kidnapping Center), which is a unit of the Ministry of Defense Joint Intelligence Center established in the mid-1980s. The staff includes members of the National Police and other branches of the armed forces.

The Grupo Operacional Contra Extorsión y Secuestros (GOES) is a National Police unit whose mission is to rescue kidnap victims of terrorists and criminals. The GOES was started in the mid-1980s and consists of roughly 150 men who are assigned to major cities such as Bogotá, Barranquilla, Cali, and Medellín. These members are volunteers, as are the members of all the other groups; however, these volunteers must serve for at least two years.

There are several special police units such as the Radio Patrol Group, Antismuggling Group, Private Surveillance Group, Highway Police, Tourist Police, Juvenile Police, Railroad Police, Antinarcotics Police, Judicial Police, and the National Police’s Carabineros.

The National Police’s Carabineros is a special police force that carries out counterinsurgency missions, frequently in conjunction with army units, and is located at each national territorial capital.

It was not until the 1980s when the Judicial Police came under the jurisdiction of the National Police (formerly under the Ministry of Justice). Among their main duties, they are required to conduct criminal investigations and to assist in the preparation of court cases.

**Riot Police.** The Riot Police are authorized to use appropriate force to disperse violent gatherings. In the case of nonviolent unlawful gatherings, law enforcement officials may use force only if the odds of injury to the public are increased by the decision not to intervene.

**Education and Training.** Besides the International Criminal Investigative Training Assistance Program (ICITAP) there are two professional schools for members of the National Police: General Santander Police Cadet

School and Jiménez de Quesada Noncommissioned Officers School, which are both located in Bogotá. The cadet school is a two-year program, and enrollment in the program is needed to receive a commission in the National Police. Completion of additional training is required for promotions. For noncommissioned officers each advancement in rank requires completion of a five-month course. The National Police also operates seven smaller police schools in various locations throughout the country, which offer a five-month basic training course for recruits as well as in-service training; the coursework at these programs includes subjects as diverse as Colombian history and riot control.

See the "Application of the Code of Conduct for Law Enforcement Officials" for screening procedures, qualifications, requirements, and training received in the various schools. According to this application, officers (inspectors) are trained for three years, and the training period for noncommissioned officers and ordinary staff is one year.

Members of the AFEAU are trained at a school in Facatativá. This is an intense, varied curriculum that includes close-quarters combat, marksmanship, hand-to-hand combat, air assault operations, and development of specific rescue skills.

**Uniforms and Weapons.** Embroidered or metallic symbols are displayed on the officers' uniforms to represent their ranks. Generals wear ten-point metallic stars of equal points worn on their epaulets and shoulders; the colonel's insignia is three bars with two laurel branches united in the form of a semicircle and are worn on the epaulets and shoulders; the lieutenant colonel wears two bars instead of the three with the laurel branches; and the major has only one bar with the branches. Subordinate officers have metallic bars (three for captain, two for lieutenant, and one for second lieutenant). At the executive level there are six different ranks, each with an embroidered patch of olive green in the shape of a shield that is 8 centimeters long and 6 centimeters wide with the Star of the Police in the center; bars are angled and inverted, and different numbers of bars varying in thickness represent the different ranks. At the next level are subofficials with different ranks in different shapes (rectangular for a sergeant major, and the rest with a small point at the bottom) with the Star of the Police in the center and angles going both to the top or bottom with numbers varying depending on rank.

**Transportation, Technology, and Communications.** The National Police possess aircraft, some of which were added to their inventory in 2001 by the U.S. government. There is also documentation concerning the National Police using Black Hawk helicopters.

The National Police also have vehicles at their disposal for transportation of personnel and supplies around Bogotá and other locations. Beginning in 2001 the National Police had 240 Narcotics Affairs Section (NAS; U.S. embassy) donated vehicles. The inventory included 5 Yamaha XT-225 motorcycles and 5 Suzuki FR-100 motorcycles, 2 1987 international buses, 1 1975 Oskosh fire engine (out of service), and 5 1985–1986 Backhoe tows (one in good condition and one out of service).

Computer equipment used by the National Police was donated by the NAS. Such equipment was needed for property inventory control, aerial reconnaissance data collection and storage, and human resources and training management. The equipment was also needed for the production of internal publications and standard operating procedures. According to the same report, there are computers (200), printers (26), and scanners (96) in the headquarters, administration, and at Guaymaral, as well as laptops used by officers assigned to administrative and intelligence duties.

A great deal of communications equipment was purchased by the NAS for their role in the Colombian National Police. In 2001 the NAS also hired a communications and weapons personal service contract advisor to work with the National Police to determine the proper balance between new and older easier-to-use technology to provide the National Police with the most practical mix of communications equipment. The National Police was supplied with radios of different makes and models as well as computers, digital cameras, printers, photocopiers, satellite phones, repeaters, and encryption decoders by the United States in 2001.

**Surveillance and Intelligence Gathering.** In 2004 the ICITAP began an intense training program to prepare the Colombian Judicial Police in pertinent areas of the accusatory trial system. The curriculum involved topics related to surveillance and intelligence gathering, such as evidence collection at crime scenes, search warrants, airport/border checkpoints, witness statements, admissions made by defendants, expert witness testimony, management of surveillance evidence, photographic evidence, report writing, and how to successfully introduce each of these types of evidence in court.

**Police Officers Killed in the Line of Duty.** During the 1970s and 1980s the National Police came under severe attack by the nation's drug cartels, and the leaders of these cartels offered freelance hit-men a standard price for each officer killed. Since 1984 an estimated 2,000 officers have been killed in the line of duty, and several hundred are still being held hostage by the guerrillas. A report at

the beginning of 2003 listed 236 Colombian police officers killed in the previous year.

**Police Statistics.** In 1997 there were 4,263 female police personnel and 88,995 male personnel. Colombia's National Police have an estimated 120,000 members. According to a UN report, the total police budget and cost of financial resources for 1997 was over US\$1 million.

## HUMAN RIGHTS

The most serious violations of human rights in Colombia are the right to life and humane treatment, and the major source of this violence comes from armed dissident groups such as the FARC and ELN. Paramilitary groups, like the *Autodefensas Unidas de Colombia* (United Self-Defense Groups of Colombia), contribute to the violence with their involvement in the drug trade, which is another factor contributing to the violence in Colombia. The rate of kidnappings in Colombia is the highest in the world, and it has an annual murder rate of roughly 89.5 murders per 100,000 residents. According to the Inter-American Commission on Human Rights (1999), the socioeconomic situation, with the wealth in the minority, is another contributing factor to this problem.

Plan Colombia is President Andres Pastrana's program to enhance respect for human rights and promote the rule of law, which the United States is assisting in. The human rights initiatives include:

1. Human rights screening
2. \$48.5 million for support for human rights programs and security for human rights workers, which will provide training and support for human rights nongovernmental organizations as well as the government investigators and prosecutors, including a specialized human rights task force
3. \$65.5 million for administration of justice programs
4. Removing collaboration between paramilitaries and security force members
5. Promoting peace

## CRIME

Colombia is considered one of the most dangerous countries in the world. The security situation in Colombia is volatile. In certain areas there is widespread violence by narcotraffickers, paramilitary groups, guerrilla and terrorist organizations, and other criminal elements.

Crimes range from violent to petty: bombing, kidnapping for ransom, scams, and thefts. Besides the crimes that tourists must worry about before traveling are the

crimes committed in every country and city such as homicides, robberies, thefts, embezzling, rape, and bribery.

**Criminal Identification and Forensics.** The ICITAP works with a variety of Colombian law enforcement agencies to develop new techniques in forensics. In 2000 the ICITAP initiated forensic training and development activities in full partnership with the country's four forensic laboratories for the purpose of enhancing the delivery of complete and timely forensic information to investigators, especially in cases involving human rights violations. The organizational boundaries of the four laboratory systems were eliminated by standardizing forensic protocols and procedures; installing automated systems including the Automated Fingerprint Identification System, the Integrated Ballistic Identification System, the Combined DNA Index System, and digital imaging databases; interconnecting the laboratories for sharing information and searching various databases; and providing electronic and wireless access to investigators and prosecutors in the field.

**Organized Crime.** Discussion of organized crime in Colombia tends to focus on the three most prominent narcoterrorist groups: the FARC, ELN, and AUC.

Colombia's main left-wing insurgent organizations are the ELN and FARC, which are heavily involved in the narcotics industry. Through extortion and kidnapping for ransom, the FARC is mostly self-financed. By the early 1990s, 62 percent of its income could be traced to the drug industry. According to the U.S. Drug Enforcement Administration, the FARC controls large areas of Colombia's eastern lowlands and rain forest, which are the country's primary cocoa-cultivation and cocaine-processing regions, while the ELN operates primarily along Colombia's northeastern border with Venezuela and in central and northwestern Colombia. The ELN is known for kidnapping, hijacking, bombing, and extortion. It is also noted that the FARC often kidnaps to obtain ransom fees, while other citizens pay a fee for the promise that their family members will be left alone.

The AUC is a right-wing paramilitary group that came into being in the late 1980s. Its stated goal is to protect the interests of the regional elites, with subtle backing by the Colombian military. By its own admission, up to 70 percent of its income is derived from the drug trade. Several offshoot groups of the AUC have been noted to raise funds through extortion or by protecting laboratory operations in northern and central Colombia. Despite these groups' involvement in the drug trade, they are not necessarily close with the country's drug cartels.

**Crime Statistics.** In 1997 the grand total of recorded crimes in Colombia was 1,613,629. There were 23,200 successful homicides, and of those only 56 were unsuccessful attempts; however, there were 6,427 unintentional homicides. Assaults totaled at 46,367, of which 1,423 were rapes. There were 27,014 robberies, of which 9,511 were major thefts. Of the total thefts, 36,499, about 29,089 were automobile thefts and 32,682 were burglaries. Total recorded frauds for Colombia in 1997 were at 2,466 and embezzlements were at 2,318. Drug offenses claim a total of 14,596. Bribery crimes totaled forty.

Out of all the crimes committed or attempted, 114,515 people were brought into initial formal contact with the police and/or the criminal justice system; being suspected, arrested, and cautioned were included as initial formal contacts. From these suspects, 9,287 were female and 105,228 were male. There were 105,231 adults and 9,284 juveniles. Of the crimes committed and people brought to trial, 135,220 were prosecuted (the discrepancy between the total suspected of crimes and those prosecuted vary for different reasons, one being that a suspect may have been brought in more than once for different charges).

In 2002 there were 28,230 homicides and 2,931 kidnappings. Of those kidnapped, 236 were rescued. In 2003 the National Police statistics claimed that homicides dropped by a quarter and kidnappings by a third compared to the previous year.

### CORRECTIONAL SYSTEM

Colombia uses an inquisitorial legal system, which is where the court is actively involved in deciding the facts of the case. Legal assistance is supplied and appeals are submitted by lawyers.

**History of Penal Codes/Correctional System Laws.** Prisons in Colombia have been around since 1633, when women were imprisoned after being accused of witchcraft. With colonization came the necessity for laws; in 1837 a penal code was decreed, then rewritten in 1858 and 1873. The 1886 constitution restored the 1858 penal code (with some amendments). In 1938 the present code came into effect. Colombia's constitution has undergone several changes and has been influenced by many, especially France's Napoleonic Code. Capital punishment was abolished by the 1863 constitution and again by the 1991 constitution; also written into the 1991 constitution is the prohibition of exile, life imprisonment, and extradition (especially for drug-related offenses).

**Prison Conditions.** Overcrowding is a large problem with the Colombian prisons. Because of this overcrowd-

ing, many prisoners have to sleep in the bathrooms. Another major problem with the prisons is the mishandling of prisoners by guards and other prisoners.

Prisoners receive three meals a day and can prepare their own meals with special permission, and when there is not enough food to go around, the prisoners must pay. There are cold showers every day, but there are no private bathrooms, and long hair, along with facial hair, is banned for both sexes. There are no ambulance services and not enough medical assistance personnel. There are opportunities for work such as washing clothes, but there is not always enough work for everyone. Prisoners have access to money through personal prisoner accounts through the consular office, which can be used to buy things from the cafeteria. Prisoners are allowed weekly visits from three family members. Marital visits may occur once a month and visits (of both kinds) may be suspended. Prisoners sometimes have to pay to receive their mail, but prison authorities must be present when prisoners open anything that is suspicious. Correspondence courses are available for educating prisoners, but it is not always possible to pursue such a course because the studies must be done during the prisoner's free time and it is not always possible for the exams to be administered in prison.

These are, at best, idealized possibilities and realities. What is actually occurring in the prison systems is much more horrible. There is supplying of weapons to prisoners from guards and military personnel to execute extremists and other radical political party members as well as personal enemies. Guards themselves will beat and abuse prisoners. Political prisoners are imprisoned for nothing more than believing in something or even living in an area considered to be politically dangerous. There are several human rights groups involved in political prisoners rights such as the Committee in Solidarity with Political Prisoners.

**Prison Statistics.** The total of people incarcerated per 100,000 inhabitants was 104.96 (42,028 people, both adults and juveniles), which is the same total for convicted persons admitted to prison in the same year. Of the total number of convicted prisoners, 2,520 were female and 54 were foreigners.

The total number of adult prisons, excluding temporary jail lockups, totaled 168, with a total of 32,859 beds available for adults. In 1997 there was a shortage of 9,169 beds, presuming that these people were not all in temporary jail lockup. The total number of prison staff was 5,879, with only 8 of these staff members being female.

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*Carolyn Martinez*  
*Michelle M. Martinez*

# Comoros

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**Official country name:** Union of the Comoros

**Capital:** Moroni

**Geographic description:** A group of islands in the Mozambique Channel in southern Africa

**Population:** 671,247 (est. 2005)



## LAW ENFORCEMENT

**Structure and Organization.** The national police is the Gendarmerie headquartered at Moroni with detachments on the other islands. The force is under the Ministry of the Interior. The authority of the national police in the outer islands is at best tenuous.

### Police Statistics.

- Total Police Personnel: 608
- Population per Police Officer: 1,104

## CORRECTIONAL SYSTEM

Prisons are administered by the director of the penitentiary administration under the Ministry of the Interior.



**Prison Conditions.** Prison conditions are substandard and are characterized by poor sanitation, overcrowding, inadequate medical facilities, and poor diet. Juveniles are exempt from imprisonment. Female inmates are kept separate from males but pretrial detainees are housed with convicted felons.

**Prison Statistics.** The total prison population is 200, of which some 100 are pretrial detainees. The prison population is 30 per 100,000 population.

*George Thomas Kurian*

# Congo, Democratic Republic of the

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**Official country name:** Democratic Republic of the Congo

**Capital:** Kinshasa

**Geographic description:** The largest country in central Africa occupying most of the Congo River basin

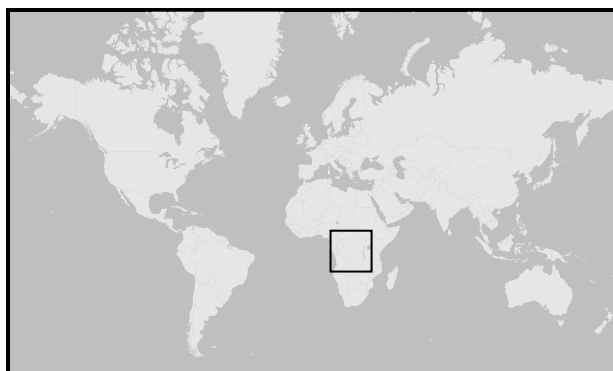
**Population:** 60,085,804 (est. 2005)



## LAW ENFORCEMENT

**History.** Under its original organization the colonial Force Publique combined the functions of a police force and an army, and this dual role was retained unchanged until shortly after World War I. At that time, the Belgians reorganized the force and created a mixed organization composed of Garrison Troops for general military purposes and Territorial Service Troops for police duties. Although they remained an integral part of the Force Publique and could revert to the direct command of the military commander when needed, the Territorial Service Troops were deployed throughout the colony and, under the command of the provincial governors, primarily performed a constabulary function.

The Territorial Service troops became the Gendarmerie in 1959 and, following independence a year later, were incorporated into the Armée Nationale Congolese (ANC). The strength of the Gendarmerie at independence was about 3,000, but almost all the officers and many of the noncommissioned officers were Belgians. Most the Belgians in the Gendarmerie left the country in the wake of ANC mutinies and a general European exodus, and the Gendarmerie found itself,



almost overnight, entirely Africanized and depleted of its top brass. Besides the Gendarmerie, two other police forces—the Chief's Police and the Territorial Police—existed under colonial rule and were carried into post-independence Congo.

The Chief's Police were rural police forces used to maintain order as well as to fulfill the functions of messengers, jailors, and court attendants. Although these small police units were uniformed, they did not carry firearms, their pay was low, and they received practically no training. The Territorial Police was a more formal organization and at independence numbered more than 6,000 troops stationed throughout the country. Each province administered and supported its own force, which in most cases was officered by former Belgian policemen. Besides the conventional mission of maintaining law and order, the Territorial Police operated prisons, guarded public buildings, and reinforced the Chief's Police when needed. Detachments of the

Territorial Police were permanently located in the provincial capitals and performed all the civil police functions of a municipal force. Territorial Police personnel were uniformed and armed, and recruits received six months training before being assigned. In the mining areas of Katanga, a special police force recruited, financed and controlled by the Union Minière de Haute-Katanga policed mines and the camps but were agents of the company rather than the colonial administration.

After the departure of the Belgians, the Territorial Police all but disintegrated. Many policemen deserted to join the rebels. The police system had to be rebuilt over the next four years with the help of the United Nations, Nigeria, Belgium, and the United States. Nigeria and Belgium sent in experienced police advisers, and the United States undertook a broad assistance program to provide specialized training as well as necessary arms and equipment.

The task of restoring an effective police system was exacerbated by the continuing disorder during the mid-1960s and by the increase in the number of provinces from six to twenty-one. Each new province hastened to form its own police force, and the shortage of trained personnel led to serious problems. After the Mobutu coup, the number of provinces was cut from twenty-one to eight, thus reducing the size of the police bureaucracy and allowing the concentration of trained personnel in fewer establishments. The most noteworthy development, however, was the enactment of laws in 1966 nationalizing all existing police forces under the centralized control of what was then known as the Ministry of the Interior and standardizing police organization and equipment. Ministries were later transformed into state commissions.

The 1966 laws that established the National Police gave this unit responsibility for all police functions in both urban and rural areas. The strength of the force was set at 20,000, and by 1970 it was 22,000 strong.

Operating forces of the National Police were divided into nine detachments, one for each province and one for the capital. Although the central authority was maintained at Kinshasa, the detachments stationed in the various cities were under the command of a police commissioner, who was directly responsible to the mayor. In cases of major breaches of the peace, such as riots, the mayor had the authority to request Gendarmerie units to supplement the police.

The laws established a system of ranks comparable to that of the armed forces. The personnel authorization provided for 1,400 officers and 6,600 noncommissioned officers. The top police rank of inspector general was equivalent to a brigadier general in the army. Enlistment was voluntary, and women were admitted in small numbers. Training, mostly by Belgian instructors, was conducted at Kinshasa and Lubumbashi.

On August 1, 1972, President Mobutu Sese Seko dissolved the National Police and transferred its functions to the National Gendarmerie. By two edict laws—Number 72-031 of July 31, 1972, and Number 71-041 of August 30, 1972—Mobutu decreed the makeup of the National Gendarmerie, which assumed the role of the National Police. The change was not merely cosmetic, as was the case with many of Mobutu's other administrative changes. Police jurisdiction was taken away from the Ministry of the Interior and restored to the Ministry of Defense in a return to the concept of the colonial Force Publique.

While the result of the change was a concentration of power in the hands of the president, maintenance of law and order became more difficult at the lower levels. Whereas before the merger the mayor had direct authority over a police detachment, this was not the case with the Gendarmerie. Instead of issuing an order, the mayor had to send in a request to the local commander that, more often than not, went unanswered. As a result, urban authorities turned to the local disciplinary brigade, the Youth of the Popular Movement of the Revolution, which was not intended to act as general police but which had been formed to maintain discipline in the party. In many cases the disciplinary brigades usurped the regular function of the Gendarmerie.

After the fall of Mobutu and the seizure of power by Joseph Kabila, the National Police was revived and placed under the Ministry of the Interior.

**Structure and Organization.** The national government has control over only some areas of the country. The rest are controlled by rebel forces drawn from neighboring countries. Civil order is maintained only sporadically.

Similar to the structure that prevailed before 1972, the National Police is headed by a chief commissioner, who reports directly to the Ministry of the Interior and the president. The police are divided into divisions and brigades, apart from specialized services. Each of the major towns has a communal police force. It is usually under the control of the mayor, although in larger towns the force is headed by a commissioner who is an officer of the Judicial Police. In criminal matters the police work under the direction of the provincial prosecutor. The larger units have special sections dealing with criminal and traffic offenses as well as uniformed patrols.

The Judicial or Criminal Police is commanded by a general commissioner under the Ministry of Justice. Its personnel operate under the authority and control of the public prosecutor. The Judicial Police deal only with the most serious crimes. Each of the Judicial Police brigades is headed by a commissioner, who is in charge of criminal investigations and who assists the public prosecutor in preparing cases for the courts.



*Protestors are arrested by riot police in Kinshasa, Democratic Republic of Congo, January 10, 2005. Thousands of demonstrators were protesting a government decision to delay national elections in Congo's capital. Security forces reacted by firing bullets and tear gas into the crowds, killing at least three people. AP IMAGES.*

The Rural Police are stationed in small towns and villages. Each unit may consist of one or more constables. Grouped into brigades, rural police constables are responsible to the mayor for general duties and to the public prosecutor for criminal matters.

**Education and Training.** The civil war has made it difficult for the government to recruit trained personnel for police work. Depending on local conditions, able-bodied men and children are conscripted and forced to serve, often without regular pay. Only minimal training, mostly in the use of antiquated firearms, is provided. There is a Police Training College in Kinshasa, a legacy of colonial days, but it lacks professional teachers and equipment.

#### **Police Statistics.**

- Total Police Personnel: 57,754
- Population per Police Officer: 910

#### **HUMAN RIGHTS**

Both the government security forces and the rebel armies commit serious human rights abuses, particularly in the eastern part of the country and in the Ituri area. The

rebels are responsible for large-scale killings, cannibalism, burning of entire villages, disappearances, torture, rape, dismemberment, mutilation, extortion, robbery, and forcible recruitment of child soldiers. In many places there is no organized law enforcement. Those who possess weapons often control the local population, terrorizing them and extorting money, goods, and services. In government areas detention without charge is a serious problem.

#### **CORRECTIONAL SYSTEM**

The basis of Congolese criminal law is the 1940 penal code developed by the Belgians.

The administration of prisons is the responsibility of the commissioner of prisons. The major penitentiaries are in the regional capitals, while smaller prisons and detention centers are in the other large towns. Some detention centers are located in police stations, court buildings, and military bases. The main prisons are the Makala National Penitentiary and Reeducation Center and the Rururu Prison in Bas-Congo.

**Prison Conditions.** Conditions in the larger prisons have improved in areas where the central government has reestablished control. Inmates in these prisons receive mattresses and straw mats. Although medical care

remains inadequate, prison doctors are available. Families are allowed to bring food to their relatives in prison, but guards continue to demand bribes to receive small favors. Conditions in the smaller prisons, however, remain harsh. Usually, there are no toilets, mattresses, or medical care; even light, air, and water are scarce. Prisoners are often beaten and tortured. Visitors are barred and petty corruption is common. Conditions are often worse in prisons operated illegally by the security services. In areas not under government control, prisoners are abused and tor-

tured by rebel forces and foreign troops. Inmates are placed in closed metal containers and then beaten and tortured. A number of prisoners have died of suffocation, dehydration, and exhaustion after being sealed inside such containers without food, ventilation, or water. Detainees are forced to sleep on cement or dirt floors without bedding and without access to sanitation or potable water.

*George Thomas Kurian*

# Congo, Republic of the

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**Official country name:** Republic of the Congo

**Capital:** Brazzaville

**Geographic description:** An equatorial country on the west coast of central Africa

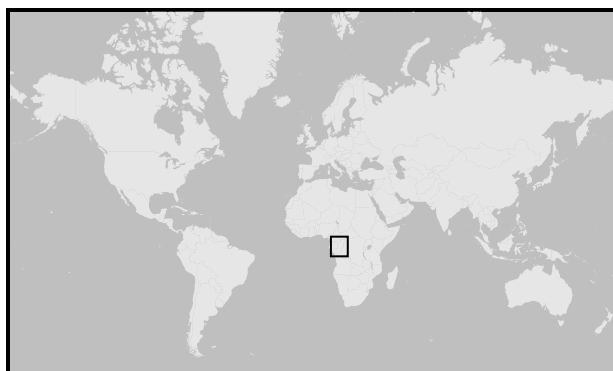
**Population:** 3,039,126 (est. 2005)



## LAW ENFORCEMENT

**History.** The National Gendarmerie, heir to the French Gendarmerie, was organized in 1961 as an integral part of the army with a strength of about 500 men. Before 1969 the Gendarmerie headquarters in Brazzaville controlled its territorial units through three subordinate field headquarters: the Southern Command at Pointe-Noire and the Central and Northern Commands at Brazzaville. Additional mobile platoons were located at each command headquarters for use as reserve strike forces during emergencies. In 1969 the territorial organization was modified to conform to the six military zones. The three commands were abolished and the Gendarmerie units were redistributed among the six military zones. Mobile reserve units were retained at Brazzaville, Pointe-Noire, Dolisie, and Jacob. The Gendarmerie command was integrated into that of the military by placing the senior Gendarmerie unit commander under the authority of the military zone commander.

**Structure and Organization.** The police and security forces of Congo consist of the National Gendarmerie and the Sûreté Nationale. The Gendarmerie is a lightly



armed provincial or state police based on the French model. The Sûreté Nationale is a relatively small civilian force and investigative unit. It is also known as the National Police or Security Service. It carries out regular urban police duties and is also in charge of immigration control, fraud, black marketing, and certain crimes against the state. It is part of the Directorate General of Security Services under the office of the presidency. The police are also responsible for the operation of the civil defense and the fire department. Motorized elements are equipped with light trucks and jeeps.

**Education and Training.** Officers are trained at the National Police School in Brazzaville and in the French police academies.

## Police Statistics.

- Total Police Personnel: 4,280
- Population per Police Officer: 710

## HUMAN RIGHTS

Congo has been through two civil wars and as a result the human rights situation has deteriorated considerably. The security forces, as well as the police, are responsible for preying on the people and they engage in summary executions, rape, beatings, arbitrary arrest and detention, looting, theft, and solicitation of bribes. There are no means of disciplining or controlling wayward policemen who are charged with these abuses.

## CRIME

**Crime Statistics.** Offenses reported to the police per 100,000 population: 32. Of which:

- Murder: 1.5
- Assault: 4.7
- Burglary: 0.2
- Automobile Theft: 0.2

## CORRECTIONAL SYSTEM

The penal system consists of institutions for both adult offenders and juveniles. The prisons are in the larger towns such as Brazzaville, Pointe-Noire, Fort-Rousset, Ouessou, Gamboma, Owando, Djambala, and Mossendjo. Many detainees are held in police stations.

**Prison Conditions.** Prisoners are not separated by gender, age, or status. Pretrial detainees are held with hardened criminals. Detainees held in police stations as well as prisons are subject to beatings, overcrowding, extortion, and other forms of inhuman and degrading treatment.

**Prison Statistics.** The Prison Administration of the Ministry of Justice runs 5 national penitentiaries with 918 inmates. The prison population rate is 38 per 100,000 population.

*George Thomas Kurian*



# Cook Islands

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**Official country name:** Cook Islands

**Capital:** Avarua

**Geographic description:** A group of islands in the South Pacific Ocean

**Population:** 21,388 (est. 2005)



## LAW ENFORCEMENT

**Structure and Organization.** Under the authority of the prime minister, the minister of police is responsible for the maintenance of law and order. He is assisted by the chief of police headquartered in Avarua. Most of the policemen are on Rarotonga, and many outlying islands have no police presence at all or, at best, are served by a single constable. All policemen are natives.

**Education and Training.** Selected members are sent to New Zealand for training and after their return are assigned to conduct in-service training for their fellow officers at a small school established at the police headquarters. Courses last about one week and provide additional information by the distribution of all lectures to police in outer areas. Mobile training schools also tour the islands periodically. In addition, some members of the force are brought to Rarotonga each year for refresher training.

**Uniforms and Weapons.** Police officers wear short-sleeved shorts and slacks of khaki cotton drill, a red tie, brown shoes, and a peaked cap of matching khaki color. They are not armed with either firearms or batons, but each officer is issued a pair of handcuffs.



## CORRECTIONAL SYSTEM

The traditional practice of controlling public behavior through social sanctions imposed by the family and local village councils reduces the need for formal penal institutions. In fact, there is only one correctional facility: a plantation at Arorangi that produces commercial crops. Its official capacity is sixty-eight, but the occupancy level is only one-third. Prisoners fulfill their sentences by working on the plantation.

**Prison Statistics.** The total prison population is 19, yielding a prison population rate of 90 per 100,000 population. Of the total prison population, 5.3 percent are pretrial detainees and 5.3 percent are female.

*George Thomas Kurian*

# Costa Rica

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

**Capital:** San José

**Geographic description:** A Central 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 representatives of the government, and people turn to them



**Red Cross workers and Costa Rican police prepare to search for the bodies of two U.S. children after a seaplane crashed 180 miles northwest of San José, 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 IMAGES.**

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

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

**Prison Statistics.**

- Total Prison Population: 7,619
- Prison Population Rate per 100,000: 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*

# Côte d'Ivoire

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**Official country name:** Republic of Côte d'Ivoire

**Capital:** Yamoussoukro

**Geographic description:** A country in West Africa on the Gulf of Guinea, bounded on the east by Ghana, on the north by Burkina Faso and Mali, and on the west by Guinea and Liberia

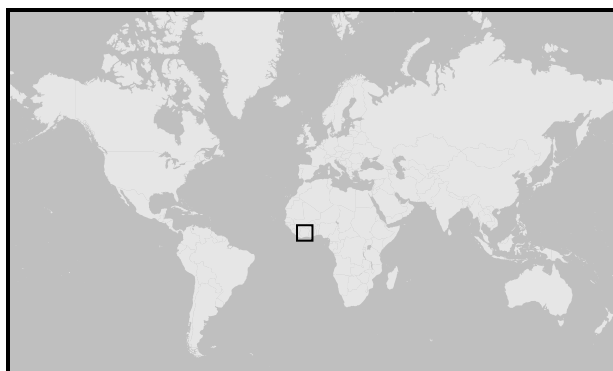
**Population:** 17,298,040 (est. 2005)



## LAW ENFORCEMENT

**History.** The Gendarmerie is the oldest branch of Ivorian police, dating back to 1854, when the metropolitan French service was extended to West Africa and a Senegal detachment with jurisdiction over the present Côte d'Ivoire was formed. Initially, it was officered exclusively by Frenchmen and consisted of local militia strengthened by cadres of metropolitan Gendarmerie. In 1900 the militia gave way to an organized corps of professional policemen and became the French Gendarmerie of West Africa, remaining as such until independence. In 1912 Africans were first admitted to officer rank. Throughout its colonial existence the Gendarmerie enjoyed the status of an elite corps and was generally respected and admired. Since independence it has retained this stature, and in manning, equipment, and appropriations it generally appears to be somewhat favored over the Sûreté.

The forerunners of the Sûreté Nationale were local police forces known as *gardes-cercles*, formed at administrative centers to supplement the Gendarmerie, who were too few in number to handle minor police matters.



The local forces were not supported financially by the central government, and the authority of each was limited to the immediate area. Some moves were made to absorb these separate units into the centrally controlled Gendarmerie, but, in time, the distinct functions of the local and territorial police came to be recognized, and the two branches became permanent institutions.

The metropolitan Sûreté extended its jurisdiction to the Afrique Occidentale Française (Federation of French West Africa) in 1924. Under the direction of an inspector general headquartered at Dakar in Senegal, police units were designated Services Extérieurs and stationed in each colony under a single local authority. The various forces were organized into urban (*commissariats*) and rural departments (*postes de police*.)

Following independence, the colonial police organization was retained intact by Côte d'Ivoire. All top positions remained in the hands of Frenchmen until 1962, when an Ivorian was named to the top post as

police commissioner of Abidjan and another Ivorian was named director of the Sûreté. In the following years the Sûreté has been augmented by several new posts, notably at Abengourou and Adjame. By 1962 most major towns had Sûreté units, including urban stations at Beoumi, Bouaffle, and Divo, and mobile brigades at Seguela and Korhogo. In addition, the Sûreté had been given responsibility for border control, with eight stations at strategic border sites.

**Structure and Organization.** Responsibility for internal security is shared by three ministries in a coordinated, multilayered pattern adapted from the French colonial system. The Ministry of the Interior looks after the territorial and local police force known as the Sûreté Nationale; the Ministry of Internal Security is charged with state security and national police functions; and the Ministry of Defense controls the Gendarmerie.

Côte d'Ivoire has three separate police organizations: the Gendarmerie Nationale, the Sûreté Nationale, and the National Security Police. All three forces are patterned closely after the police of metropolitan France, organized along French lines and standards, and steeped in French doctrine and practice.

**Gendarmerie.** For administrative purposes, the Gendarmerie is part of the defense establishment and is separate and distinct from the police. Functionally, however, it is virtually indistinguishable from the police. Like the other military services, the Gendarmerie is under the Minister of Defense but is normally administered and controlled through a chain of command outside the military. Its commandant is directly subordinate to the Minister of Defense, except in times of emergency, when he is under the command of the armed forces' chief of staff. The Gendarmerie is manned entirely by voluntary enlistees; many of its members are army veterans who are encouraged to enter its ranks after completing their military service. Officially designated as the senior service, the Gendarmerie takes precedence over all other services. It furnishes ceremonial units for state occasions and provides military police for the other branches of the armed forces.

Operational command is exercised on a territorial basis through commandants assigned to each of the country's four administrative departments. Organization conforms to the metropolitan system and is based on the legion, one of which is assigned to each of the four departments. Legions have no fixed strength or echelons but consist of a variable number of subordinate units, based on the needs of the departments where they serve. In general, each legion is composed of two elements: departmental companies and mobile squadrons.

Departmental companies, comprising a variable number of brigades, man fixed stations and carry out patrolling, investigative, and special duties. Mobile squadrons, consisting of a number of platoons, constitute reserve elements for quelling public disturbances.

The grade structure of the Gendarmerie closely parallels that of the army, but a corporal is designated as brigadier, a sergeant is *marechal des logis* and privates are called *gardes*. Specialists, such as *gardes clarion* for bugler and *garde chauffeur* for a driver, attach a descriptive term to their title.

The Gendarmerie uniforms are entirely of French design with only minor changes to accommodate African character. The basic uniform is khaki shorts or trousers. French-style shoulder boards are worn with a trefoil braid. The headgear is a peaked garrison cap with the distinctive device of a vertical bayonet.

**Sûreté Nationale.** The Sûreté Nationale is the proper police service under the direct administrative authority of the Ministry of the Interior. It is headed by a director appointed by the president. Headquarters maintains firm control over policy and operations, although the field units have a considerable degree of autonomy.

Besides subsections charged with inspection and administration, the Sûreté maintains a small Directorate for Territorial Security, whose members work directly out of the headquarters. These plainclothes agents constitute the criminal investigation department. They are also charged with identification, public morals, and anti-vice activities, the latter principally in the major cities. Other units of the Sûreté include the Antiriot Brigade and the Republican Security Company.

Directly below the Sûreté headquarters, active police forces are grouped under a central Prefecture de Police, headed by a director. The senior police officials, regardless of their operational station, are members of the Corps of Officers (including commissioners) or Corps of Inspectors of the Prefecture. Normally, a police officer or inspector in an outlying station would have little contact with the office of the central prefecture unless summoned to the headquarters.

The central prefecture is in effect the command element of the active police forces, which comprise the auxiliary police, the Police School, and the Service de Police. The auxiliary elements consist of small units assigned to specialist duties, such as airport police, traffic control, sanitation, and border patrol. The bulk of these forces are assigned to the Abidjan area.

The Service de Police, sometimes called Police d'État, is the principal component of the law enforcement system and includes both urban and rural forces stationed throughout the country. Its uniformed



members are the *gardiens de la paix*, or peace officers, and include patrolmen on the beat, country constables, defenders of the law, and protectors of people and property. They also function as police *judiciaire*, that is, criminal police authorized to apprehend the lawbreaker and bring him or her before the bar of justice. Generally unarmed, they are only issued weapons during emergencies. They wear a blue uniform with a blue kepi. Badges and piping are in silver.

The *gardiens de la paix* are supervised by officers de paix, who rank below officers de police, the staff officers at the higher echelons. The Service de Police consists of two major components: the Corps Urbains and the Postes de Territoire. The former are the city police departments, ranging in size from a small station commanded by an inspector to stations on the commissariat level headed by a commissioner. If the size warrants, the force is organized into companies, generally commanded by an *officer de paix* or a noncommissioned officer. The company, or in the case of rural police the brigade, is the smallest administrative police unit.

Postes de Territoire are the headquarters of the rural police who patrol the outlying areas. The central station is usually in a small town centrally located in the unit's area of responsibility. Each force consists of mobile brigades (sometimes called mobile intelligence brigades), which conduct regular surveillance of their assigned territory and are ready to move quickly to any threatened locality in an emergency. Most brigades have some motorized equipment and can transport small groups in motorcycles or trucks.

*Gardiens de la paix* make up the bulk of the country's police, accounting for some 10 percent of the overall strength. Vacancies are filled by competitive examinations, for which a diploma indicating completion of elementary education is required.

There are five grades of *gardiens de la paix*. After a recruit has satisfactorily passed his or her *stagiaire*, or probationary period, he or she may move up to fourth-echelon status and from there move progressively to the first echelon, at which point he or she may be appointed a noncommissioned officer. The police noncommissioned officer status closely corresponds to that of the army, with ranks from brigadier (corporal) to adjutant (warrant officer). Within each noncommissioned grade provision is also made for in-grade promotions, also known as echelons. The highest rank a noncommissioned officer can reach is *adjutant chef de let echelon*. From there he or she would have to advance to officer rank, where the system departs from army equivalents and reverts to police designations, from *officer de paix* through *commissaire*.

**The National Security Police.** The National Security Police under the Ministry of Internal Security is an investigative agency with some national law enforcement functions. The various directorates of the National Security Police are responsible for public security, internal and cross-frontier traffic, counterespionage, intelligence gathering, criminal investigation, narcotics and drugs control, and the administration of sixteen national police districts. In the larger cities and towns the National Security Police cooperates with the municipal police forces; in the smaller communities and in rural areas it works with the local police and the National Gendarmerie. The ministry's Regional Security Directorate includes three separate divisions grouping the commissariats for subprefects, major urban centers, and the Frontier Police. The Special Police, the Frontier Police, and the Abidjan Port Police are grouped under the Central Commissariat.

The National Security Police Public Security Directorate consists of the uniformed national police and the Companies for the Security of the Republic (CRS), which are at the immediate disposal of the Minister for Internal Security for deployment throughout the country. In emergencies prefects can call on CRS units for assistance. The other directorates are responsible for intelligence gathering, counterespionage, and criminal investigation.

**Education and Training.** Under the colonial regime most police training was conducted on the job in local units. Selected noncommissioned officers and, in time, officers were sent either to the police school at Dakar or, more selectively, to Paris. Generally, recruit training was undertaken at the local unit level. The training was limited to French personnel who were expected to provide job guidance to the natives.

In 1962, soon after independence, the Centre de Formation Professionnelle de la Police opened in Abidjan to provide a centralized training program and to speed up the Africanization of the officer corps. In 1963 the center became the official police school. Renamed the National Police Academy in 1967, the school graduates nearly 500 officers annually. It also serves as a regional training center for francophone Africa. The academy's basic course of study varies from six months to two years and includes forensic medicine, judicial procedure, criminal investigation, criminology and criminal psychology, police administration, computer technology, and communications. Admission is through direct recruitment or entrance examinations. Candidates for commissioner are required to have credits toward a law degree to gain entrance and to complete their law degree to graduate. Those who fail to do so are admitted to the police officer corps. Commissioners are

also recruited among police officers who fulfill certain length-of-service requirements set by police ordinance. Police officer candidates, who also undergo a two-year training program, are admitted directly to the academy with a bachelor's degree or are recruited by examination from among police officers with at least three years of service.

The training facilities of the Gendarmerie are considered to be among the country's best. Its school at Camy Akouedo, near Abidjan, is a high-caliber institution with a thorough curriculum and excellent physical facilities. Training lasts for about eleven months, at the end of which graduating constables receive a police aptitude certificate and noncommissioned officers receive an equivalent diploma. The academy also offers eight-week in-service training courses for noncommissioned officers and motorcycle police.

#### Police Statistics.

- Total Police Personnel: 3,621
- Population per Police Officer: 4,777

#### HUMAN RIGHTS

Since the beginning of the civil war in Côte d'Ivoire, the human rights situation has deteriorated. In 2002 members of the security forces committed more than 200 extrajudicial killings, and there were also several cases of disappearances. Human rights groups reported the existence of death squads close to top government officials that targeted opposition figures. Several mass graves have been uncovered since the start of the civil war. Arbitrary arrests and detention and beatings of suspects are routine. Security forces particularly target persons of foreign descent, often called Dioulas, who are suspected of assisting the rebels. The police are not held accountable for violations of human rights or for extrajudicial killings. The eight gendarmes who were charged with the Yopougon massacre in 2000 were acquitted by the judge after a token trial.

The human rights record of the rebels is also poor. They killed more than 100 gendarmes and civilians in Bouaké and elsewhere in the north.

#### CRIME

**Crime Statistics.** Offenses reported to the police per 100,000 population: 67. Of which:

- Murder: 2.5
- Assault: 13.1
- Burglary: 73.1
- Automobile Theft: 11

#### CORRECTIONAL SYSTEM

The French penal code remains the basis of Ivorian jurisprudence.

The Côte d'Ivoire has thirty-three prisons under the jurisdiction of the Ministry of the Interior. The prison service is headed by a commissioner. The principal prison is the Abidjan Arrest and Correction Center, which houses 5,200 inmates. The two largest prisons at Yopougon, near Abidjan, and Bouaké account for about one-half of the prison population. The other large prisons are at Man, Bouafle, Divo, and Korhogo. A large proportion of the prisoners are expatriate Africans from neighboring countries.

Men and women are held separately, and male minors are held separately from adult men. There is practically no vocational training, and although prisoners routinely perform such tasks as cleaning public markets and maintaining roads, they do little or no gainful work. Prisons serve as punitive and custodial facilities rather than as rehabilitative institutions. The vast majority of the prisoners have no access to legal assistance.

**Prison Conditions.** Because of overcrowding, prisoners brutalize other inmates for sleeping space and rations. The daily food allowance per prisoner is \$0.12 a day, the cost of serving one helping of cornmeal mush. Families often supplement the food ration, and at some prisons inmates grow their own vegetables. The Red Cross helps to feed prisoners without families, and Doctors without Borders supplements the meager medical facilities. There are press reports of a flourishing drug trade and prostitution in the prisons. In 2001 poor treatment and conditions resulted in the death of more than 160 prisoners. Prison conditions for women and children remain difficult. Many female prisoners engage in sexual relations with guards to get food and privileges. There are no health facilities for women inmates and no facilities for taking care of infants who remain with their mothers in prison.

#### Prison Statistics.

- Total Prison Population: 10,355
- Prison Population Rate per 100,000: 62
- Pretrial Detainees: 35.6%
- Female Prisoners: 2.3%
- Juvenile Prisoners: 3.9%
- Number of Prisons: 33

*George Thomas Kurian*

# Croatia

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**Official country name:** Republic of Croatia

**Capital:** Zagreb

**Geographic description:** A country in southeastern Europe on the eastern side of the Balkan Peninsula occupying most of the Adriatic coast

**Population:** 4,495,904 (est. 2005)



## LAW ENFORCEMENT

**History.** To understand the history of Croatia, one must travel back to the seventh century, when the Croats reached their present homeland, and in 679 entered into a treaty with Pope Agatho and became Christianized during the rule of Prince Viselav in 800. In 852 the name Hrvat (Croat) was recorded in a letter for the first time on the Adriatic coast, and in May 21, 879, Pope John VII blessed the Croatian Prince Branimir, Croatian clergy, and Croatian people in St. Peter's Church in Rome, causing Croatia to be recognized for the first time around the world. In 925 Croatia emerged as a nation-state under Ban Tomislav, who united Pannonian and Dalmatian Croatia and was crowned the first Croatian king. Religiously, Croatia also made strides when in 1094 the bishopric of Zagreb was established under the archdiocese of Ostrogon until 1180 and the archdiocese of Kalocza from 1180 to 1152, when finally Zagreb became, in 1852, an independent archdiocese.

As Croatia began to grow nationally, Croatia and Hungary became allies in 1102 and formed a special union called the Pacta Conventa, where Croatia remained independent but acknowledged the Hungarian king as its



sovereign. Also in 1527 at Cetingrad the Croatian nobility elected Ferdinand of Habsburg, who pledged to uphold the laws and customs of the Croatian kingdom and to defend Croatia from the Ottomans. However, in the nineteenth century Croatia's nationalism was revived and the movement labored to terminate the Germanic and Hungarian rule over Croatia. In 1848 Croats, led by Ban Josip Jelačić, ordered the reorganization of the Habsburg monarchy. Twenty years later, in 1868, the Croatian-Hungarian Treaty was adopted. This treaty politically recognized the Croatian people by granting them their own Parliament and autonomy in education, religion, and judiciary matters. At this time the Croatian language was also recognized as an official language.

In the early 1900s the Kingdom of Croats, Serbs, and Slovenes was formed, which was later called Yugoslavia. This resulted in the disbanding of the Croatian Parliament and the authority that it represented.

In addition, several Croatian representatives were killed in the Belgrade Assembly of 1928. During World War II Germany separated Yugoslavia, thereby allowing for some recognition of Croatia, but the Croatian statehood could not develop because of the dominance of Yugoslavia.

Croatia finally emerged as a sovereign and independent state, and in 1990 the first free democratic elections were held. Franjo Tudjman won the election and became the president of a unified Croatia. Yugoslavia did not want to release its grip on Croatia, which declared independence on October 8, 1991. Bitter fighting continued for the next four years before Serbian armies were mostly removed from the remaining Croatian soil.

**Structure and Organization.** The organization of the Republic of Croatia is based on a political parliamentary democracy. The head of state is the president, who is also the commander in chief of the armed forces. The president is elected for a five-year period. A prime minister heads the government and is responsible to the Croatian Parliament (Sabor), which consists of the House of Representatives (Zastupnicki dom). The House of Representative members serve four-year terms. Because of the history of the Republic of Croatia and its need for independence, a new constitution was adopted on December 22, 1990. The constitution was further amended in November 2000.

Police organization is based on the Police Law of 2000. The General Police Directorate of the Ministry of Interior of the Republic of Croatia consists of a total number of 19,622 police officers. In addition, there are also 1,518 civil servants and civil service employees who are employed within the General Police Directorate. These civil service workers do not have any police powers.

The General Directorate comprises Police Headquarters, Criminal Police Headquarters (organized crime, war crimes, economic crimes, and drug-related crimes), State Border Administration, Security Headquarters, Police Operational and Communications Center, Special Police Headquarters, and Criminal Forensic Center.

The police officers in Croatia can advance through the ranks. These ranks are dependent on their level of education, their years of service, their position, and passing both the exam to achieve a new rank and the yearly evaluations. The following ranks have been established for police officers:

- Chief Police Adviser
- Police Adviser
- Chief Police Inspector
- Independent Police Inspector
- Senior Police Inspector

- Police Inspector
- Senior Police Sergeant
- Police Sergeant
- Senior Police Officer
- Police Officer

**Salaries.** A police officer's salary consists of a base salary that is dependent on the complexity of a police officer's position. There is also an annual increase of 0.5 percent for every year of service. Besides the base salary, there is a supplemental salary that is based on one's rank, effectiveness at work, special working environments, endangerment, and duties. The Croatian government determines the salary scale in conjunction with the degrees of difficulty of a police officer's post.

**Police-Community Relations.** The Croatian police have consistently been working at improving their relations with the community. One of the methods that they have used in developing this relationship is community policing. Instead of using traditional methods, community policing allows the police to develop partnerships with the community it serves. It is really a friendship or bond of trust that will cause the police to better understand a community and thereby make acceptable solutions to problems. One of the community policing methods that the police have used is visiting schools. Also, the relationship between the police and media can have an effect on community policing techniques. The police and media relationship was realized by a *Globus* journalist, Nelija Vrzina, and Korenica's police chief, Drazen Zivcic and their trip to Portugal was organized by the OSCE Mission to Croatia, the Croatian Ministry of Interior, and the Portuguese government. In June 2003 they met with Portuguese police officials and were able to gain a close-up view of the Portuguese community policing system.

**Special Police.** Since 1992 a specialized Border Police Course has been conducted for the police officers at the posts of the state border protection (control and surveillance). Because the Republic of Croatia is not a landlocked country, Croatian police officers are also trained to carry out their activities at sea. After police officers complete basic police training, those who are assigned with protecting the state border (both sea and land or blue and green borders) undergo special training in accordance to the Curricula of Border Police Training. These regulations are closely monitored to provide consistency and protection to the Croatian border.

The border police officers who work at sea have to receive additional maritime training to perform their official duties on police vehicles. The lowest maritime qualification that a police officer operating a police sea

vessel must have is “sailor-engineer.” The exams and certificates for this particular position are orchestrated by the Harbor Master’s Office, which is an organizational unit within the Ministry of Maritime Affairs, Transport, and Communications. To operate larger police sea vessels, police officers attend further courses and take the exams at the Faculties of Maritime Studies, while the respective certificates of completion of studies are issued by the Harbor Master’s Office.

The airport police officers who are stationed at the jobs of operating the X-ray machines are also required to complete professional training for their occupations through the X-ray operators courses that are organized and carried out by the Ministry of the Interior. Their position is to perform protective checkups of passengers and hand baggage. The airport police officers who deal with antiexplosive protection also receive special training for their position through the antiexplosive protection courses that are organized by the Ministry of the Interior. Furthermore, there are professional seminars on management and the implementation of regulations that are organized at the national level at least once a year for the border police management staff.

In addition, the training of service dogs is conducted yearly by the Center for the Training of Dog Handlers and Service Dogs. The center conducts four types of courses: for attacks, for the tracking of humans, for the detection of drugs, and for the detection of explosives. The main objective of these courses is tactical training of teams (dog handlers and service dogs). Approximately 50 percent of the teams have been trained so far of the number envisioned by the Ministry of the Interior.

**Education and Training.** The current system of police education in Croatia consists of several stages. The first stage begins with the admittance of people from the civilian population who are between the ages of nineteen and twenty-five. They start their training at the Police School, which lasts for nine months. Some of these courses may be conducted in German or English. The second stage begins after completing the nine months of the basic education and passing the final exam. At this stage, the police trainee can be employed for about twelve months. During the police trainee stage, the trainees also experience practical training at police stations under mentors for a period of six months. After completion of the trainee stage, the trainees have to take the state-licensing exam, which is mandatory for all future civil servants. On passing the state-licensing exam, the police trainees can now be known as police officers. They now have access to about 100 yearly lectures and different forms of professional training. The training and lecture material is all based on fieldwork. Specialized courses are available to officers who apply to work in traffic police,



*A Croatian police officer secures a location near the British Embassy in Zagreb, after an explosion occurred inside the embassy, September 19, 2005. Investigators said a Croatian criminal, who was employed as a security guard, accidentally detonated a hand grenade in the building’s mailroom and sustained minor injuries. AP IMAGES.*

border police, or criminal police. The certificates that they earn allow them to work in that special area of certification. In addition, there are also courses in police management, instructor training, and foreign languages.

The basic requirements for a border control police officer is the completion of secondary school. This is practical because the educational system in the Republic of Croatia includes at least one foreign language in primary and secondary schools. Therefore, all the border police officers have some basic knowledge of at least one foreign language.

**Uniforms and Weapons.** Most of the police officers use the 9mm caliber PARA handgun. The older handguns, 7.65 Br. mm and 7.62 x 25 mm, are still in use and will be eventually replaced by the 9mm PARA handgun. However, there are some police officers who also have other types of firearms and this includes the police officers of special services. Their various types of equipment

and usage are carefully controlled by the appropriate legal acts.

**Police Statistics.** The regular or basic police are the most numerous with approximately 11,930 officers, the border police with 3,478 officers, and the crime police with 2,931 officers. These figures constitute an occupancy rate of 97.86 percent in the General Police Directorate. There are 20 police administrations and 174 police stations in the Republic of Croatia. This is based on the size of their respective areas, population, crime rates, offenses and misdemeanors, and the characteristics of traffic routes and geographic positions. The headquarters of the General Police Directorate are composed of the Police Directorate, Crime Police Directorate, Borders Directorate, Operation-Communication Center, Special Police Headquarters, Security Office, and Criminal Forensics Center.

**Transportation, Technology, and Communications.** The Croatian police have different types of European-made vehicles at their disposal, and they all meet the necessary standards for successful policing work. All the vehicles are fitted with special equipment that conforms to the European Union standards such as light and sound signaling devices and vehicles equipped for the transport of people who have been arrested. As of 2005 the Ministry of the Interior used approximately 4,649 vehicles.

For the protection of the blue border, the maritime police have seventy-six vessels available: type A with a length longer than 14 meters, type B with a length between 8 and 14 meters, and type C with a length up to 8 meters. There are 5 type A vessels, 17 type B, and 54 type C, with 19 of these being used on inland waters by the border police. Since most of these vessels are outdated and heavily used, the restoration and replacement of new vessels is planned for the future. For example: type C police vehicles that are used for the protection of the state border at sea are not fast enough to intercept the expeditious speedboats that are used by the different types of smugglers. Maritime police officers also oversee the fishing in the area of the Croatian fishing sea and the preserving of hydro archaeological sites from devastation. To maintain surveillance of the blue border, police officers also employ a variety of technical devices such as radars, GPS, binoculars, night-vision devices, radios, and so on. The maritime police force is also assisted by the Croatian Navy Force, which aids in the surveillance of the state border. The Croatian Navy Force uses its stationary radars that cover the entire Croatian sea territory and is able to report any suspicious vehicles or activities to the maritime police, who can then proceed to the reported location at sea.

The monitoring of the green border (hills and forests) is carried out primarily on foot and with car patrols. The police officers use equipment such as vehicles, off-road vehicles, motorcycles, binoculars, night-vision devices, and radios. However, the police do lack the specialized night-surveillance equipment, such as thermo-vision instruments (mobile, stationary, and manual) and a new generation of night-vision devices. Also, the security of the green border is conducted from the air by Special Police helicopters that operate in accordance with a flight schedule. This flight schedule is dependent on the conditions that are presented to the police at different sections of the state border. The police have seven helicopters, which are old and in terrible condition. These helicopters also have no night-flying equipment. Another problem is their location around the larger cities such as Zagreb or Split, which decreases their response time. The German and Slovenian police agencies are aiding the Croatian police in conjunction with the National Action Plan for the Republic of Croatia, which is based on the Stability Pact for Southeastern Europe and in the context of the implementation of the Integrated Border Management Twinning Project for the border police.

There are a number of different forms of communication that are used by the Croatian police force. They include radio communications, routes and data transmission, and the mobile radio-operator networks.

For radio communications, the police use an analogue radio system (handheld, mobile, and stationary radio equipment), both VHF and UHF, which covers the entire area of the Republic of Croatia; a pager radio calling system that covers the area of the Republic of Croatia; and a Tetra digital radio system with deficient coverage, but the system is currently being formed until the analogue radio system is entirely replaced.

The TT-communications of the police incorporate digital MD-110 switchboards that handle both speech signals and fax data transmission and enable communications between computers and computer networks all through the Republic of Croatia. This system can also connect to the public telephone network. There is also a digital MD-45 switchboard that has the most secure form of communications and connects all police administrations and police stations in the Republic of Croatia.

The routes and data transmissions of the police employ multiplexers that are linked to the telecommunication service provider. This links all police administrations with the Ministry of Interior headquarters, and this communication occurs at a speed of 2 Mbps.

The IP communications of the police is based on standard Ethernet 100/10s utilizing the computer networks that are based on a cable infrastructure within the buildings. Police are able to communicate with the

central information system and the Ministry of the Interior via standard terminal devices connecting with a Telnet link or a TCP/IP link.

Finally, standard GSM devices are used to communicate via the mobile radio operators network. According to central computer records, Croatian police make over one million transmissions a day. During peak hours there may be between twenty-five to thirty transmissions per second. Also, during working hours there may be approximately 2,500 of the 5,000 terminals that are active at the same time. To maintain the statistical data, that is, the entering and updating, the Ministry of the Interior operates on two central computers, an IBM 9672/RC6 and an IBM 2064-102.

*Surveillance and Intelligence Gathering.* To protect the national security of the Republic of Croatia, a number of agencies have been formed, such as the Intelligence Agency, the Counterintelligence Agency, and the Military Security Agency. These agencies systematically collect, analyze, process, and evaluate all the information pertinent to national security.

#### HUMAN RIGHTS

According to Human Rights Watch, in comparison to the 1990s, the new Croatian government seems committed to respecting the human rights of its citizens and refugees. The Croatian government has also been cooperating with the International Criminal Tribunal for the former Yugoslavia (ICTY) providing the necessary documentation in relation to Operation Storm and Operation Flash. Both operations in 1995 were offensives against rebel Serbs. ICTY investigators have also been permitted to examine the site of an alleged 1991 massacre of Serb civilians in the town of Gospic. Although over 10,000 Serbs have returned to Croatia, they still seem to suffer discrimination from members of the Croatian Democratic Union, who dominate local authorities. Many chose to leave Croatia and the mistrust between the Croats and Serbs continues.

#### CRIME

**Criminal Identification and Forensics.** Housed within the General Police Directorate is the Criminal Forensics Center, which conducts the technical crime and forensic investigations. The Criminal Forensics Center is in charge of perpetrators, solving the most severe criminal cases, and supervising technical crime investigations in other organizational units of the Ministry of the Interior. The center also participates in the betterment of employees through an ongoing training program that keeps everyone current on technical criminal investigations, regulations, and preliminary investigations in both judicial criminal investigations and in the evidentiary

hearings. The center is also in charge of training the border police in the new methods of counterfeiting and keeping them abreast of the different tactics of protection. These training programs are conducted via seminars, such as the Border Police Seminar or the seminar for RTG operators.

**Organized Crime.** On October 19, 2001, the Republic of Croatia adopted the Act on the Office for the Suppression of Corruption and Organized Crime. The purpose of this act was to create a special entity or office to fight corruption and organized crime. The Organized Crime Department has ten police officers who are managed by the department head. However, there are additional police officers from the other twenty police administrations who are also involved in the suppression of organized crime. Therefore, the total number of police officers involved in resisting organized crime is 276, which includes 49 senior officials. The police officers receive special training in their fight against organized crime through seminars, both local and international, and Police Academy courses.

According to the 2002 statistics, the police and customs confiscated various smuggled or trafficked goods that had an approximate value of 26.5 million HRK (1 HRK is equivalent to US\$0.16, and 1,000 HRK is equivalent to US\$162.82). The smuggled goods that were seized include cigarettes (7.3 million HRK), foodstuffs (12 million HRK), technical merchandise (1.5 million HRK), spirits (0.5 million HRK), textiles, motor fuel, and other goods (approximately 5.2 million HRK). In 2001 the total value was similar, while in 2000 the value was approximately 34.5 million HRK.

**Crime Statistics.** In 2002 there were 75,362 criminal offences that were detected, which includes filed complaints. This amount is 0.5 percent less than in 2001. Approximately 65 percent of the 2002 criminal offenses were solved. The crime ratio is 1,720 criminal offences per 100,000 inhabitants. A breakdown of the 2002 offenses report reveals that approximately 78 percent of offenses fall into the area of general crime, 11.6 percent related to drug abuse, 9 percent from economic crime (including the criminal offence of corruption), 3.7 percent offenses committed against underage persons, 1.3 percent criminal offences in relation to organized crime, and 0.2 percent criminal offences of special security concern (explosions, terrorism, and war crimes). Also, in 2002 there were 951 criminal offenses related to organized crime. While the rates of crime are declining, the number of drug seizures and convictions did increase during 2000 and 2002.

## CORRECTIONAL SYSTEM

Croatia has twenty-one prisons with a total prison population of 3,010 and a prison population rate of 68 per 100,000. Nearly 32.4 percent of the prisoners are pretrial detainees, 3.9 percent are females, and 1.2 percent juveniles. The official capacity of the prison system is 3,004, which is close to the actual number of prisoners.

**Prison Conditions.** Prison conditions generally meet international standards. The government permits visits of prisons by independent human rights observers.

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# Cuba

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**Official country name:** Republic of Cuba

**Capital:** Havana

**Geographic description:** The largest island in the Caribbean, south of Florida and between the Caribbean Sea and North Atlantic Ocean

**Population:** 11,346,670 (est. 2005)



## LAW ENFORCEMENT

**History.** The modern Cuban police system dates from the U.S. occupation of the island. The colonial police system, based mostly on the Spanish model, operated directly under the governor. The United States, which ruled the island from 1900 to 1902, introduced many new organizational features that gave more powers to the local police chiefs. These features were retained during Cuba's period of semi-independence under the American protectorate created by the terms of the Platt Amendment. However, with the rise of Fidel Castro, the Soviet model was adopted as the basis of the Cuban police.

**Structure and Organization.** The National Revolutionary Police falls under the authority of the Vice Ministry of Internal Order. It is the successor to the General Directorate of Public Order, created in 1961, when all the police and investigative forces in the country were merged. In the 1970s the various departments concerned with public order were given some autonomy under the direction of the vice ministry. There were three general directorates under this vice ministry, the most important



one being the General Directorate of the National Revolutionary Police. The police forces were supplemented by the armed forces, the militia, and the Committees for the Defense of the Republic. The National Revolutionary Police was a relatively small force of no more than 10,000, but it was complemented by a much larger 50,000-member auxiliary made up of militia members assigned to police duties. The two other general directorates were concerned with fire prevention and extinction and penal establishments.

At the turn of the twenty-first century the Ministry of the Interior was divided into three vice ministries in charge of five general directorates. The functions supervised by the vice ministries fall into three categories of which the Vice Ministry for Internal Order and Crime Prevention is the largest. The Vice Ministry for Security is charged with the internal detection and prevention of threats to national security. The Technical Vice Ministry handles foreign espionage and intelligence gathering.

The Technical Investigations Office of the Vice Ministry for Internal Order and Crime Prevention deals with all investigations in the criminal field, other than counter revolutionary activity. It includes the fingerprinting section, the Department of Crime Prevention, and the Legal Advisory Office. Juvenile delinquency, a major problem, is dealt with by the Juvenile Affairs Office. Also under the vice ministry is the Associations Registration Department, which closely monitors potentially dangerous groups, such as religious organizations, and the National Section of Identification Card System and Population Registry. This latter unit fights slackness, idleness, and delinquency by registering workers and their families with the Ministry of Interior. To be eligible for state employment, pensions, and state housing, citizens need an identification card. This is coupled with a work record card listing merits, demerits, and crimes as well as the place of residence and nature of work.

The most important agency under the supervision of the Vice Ministry for Security is the State Security Department (Departamento Seguridad de Estado, DSE), which is the secret police charged with the investigation, prevention, and prosecution of counterrevolutionary activity. It was originally known as G-2. Persons arrested by the DSE were, until recently, tried by the revolutionary tribunals. Agents of the DSE function as part of the regular patrols conducting surveillance in collaboration with the local Committee for the Defense of the Revolution and the National Revolutionary Police. These agents wear uniforms and have military rank and employ informants and covert agents to infiltrate suspect agencies, enterprises, and organizations and to report on homosexuals, dissident intellectuals, and saboteurs. The Vice Ministry for Security also administers naturalization and immigration affairs and the border guards. The border patrol is primarily a sea operation.

The third vice ministry of the Ministry of Interior is the Technical Vice Ministry, which deals with intelligence activities abroad. It is ideologically oriented and performs only a limited law enforcement role.

The police are assisted by citizen groups known as Committees for the Defense of the Revolution (CDR), who perform basic vigilante duties in their neighborhoods and conduct surveillance. As a logical extension of their primary function of revolutionary vigilance, they have developed a crime prevention role. They patrol the streets unarmed and report unusual activities to the police or the militia. All CDR members stand guard duty for about four hours one night each month, report lazy workers and absentees, and check on the observance of state regulations, especially pertaining to morals. More than 80 percent of the adult population are believed to be active members of the CDR. They are organized on a

geographical basis under the direction of a national directorate, six provincial directorates, 200 district directorates, 4,500 sectional directorates, and more than 30,000 base or neighborhood committees.

Since the 1990s the National Revolutionary Police have been streamlined through improved training, better vehicles, and modern communication equipment. The presence of uniformed police officers on the streets reflects a greater concern by the regime over a growing problem. To assist the regular police in their increased responsibilities, a new black-bereted brigade known as the Special Brigade was created in 1998. The main role of the Special Brigade is preventive, often in helping identify and arrest the hustlers and pimps who prey on foreign tourists. The force members also work closed with the National Revolutionary Police in coordinating the neighborhood-based anticrime groups under the Unified Prevention and Vigilance System, which concentrates on economic crimes and antisocial behavior.

#### Police Statistics.

- Total Police Personnel: 17,000
- Police Personnel per 100,000 Population: 667

#### HUMAN RIGHTS

Cuba is widely recognized as being among the nations of the world with the worst human rights records. The core of the issue is the nature of the political system in which the Communist Party remains the sole legal political institution and no dissidence is tolerated. The government does not brook active political opposition, however mild, and has developed a sophisticated system to deal with such opposition, using the police as the engine of oppression. Those who challenge the regime are subject to harassment, loss of employment, and even imprisonment. Although the government has never released any figures, it is estimated that at any given time there are thousands of political prisoners in Cuban jails. In dealing with imprisoned dissidents the government routinely seeks to force them to participate in reeducation and rehabilitation efforts. They are also required to perform wage labor and wear prison uniforms. Political prisoners who refuse to do so are known as *plantados* and are accorded the harshest treatment. They are placed on a restricted ration, denied contacts with visitors or fellow prisoners, and refused medical treatment. They may be placed in sealed cells or the same cells as prisoners convicted of violent crimes.

#### CORRECTIONAL SYSTEM

The prison system is under the jurisdiction of the Ministry of Interior's Directorate of Penitentiary Establishments. There are 294 prisons and correctional



*Police help transport people in areas hit hard by coastal flooding in Havana, Cuba, October 25, 2005. Hurricane Wilma raged off the coast of the island's capital city and generated monstrous waves. Havana's famous Malecon seawall was damaged and most major streets were flooded. AP IMAGES.*

work camps located throughout the island with a total prison population of about 55,000 or 487 per 100,000. These prisons include 40 maximum security facilities, 30 minimum security prisons, and more than 200 work camps or farms (*granjas*), where those convicted of less serious offenses are housed. The work farms are for common criminals and certain political prisoners who are thought to be capable of rehabilitation. Prisoners on work farms provide a significant workforce that builds apartments and schools and raises crops. Of the prisons, nineteen are closed, meaning that the detainees are not allowed any contact with the outside world. Prisoners in closed prisons do not do productive labor (although they might do hard labor) and are not eligible for rehabilitation programs. The most notorious of these prisons are the Castillo del Principe in Havana, La Cabana Fortress, Boniato Prison, San Serverino Castle, and America Libre, a women's prison. In addition, police stations, offices of the Ministry of Interior's Department of State Security, and even the headquarters of the Ministry of Interior at Villa Marista are often used as prisons.

**Prison Conditions.** Cuba is considered to have one of the highest per capita confinement ratios in all Latin America. A number of pretrial detainees are also held in prisons; many may be confined six to nine months or longer before being brought to trial. Darker-skinned Cubans are reportedly overrepresented in the prison system. Conditions in prisons are substandard, unhealthy, and not in compliance with the United Nations Standard Minimal Rules for the Treatment of Prisoners. The most common problems are inadequate food, overcrowding, inadequate or denied medical attention, and forced participation in reeducation programs. Since 1968 Amnesty International reports that conditions in the prisons and the treatment of prisoners have improved. The deprivations, abuse, and torture suffered by political prisoners has been discontinued in response to international pressures. In 1999 the government revised the penal code to prohibit the use of corporal punishment on prisoners and the use of any means to humiliate prisoners; however, the revised code failed to establish penalties for committing such acts, and they continue to occur in practice.

Detainees and prisoners, both common and political, are subjected to vigorous interrogations that are designed to coerce them into signing incriminating statements, to force collaboration with authorities, or to intimidate victims. Sometimes, prisoners are held in punitive isolation or punishment cells, usually located in the basement of a prison. No reading materials are allowed, and family visits are reduced to ten minutes. There is no

access to lawyers while in the punishment cell. Prison guards and state security officials subject political prisoners to threats of physical violence, systematic psychological intimidation, or imprisonment in cells with violent criminals or state security agents posing as prisoners.

*George Thomas Kurian*

# Cyprus

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**Official country name:** Republic of Cyprus

**Capital:** Nicosia

**Geographic description:** An island in the eastern Mediterranean, south of Turkey

**Population:** 780,133 (est. 2005)



## LAW ENFORCEMENT

**History.** The country of Cyprus is located in the Mediterranean Sea just south of Turkey. The proof of civilization dates back to past 2700 B.C.E. In modern times it was a part of the Ottoman Empire until annexation by Britain in 1914. As a commonwealth of Britain until 1960, many of Britain's laws were adopted when Cypriots began to self-govern themselves. Turkey claimed Cyprus until a treaty with Britain in 1924, wherein Turkey renounced any ownership claims. Eighty-five percent of the island's people are Greek, while about 12 percent are Turkish; the remaining 3 percent is made up of other ethnic groups. Greece supported an attempt by Cypriots to take power away from the Turkish minority. Turkey stepped in and by 1975 effectively split the island in two. As of 2005, there was a buffer zone separating the Turkish northern part of the island from the Greek southern part. The United Nations patrols this "green line" to keep the peace, which has been tenuous since the split.

**Structure and Organization.** Originally, the 1960 constitution set forth guidelines for a presidential system using three separate branches: executive, legislative, and



judicial. Under this constitution there remains a system of power sharing to help ensure the rights of the Turkish Cypriot minority. Out of eighty seats in the unicameral legislative branch, twenty-four are set aside for Turkish Cypriots, although none is filled. The current Cypriot president, Tassos Papadopoulos, became president in 2003 and will serve a five-year term. The vice president position is currently vacant due to the fact that it is reserved for a Turkish Cypriot. The two positions together appoint the Supreme Court judges. This branch hears appeals from the assize and district courts. Both of these courts can act as courts of original jurisdiction for criminal cases throughout Cyprus. They levy fines and determine punishment for criminal charges brought to them through law enforcement efforts.

Police in government-controlled Cyprus (Greek Cyprus) operate under civilian command to enforce the laws passed down through legislature. The 3,700 police officers in service are commanded by the chief of police who answers to the minister of justice and public order.



*A commando soldier from the Cyprus Defense Forces Alpine Unit takes part in training exercises on Troodos Mountain, February 17, 2005. About 1,000 soldiers and special police officers took part in these outdoor training exercises among the island's highest mountain range. AP IMAGES.*

Along with the deputy chief he commands the assistant chiefs, who in turn administer the four main departments of the police force:

- Training—Police Academy and recruitment
- Administration—Research and development, auditing and inspecting, personnel
- Operations—Criminalistic service (lab work, fingerprints, photographs), Criminal Investigations Division, drug enforcement
- Support Services—Unit services (Mobile Immediate Action Unit, Presidential Guard), scientific and technical support, traffic and transportation, aliens and immigration

These four departments support the seven police districts that provide enforcement for the country. Certain specialized units are used to assist the government in maintaining order. The Cyprus Information Service is a branch of the police, but it receives its orders from the president. It focuses on security issues involving

the country and common crime. The Mobile Immediate Action Unit consists of elite officers who provide protection for high-ranking dignitaries and embassies and assault teams in case of terrorist attack.

**Education and Training.** Newly recruited officers go through a twenty-one-week academy at the Police Training School in Athalassa. At the school they learn the law and proper procedures for enforcement, such as that arbitrary arrest and detention is against the law, that warrants must be issued for arrest or before entering a private residence, that no one can be held more than a day without an extension being filed, and that charges usually are filed within ten days. Officers have a right to join associations and use them for collective bargaining, but they cannot strike, as that would cause a threat to public safety. Some of the higher-ranking officials are sent to Britain to study at Scotland Yard.

**Transportation, Technology, and Communications.** Much of the equipment use by the Cyprus police comes from the military. In the 1960s the police were used as a

tool of the military during the separation of the Turkish State. Their equipment includes armored cars and light artillery. They also began using helicopters and patrol boats in the early 1990s to step up efforts against narcotic trafficking.

#### Police Statistics.

- Total Police Strength: 4,154
- Population per Police Officer: 188

#### HUMAN RIGHTS

Cypriots have a number of rights guaranteed to them through their constitution. Some of these rights include protection from cruel, inhumane, or degrading treatment or punishment; no arbitrary arrest, detention, or exile; a fair public trial; and freedom of speech, assembly, and religion. There have been new laws passed to help protect women's rights in domestic abuse. Spousal abuse is now easier to report and prosecute and steps have been taken to ensure that filed reports are treated as serious offenses instead of as family disputes.

#### CRIME

With the country being split in two during the 1970s a high occurrence of violent crime would be expected, but the opposite was true. In 2002 only two people were murdered. Other violent crime is seemingly low also. Robberies totaled thirty-eight and five people were incarcerated for sexual offenses. In contrast, crimes such as burglary and theft and those involving drugs have relatively high numbers, 1,228, 948, and 436, respectively, in 2002.

Turkish and Lebanese drug traffickers use Cyprus as a transshipment point to Europe. The drugs are trafficked through Cypriot container shipping and currency is shipped back the same way. In ten years the number of drug crimes has increased from 77 to 436. This is in part because of strict legislation against trafficking and drug possession. Also, Cypriot police work closely with other countries to fight against drug crimes. This has significantly increased the number of seizures and arrest.

#### CORRECTIONAL SYSTEM

Only one prison, the Nicosia Central Prison, services Cyprus and is located in and named after the capital of Cyprus. As of 2005, 355 offenders populated the prison. Law guarantees freedom from cruel and inhumane treatment, medical treatment, and regular visits. The prison population remains mixed, as violent and hardened criminals are placed in the same population as those offenders

servicing time for less violent acts. Prison conditions meet or exceed the minimum international standards according to the U.S. Department of State.

#### Prison Statistics.

- Total Prison Population: 355
- Prison Population Rate per 100,000: 50
- Pretrial Detainees: 13.2%
- Female Prisoners: 5.8%
- Juvenile Prisoners: 7%
- Number of Prisons: 1
- Official Capacity of the Prison System: 290
- Occupancy Level: 119%

#### MOST SIGNIFICANT ISSUE FACING THE COUNTRY

Illicit drugs and trafficking in persons remain the top concerns for the Cypriot justice system. Heroin and hashish from Turkey and Lebanon are trafficked through Cyprus bound for Europe. Steps have been made in technology and through cooperation with other countries to reduce drug crimes.

Trafficking in women for use in prostitution remains a problem, but new laws before the legislature would change the crime from a misdemeanor to a felony. Women are recruited to travel to Europe on a work visa and then their passport is taken away by their employers. The same is true of eastern European women being transported to Cyprus.

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*Jerry Toft  
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# Czech Republic

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**Official country name:** Czech Republic

**Capital:** Prague

**Geographic description:** A landlocked country in central Europe

**Population:** 10,241,138 (est. 2005)



## LAW ENFORCEMENT

**History.** In 1918 the independent Czechoslovak Republic was established. Its police forces copied the structure of the police that operated under the Austro-Hungarian monarchy. The police were placed under the Ministry of Interior and the police officers were managed by the police headquarters located in bigger cities or by the police commissariats in smaller cities. The police were divided into the uniformed and nonuniformed (criminal) police. The countryside was outside the authority of police in cities and the tasks of the police forces were fulfilled by the gendarmerie.

During the period of Communist regime the police force was reorganized into the unified organization called Corps on National Security and it was often misused as a tool of political power, especially its special service, called State Security. It targeted the political opponents of the regime. After the collapse of the Communist regime in 1989, this service was abolished and the whole police corps went through a profound change concerning both the organization and the staff and it was renamed to the Police of the Czech Republic.

**Structure and Organization.** A fundamental piece of police legislation is Act Number 283/1991 Coll., which



regulates the organization and activity of the Police of the Czech Republic. Police are under the jurisdiction of the Ministry of the Interior. The chief of police is appointed by the minister of interior with the approval of the Czech government.

Police are generally divided into uniformed and nonuniformed police officers. Uniformed police are responsible for the public order and security and they comprise the Police on the Beat, the Traffic Police, the Alien and Border Police, the Railway Police, the Air Service, and some special departments, such as the Department of the Protection of Constitutional Authorities. Nonuniformed police are responsible chiefly for the detection and investigation of crime and they comprise above all the Criminal Police and the Investigation Service. The scope of activity of some police departments and units covers the whole territory of the Czech Republic (e.g., Department for Detection of Organized Crime, Unit for the Detection of Corruption and Financial



Crime, National Anti-Drug Headquarters, Air Service, Rapid Employment Unit, Institute of Criminalistics, and Office for Documentation and Investigation of Communism Crimes), while other police forces that act within the regions are managed by the regional police headquarters.

The police force employs police officers as well as civilians. Police officers are divided into three categories. The lowest is represented by warrant officers with six internal grades (the basic rank is staff sergeant), then there are officers with seven internal grades from second lieutenant to colonel, and finally there are generals with three grades: major general, lieutenant general, and colonel general. Warrant officers and officer ranks are conferred by the police authorities, while the general rank can be conferred by the decision of the president of the Czech Republic on the basis of a governmental proposal.

**Salaries.** Police salaries are generally higher than the average salary in the Czech Republic. In 2003 the salary was up to 14,000 Czech crowns per month, but it was distinctly lower in comparison to other law enforcement authorities such as judiciary or state attorneys. Pay is based on rank and the performed function, but there is also a possibility of some differential surcharges.

**Police at Work.** Police of the Czech Republic are managed by the General Police Headquarters, headed by the chief of police. Police forces consist in formations (departments and services) acting within the whole territory of the Czech Republic and are managed centrally. Formations have regionally limited activity. The individual departments, services, regional headquarters, and other organizational units of the police forces are headed by directors and appointed by the chief of police.

**Police-Community Relations.** Basic and substantive information about the police and their activity is at the disposal of the public on the Web pages of the Czech Ministry of Interior (<http://www.mvcr.cz>). To facilitate the communication with the media, there are authorized press agents at police headquarters and services. Information and preventive police units designated for communication with the public with special attention paid to children were established in the framework of local police departments. Police officers are involved in the preparation and implementation of crime prevention programs in the cities and communities and collaborate with the representatives of municipal councils, other state institutions, and nongovernmental organizations. Missing persons and wanted offenders are regularly published on television stations. Citizens may contact the police quickly and directly using a special phone line.

**Local Police.** Local police in the Czech Republic may be established by a decision of the municipal council on the

basis of the Act on the Local Police Number 553/1991 Coll. The local police are responsible for the public order, especially in providing protection and safety of persons and property, to observe the rules of public peace and coexistence of citizens, to maintain traffic safety, and to disclose the minor offenses and administrative misdemeanors. The local police are headed by the magistrate/mayor or by a charged member of the board of a municipal council. The local police collaborate closely with the police of the Czech Republic.

Only Czech citizens above twenty-one years of age can serve as members of the local police on the condition that they fulfill the qualification requirements stipulated by the Ministry of Interior and have not been sentenced for an intentional crime. Even though the local police are armed, the use of guns is allowed only in emergencies (life-threatening situations or the risk of escape of a dangerous offender).

The uniform of local police is usually of a black color. Its appearance is determined by the public notice of municipal authority while its obligatory details are fixed by the Ministry of the Interior.

Besides the Police of the Czech Republic and the local police, there are many private security agencies. They are defined as a so-called licensed trade under the conditions regulated by the Act on Commercial Activity Number 455/1991 Coll. They are usually hired to protect objects, buildings, events, and so on.

**Special Police.** The police services most often met by the public are the Police on the Beat and Traffic Police. There are about 16,000 police officers serving in 606 local departments and some special departments (e.g., Riverine Police, Mounted Police, and Subway Police) of the Police on the Beat. In the line of duty, there were 213 police officers of the Police on the Beat injured in 2001 (but still, the incidents when a police officer from any police service was killed in the line of duty have been an exceptionally low number). An important statistic concerns the activity of the Traffic Police with regard to the high number of traffic accidents in the Czech Republic (185,664 accidents in 2001 with 1,219 deaths). The Alien and Border Police are managed centrally and are responsible for the protection of state borders and supervision over the stay and residence regulations for foreigners in the Czech Republic. Their departments are situated in all regions of the Czech Republic and along the state borders. They administer also three facilities for foreign citizens to be banished from the Czech Republic.

Special police departments and units are established at different levels of the organizational structure of the Police of the Czech Republic. In the framework of the General Police Headquarters there are departments



*Police and firemen work near the wreck of a car accident between Hranice and Belotin, Czech Republic, August 1, 2005.*  
AP IMAGES.

taking care of the police horses and dogs, but also the department of pyrotechnics and department of special diving services. The Special Rapid Employment Unit is designated for intervention against the most dangerous offenders such as terrorists, kidnappers, organized criminals, escaped prisoners, and so on. In 2001 this unit was involved in 36 actions with 115 persons apprehended.

A special role has been designated for the Office for Documentation and Investigation of Communism Crimes, which serves under the deputy chief of police. This office provides not only the description and documentation of the political terror committed within the period of communist regime but it also investigates the concrete crimes of this kind and proposes criminal prosecution of offenders.

Special police forces consist also of the Air Service, which provides security and transport services, including search of lost or missing persons, and the Department of the Protection of Constitutional Authorities, which ensures the security of protected persons and buildings of embassies.

The Department of International Police Collaboration is included under the General Police Headquarters. The

Czech Republic has been an Interpol member for years. With regard to Europol, the agreement on the collaboration for fighting serious transnational crime was signed in 2002 by the minister of interior of the Czech Republic and the director of the European Police Office. With regard to this agreement, Europol was established within the Czech Police. This group forms the preparatory basis for the Czech national unit of Europol. Similarly, the group Sirene was established as a basis of the future national bureau for the coordination of tasks of the Czech police necessary for the fulfillment of the Schengen Convention.

**Education and Training.** More than 50 percent of the current police officers entered the Czech police after the fall of the Communist regime in 1989. Only a Czech citizen above eighteen may serve as a police officer on the condition that he or she was not sentenced for an intentional crime; went through military service; meets the mental, health, and physical requirements; and graduated from high school. An official oath is taken and one begins as a staff sergeant (those who graduate from a university begin as a second lieutenant). The probation period is usually twelve months and the new police

officer must pass the basic course and praxis, an optional, specialized course. Additional education is possible at the Police High School (there are about 2,000 students) or at the Police Academy, which is a university institution (in 2001 about 1,900 police officers studied at the Police Academy).

Police officers are entitled to have longer holiday periods in comparison to other citizens (thirty-seven days per year and seven additional days in case of extreme difficult service). They may also use medical preventive care. The police officers who before 1993 served at least eighteen years may retire at an early age (fifty-five to fifty-seven years of age); the normal age limit to retire is now sixty-two to sixty-three years.

**Uniforms and Weapons.** Uniformed police wear jackets and peaked caps with dark-blue and gray pants; special police units wear a black uniform. The police emblem is sewed on the left arm, and the police badge is worn over the heart.

Police officers are armed with a 9mm handgun, which is produced by the Czech Armory in Uherske Hradiste. Police on the Beat are also equipped with truncheons. More effective weapons such as machine rifles, shotguns, and special rifles are at the disposal of special units and in cases of exigency.

**Transportation, Technology, and Communications.** Vehicles used by the Police of the Czech Republic are mostly of Czech origin; a certain number of fast cars and motorcycles originated from abroad. The Air Service uses Bell U.S. helicopters. The police also use special technology such as devices for disposing of explosives, night-seeing equipment, and so on. Traffic Police are equipped to measure speed with devices that are connected with video and analyzer; they also have devices that prevent cars from passing or getting away. There has been a considerable effort to improve the police computer systems. An integral communication system was introduced a few years ago.

**Surveillance and Intelligence Gathering.** The amendment of the Police Act Number 152/1995 Coll. extended the scope of police special investigative tools beyond the interception of communication introduced in 1991 to the possibility of using an undercover agent (for detection of corruption, serious economic criminal activity, and crimes committed for benefit of criminal conspiracy; the agent must be a police officer and may be used with the consent of the respective judge). Undercover agents may also be used for the transfer of objects (feigning of a purchase, sale, or other manner of transfer of an object whose possession generally requires a special permit or its possession is inadmissible). The amendment to the Criminal Procedure Code adopted

by the Act Number 265/2001 Coll. incorporated into this act some provisions that facilitate the use of information gained by the police operative tools as evidence in criminal proceedings under specified conditions.

## HUMAN RIGHTS

Police officers are obliged to respect and preserve human rights guaranteed by the constitution of the Czech Republic. Nobody may be prosecuted or deprived of his or her freedoms other than for the reasons and in the manner stipulated by the law. The accused or suspected person arrested by the police must be immediately informed of the reasons, questioned, and released within forty-eight hours or committed to court. The gaining, handling, and saving of personal data by the police is also strictly regulated by the law. The criminality of police officers is investigated by the independent Inspection of the Ministry of Interior.

The Criminal Police and Investigation Service conduct detection and investigation of crimes. Several special units have been included within this service. Besides the units that are focused on organized crime and drugs, there are special units for the detection of corruption and financial crime, such as the Special Activities Department.

## CRIME

**Criminal Identification and Forensics.** The Institute of Criminalistics works under the General Police Headquarters. It is a member of the European Network of Forensic Science Institutes. Czech police use all the usual methods and techniques of identification. Criminalistic and technical expert laboratories operate in the county police headquarters.

**Organized Crime.** There is not a special antiorganized crime act in the Czech Republic. The appropriate legislation was created via more partial amendments of existing legal norms (e.g., the Criminal Code, Criminal Procedure Code, Police Act, and so on). The concept for combating organized crime has been determined by governmental conception adopted in 1996 and updated in 1997 and 2000. Organized crime was defined in the Criminal Code as criminal conspiracy, which means an association of several persons with an internal organizational structure that has a division of functions and distribution of activities and that is aimed at the systematic commission of intentional criminal activity.

The police and judiciary system bear the greatest deal of responsibility for combating organized crime. No special authorities exist outside the police structure for detecting and investigating specific types of crime, including organized crime.

Within the framework of the Criminal Police and Investigation Service that conduct detection and investigation of crimes, special units have been established that focuses on organized crime and some other serious forms of crime. This includes the Department for Detection of Organized Crime (established in 1994; within this department there is also a special antiterrorist division besides the divisions of trafficking in people, guns, explosives and nuclear materials, violent organized crimes, forgery, and so on) and the National Anti-Drug Headquarters. In 2001 the National Anti-Drug Headquarters reported that 243 offenders were apprehended. In the same year the Department for Detection of Organized Crime apprehended 987 offenders.

### CORRECTIONAL SYSTEM

The Prison Service of the Czech Republic administers the prison system. The Prison Service is a department of the Ministry of Justice. The minister of justice manages the Prison Service through a director general, whom he appoints and replaces. The director general is responsible to the minister of justice for the work of the Prison Service.

There are fifteen prisons in the Czech Republic (including custodial prisons); four prisons have a capacity of more than 1,000 places for prisoners, while the capacity of most prisons is 300 to 600. Individual prisons are established and abolished by the minister of justice. The head of each prison is the director appointed and recalled by the director general of the Prison Service.

Under the relevant legislation (Act Number 555/1992 Coll., which was amended by Act Number 460/2000 Coll. defining the status and tasks of the Prison Service), the Prison Service is responsible for the enforcement of custody and prison sentences. With appropriate socialization programs, it influences the persons serving a term of imprisonment so that the punishment served will have a positive effect on their life after they are released. The Prison Service is also engaged in economic activity within the scope required for the inmates to be assigned work when serving a sentence (or even when in custody).

Another important task of the Prison Service is maintaining order and safety in the buildings of the judiciary.

The Prison Service is divided into prison guards, justice guards, and administrative service. Prison guards and justice guards have the status of an armed service. Prison guards guard, present, and escort detainees and inmates, whereas justice guards maintain order and safety in court buildings, the public prosecutor's office buildings, and in the buildings of the Ministry of Justice. The administrative service handles the organizational,

economic, educational, and other specialized activities in the prison system, including medical service.

The Prison Service also has a separate organizational unit called the Institute of Education, which organizes the vocational training of staff working in the prison system.

**Prison Conditions.** There are four basic types of prisons:

- Supervision
- Control
- Security
- Stricter security

Meanwhile, various types of wards may be established in any given prison.

Besides the basic types of prisons, there are special prisons for juveniles. The court decides which kind of prison the convicted will serve his or her sentence in. As a rule, those who have been sentenced for a crime of negligence and who have never been sentenced before for an intentional crime are sent to a supervision prison. Offenders who have committed a crime of negligence and have served a sentence of imprisonment before for an intentional crime or who have been sentenced for an intentional crime for which the maximum term is two years are sent to a control prison. Those who are convicted for intentional crimes are usually sent to a security prison unless lower-security prisons are considered. Offenders who are sentenced for life, who have committed a particularly serious crime for which a prison sentence of at least eight years is imposed, or who have committed intentional crimes and have absconded from custody or from a prison in the last five years are placed in stricter security prisons.

Act Number 169/1999 Coll. regulates prison sentences. Under this act (Art. 2) a sentence or penalty may only be enforced in a manner that respects the personal dignity of the convicted person and limits the harmful effects of imprisonment; however, it may not endanger the required protection of society. The inmates must be treated in a manner that safeguards their health and, if the term of the sentence so permits, such attitudes and skills should be encouraged that will help the inmates return to the community outside and be able to live an independent law-abiding life.

Prisoners are placed in cells and the men and women are always separated. As a rule, juvenile prisoners are also separated from adult inmates, repeat offenders from those convicted and serving a sentence for the first time, those convicted for intentional crimes from those convicted of crimes through negligence. Prisoners with mental or behavioral disorders are also situated separately, as

are certain other groups of convicted persons requiring special treatment. A special group is formed of prisoners serving life sentences. They are placed in specially allocated areas of selected maximum security prisons.

Prisons are establishments for the collective accommodation of prisoners. The one-cell-one-prisoner system cannot be applied as yet in view of the structural design of the premises because the interior layout in most prisons was dimensioned for the traditional placement of the convicted in groups of prisoners. A long-term problem is also the overall lack of space for prisoners, their leisure activities, and the needs of the prison staff.

The Prison Sentence Act guarantees the rights of prisoners and complies with the European Prison Rules and other international documents (the United Nations Human Rights Convention, and so on).

Prisoners are ensured an eight-hour period of sleep daily, time for personal hygiene and clean up, meals, at least one hour for outdoor exercise, and a reasonable period for personal leisure.

Prisoners are issued prison clothes suitable for the weather conditions and sufficient to protect their health. Prisoners have a right to medical care and treatment. In the event of illness or injury, they may be put in the prison hospital; in extreme cases, a prisoner's sentence may be discontinued for a necessary period to be spent in a hospital or for treatment outside prison. At their own request and if prison conditions permit, female prisoners can keep their children, usually up to the age of three, so they may look after them while serving their sentence. So far this has been applied only rarely in actual practice.

Prisoners have the right to receive visiting relatives for a total of three hours in one calendar month. Visits usually take place in rooms designed for this purpose and at times set by the prison director.

In exceptional cases, the prison director may permit visits in rooms not controlled by Prison Service authorities. Here, a prisoner may be allowed undisturbed personal contact with his or her spouse during the course of the visit.

Prisoners are entitled to receive and send correspondence at their own expense and in general without restriction. However, the Prison Service is entitled to check correspondence for security reasons. It is forbidden to check correspondence between the prisoner and his lawyer or between the prisoner and state authorities (this also applies to foreign consulates or international organizations).

Prisoners are also ensured the right to religious services and other services serving humanitarian purposes. Prisons allow (usually on days of rest) joint religious ceremonies to be held for prisoners. Attendance at these religious ceremonies is, of course, voluntary. Legal

regulations set out the conditions under which officials of registered churches and religious communities may cooperate with prisons to provide religious services.

Prisons also allow appropriate authorities (including nongovernmental and charity organizations) to provide prisoners with social services or other forms of charity to help prepare prisoners for their future independent life when released.

Prisoners are entitled to order daily newspapers, magazines, and books at their own expense and may borrow appropriate publications (including legal regulations) from the prison library to satisfy their cultural needs. A prisoner can also buy food and personal articles in the prison shop. If a prisoner is sent money, it is transferred to his or her account, which is opened and maintained by the prison.

Prisoners with the required aptitude can attend basic schools or secondary vocational schools or take various courses to improve their specialist skills. Prisoner education is usually provided in the educational centers of the Prison Service. Prisoners may be allowed a higher form of study. Prisoners serving a sentence in a low-security prison (with supervision and control), or in a prison for juveniles, may be allowed free movement outside the prison to attend school (classes, examinations, and so on).

A persistent problem is the lack of job opportunities for prisoners. Only about 50 percent can be assigned work. The working conditions of prisoners are subject to the same regulations as those applying to the rest of the working population. Prisoners are entitled to a wage depending on the quantity and quality of work. A government decree sets out in detail the conditions for the remuneration of prisoners who are assigned work while serving a sentence. Deductions are made from a prisoner's wages to pay child support if the prisoner is obliged to do so and/or to cover the costs of imprisonment and custody and other debts of the convicted. Total deductions may not exceed 86 percent of the net wage. The remainder of the wage is the prisoner's pocket money and any amount left over is deposited in his or her personal account. If a disciplinary penalty is imposed, the pocket money may be reduced.

In the case of convicted juveniles, an individualized approach to treatment is increasingly applied to prevent the negative effects of isolation of juveniles from society as much as possible during their imprisonment. Convicted juveniles should be treated in a manner that develops their mental, emotional, and social maturity. Emphasis is placed on acceptance and awareness of personal responsibility for the crime they committed. Educational and work activities of convicted juveniles should be directed at obtaining knowledge and skills that

will help them to find employment once they are released from prison.

The public prosecutor regularly inspects the places where custody and imprisonment are enforced. He is entitled to visit at any time all places where prison sentences are served, inspect prison documents, talk to the prisoners without the presence of other persons, and request relevant explanations from the Prison Service. The supervision of the public prosecutor does not override the obligation of the Prison Service authorities to perform their own control activities. The Ministry of Justice through the minister's general inspectorate is also directly involved in control and supervision activities.

**Custody.** Accused persons who have not yet been convicted and are held in prisons are subject to custodial arrangements. Because this concerns restriction of personal freedom, custody conditions have to be governed by the law (and not merely by a decree of the Ministry of Justice). This came with the Custody Act Number 293/1993 Coll. (amended by several provisions in 2000). The fundamental principle of custody is the presumption of innocence, meaning that nobody taken into custody may be considered guilty until pronounced guilty by a final court decision. As such, during custody the accused may be subjected to only such restriction as is necessary to achieve the purpose of custody, to observe prison rules, and to maintain security (to prevent escape). The human dignity of the accused may not be abused and he or she may not be subjected to physical or mental pressure.

Immediately after being taken into custody, foreigners must be informed of their right to contact the diplomatic bodies of their respective country, and the officials of these diplomatic bodies may visit their citizens in custody without any restrictions.

Foreigners account for about 10 percent of those convicted and serving a term of imprisonment in Czech prisons. About 20 percent of accused foreigners are held in custody. The majority of the foreigners are from Poland, Germany, Slovakia, Ukraine, Belarus, Moldavia and the former Yugoslavia, Vietnam, and Arab countries.

At the beginning of the 1990s the Czech Republic acceded to the international Convention on the Extradition of Convicted Persons (the convention came into force for the Czech Republic on August 1, 1992). Convicted persons may be extradited on the basis of bilateral agreements on legal force that the Czech Republic has concluded with several countries. Several dozen people are extradited from the Czech Republic every year to serve prison sentences in other countries.

**Conditional Release.** Prisoners who have served half of a pronounced sentence and proved by their behavior and observance of their duties that they have reformed sufficiently to be expected to live an orderly life in the future may be released on parole.

Prisoners who are sentenced for serious crimes, an exhaustive list of which is given in the law, may be conditionally released only after serving two-thirds of their sentence. Those sentenced for life may be conditionally released only after serving at least twenty years of their sentence.

There is no unity of opinion in professional circles regarding conditional release from prison. Some people rightly argue that parole is actually counterproductive to the purpose of life imprisonment, while others point out that even life prisoners should be allowed to live in the hope that there is a chance of release, which may positively motivate their behavior in prison.

The court sets a probation period for parole of between one and seven years. The court may impose reasonable restrictions and obligations on a paroled prisoner, such as addiction treatment, training to acquire work or social skills and education programs, refraining from visiting unsuitable places, and other similar restrictions. The court may also impose supervision of the paroled prisoner. Supervision includes regular personal contact between the paroled prisoner and his or her probation officer. The purpose of supervision is to monitor and control the behavior of the person on parole. The probation officer determines whether the paroled prisoner is complying with the conditions imposed by the court and is receiving professional guidance and assistance that is intended to help him or her live an orderly and lawful life.

#### **Prison Statistics.**

- Total Prison Population: 19,521
- Prison Population Rate per 100,000: 191
- Pretrial Detainees: 16.1%
- Female Prisoners: 4.7%
- Juvenile Prisoners: 0.8%
- Number of Prisons: 15
- Official Capacity of the Prison System: 15,689
- Occupancy Level: 115.6%

*Miroslav Scheinost  
Zdenek Karabec*

# Denmark

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**Official country name:** Kingdom of Denmark

**Capital:** Copenhagen

**Geographic description:** Located on an archipelago north of Germany on the Baltic Sea; also includes three major islands: Jutland, Sjaelland, and Fyn

**Population:** 5,432,335 (est. 2005)



## LAW ENFORCEMENT

**History.** The first Danish penal code came into existence in 1683. This was the first attempt at a systematic arrangement of criminal law in Denmark. This penal code relied on the notion that all men were equal under the law. However, it is interesting to note that this penal code did not centralize the criminal processing by transferring prosecution of criminal cases to the exclusive authority of the Crown. Rather, the process of creating criminal law was one of trial and error, with four penal codes being drafted between the years of 1833 and 1841. With these revisions, judges were given discretion in sentencing depending on the seriousness of the offense and the circumstances of the offender, instead of being restricted by a set of mandatory statutory penalties. By 1866 Denmark had a modern criminal code.

During this process of penal code revision, democratic principles of government were introduced to the kingdom of Denmark. Among other things, it established *nulla poena sine lege*, which is the principle of legality. *Straffeloven* is the current criminal code in effect in present-day Denmark. This code was introduced and put into action in 1933. The Danish criminal process



allows for minimum and maximum sentences instead of mandatory reactions. Judges are given a wide degree of discretion and significant cross-jurisdictional disparity exists.

**Structure and Organization.** According to the 1849 Constitutional Act, the branches of the Danish government are separated into the legislature (the queen and parliament), the executive (the queen through her ministers), and the judiciary. Parliament is in charge of making the laws and determining the structure in which the police function. However, it is the minister for justice who is responsible for the Danish police.

The police departments of Denmark, the Faeroe Islands, and Greenland form one national force. All are employed directly by the state. The minister for justice also acts as the chief police authority, exercising his powers through the national commissioner, the commissioner of the Copenhagen Police, and the chief constables. Fifty-four police districts (plus the Faeroe Islands

and Greenland) divide Denmark, with district police headquarters in each district. These headquarters operate on a twenty-four-hour basis, and some headquarters also have substations. These substations have daytime hours, but do not operate on a twenty-four-hour basis. Certain police officers also work what is called "rural beats" in the more meagerly populated areas of the country.

Police in Denmark make an effort to provide safety in the local neighborhoods by utilizing community police posts that are located in a number of towns in many police districts. This is done to create increased security by strategically locating the posts as close to the local authorities and the citizens as possible. Traditional police duties are mainly handled by the community police. In cases that require the use of more officers, districts across the boundaries have readily available manpower.

**Principle Agencies and Divisions.** The police force in Denmark is a compilation of the Uniform Branch and the Criminal Investigation Department. These groups are under the employment of the National Commissioner's Office. There is a probationary period of three years that begins from the initial employment. During the probationary period, police officers experience the core of their basic police training. The training lasts for an extended period of about four years in all.

The organizational structure of the National Commissioner's Office has eight departments and five operational units in the Danish Police Service that assist the police districts: the Forensic Technical Department, the Serious Crime Squad, the Dogs Section, the Traffic Patrols, and the Special Operations and Response Team. The national commissioner also supervises the general organization of the Copenhagen commissioner and the chief constables, while also establishing general guidelines for the performance of police duties. The day-to-day supervision and execution of police duties, as well as any specific decisions, are handled in the police districts. The Copenhagen commissioner or the chief constables are responsible for these actions.

The National Center of Investigative Support Uniformed Branch is in department A and contains Traffic Patrols, Tactical Support Unit, Special Operations and Response Team, Dogs Section, Serious Crime Squad, Forensic Technical Department, International Relations, Interpol Copenhagen, Special Economic Crime Squad, and the Crime Prevention Council.

The Personnel and Recruitment Department is in department B and contains Appointments, Personnel Administration, Disciplinary and Health Matters, International Postings, Organization Development, Staff Development and Personnel Policy, and the Staff Medical Officer.

Department C contains Budgets and Accounts, Radio and Motor Section, Uniforms and Equipment, Audit Section, Office Supplies, Ministry of Justice Department of Forensic Psychiatry, and the Museum of Police History.

The Data Department is located in department D where the IT Section, Central Motor Vehicle Register, Central Criminal Register, Central Weapons Register, Passport and Driving License Section, and the Central Register of Parking Fines are located.

Department E is the Aliens Division (the authority responsible in cases concerning police work with aliens) as well as Information and Documentation Services. The Aliens Division contains the Sandholm Center and the Task Force. The Information and Documents Services is made up of the Web editor, Publications, Statistics, Victim Counseling Secretariat, and the Property Index/Photograph Archive.

The Police College is located in department F, which contains Basic Training, Leadership and Management Training, and Further Training. Department G is solely made up of the National Security Service. Finally, Department H houses the Building Surveying Department, which contains the Building Surveying Section and the Maintenance Section.

**Police at Work.** As of 2001 there were 10,228 police officers working in the Denmark policing system. This means that there was one officer for every 190 civilians in Denmark. Furthermore, the police are subdivided into plainclothes criminal investigators, uniformed patrolmen, traffic police officers, immigration police, and other categories.

Under the Administration of Justice Act the police may apprehend a person to confirm his or her identity. However, to take into custody a person suspected of criminal acts the suspicion must be strong and a rather serious offense must be involved. The decision to arrest a person is made by the police at their own discretion. Nonetheless, according to the constitution, arrests for a period of more than twenty-four hours come under the scrutiny of the court. A person who is arrested for a prolonged period can be held for no more than seventy-two hours. When time for detention has been exceeded, the person must be released and the release time must be reported. Detention for those persons on remand can only be decided by a court. Also, persons who are suspected of committing a criminal act will in most cases be released after sufficient questioning in the police station. This is true even if the person is formally charged with a crime.

Any complaints over police behavior are handled by a local committee that consists of the chief of police, two police staff members, members pointed out by the municipality, and a representative for the defense lawyer's





*An anti-Bush demonstrator stands in front of police in Copenhagen, Denmark, July 6, 2005. Thousands of demonstrators marched from the U.S. Embassy in Copenhagen to Denmark's Parliament to protest against a visit by U.S. President George W. Bush. Authorities arranged one of the biggest security operations the country has seen amid concerns over the president's visit. AP IMAGES.*

association. This committee makes decisions on whether to investigate or not. Investigations can occur through either the public prosecutor or by the city court. Committees have the option to refuse to investigate if the complaint is considered groundless or if the case is considered to have been inadequately claimed.

Matters dealing with use of force among police are discussed by the national commissioner, who states that pistols and batons may be used when the situation is deemed necessary. The use of these weapons is mainly to prevent harm to a person or to arrest dangerous criminals. Firearms can be used to avoid dangerous attacks on state institutions and to disperse an assembly that is considered unlawful, has the potential to incite violence, or may lead to a dangerous attack. Any incident where the use of a firearm and/or a police baton occurs must be reported in writing to the national commissioner. In 1993 there were 245 reports concerning the use or threat of use of firearms filed, and a total of 359 reports concerning the use of police batons.

When dealing with search and seizure, suspects and their homes or any place where pertinent objects or wanted

persons are most likely to be found may be searched. Conditions for search and seizures depend on whether the place to be searched is a public place or a private home, whether it is necessary to act swiftly, or whether the person consents to the search. In any case two independent witnesses will be summoned to the search unless the suspect waives his right to the witnesses. In cases where an improper search occurs, compensation may be awarded for any disgrace caused by the search. However, items of proof or loot may be seized wherever they are found.

**Education and Training.** Recruits for the Danish police are to be in good physical condition, good economic and personal condition, and have a good academic record in school. Other basic requirements are: applicants must be at least twenty-one years old and a Danish citizen or have the right to citizenship. Applicants may not have a criminal record. All applicants must be in good health with normal hearing and no color blindness. Likewise, applicants must have a driving license. Furthermore, applicants should be under twenty-nine years old, reasonably tall, physically strong, and physically suited to police

work. Fluency in a foreign language is a plus. Other characteristics should include maturity, good interpersonal skills, and the ability to make effective decisions while under stress.

It is not important which occupations one has had, what education or training one has obtained, whether one has done military service, or attended a folk high school. What is important is that a candidate can handle unexpected situations, stay calm, and act sensibly in presented situations.

The basic training for police is a three-year-long process. It consists of both school education and practical training. The school education includes two courses that last a total of eight months each. These courses are held at the Police Academy in Copenhagen. The academy also offers other special courses that cover areas such as the environment, IT crime, and international relations, as well as leadership courses. The rest of the training occurs on the job. Chiefs of police must achieve a master's degree in law.

Nonetheless, Greenland's police officer basic training takes place in Greenland and the Faeroe Islands select their own police probationers, but they are trained at the Police Academy in Copenhagen.

**Uniforms and Weapons.** The Danish police are equipped with 7.65 caliber pistols and tear gas. Riot uniforms consist of helmets, visors, and plastic shields. Only in events where the threat of gunfire is suspected are bulletproof vests used.

**Transportation, Technology, and Communications.** In 1993 the Danish police utilized a total of 2,245 vehicles. These vehicles averaged approximately 17,000 miles per year; also, the number of police turnouts totaled 471,076. The vehicles are equipped with data terminals to access offender records. Police officers also use radio communication and computers to assist them.

## HUMAN RIGHTS

The inflow of ethnically and racially diverse refugees and immigrants provoked a degree of tension between Danes and immigrants (mostly Iranians, Palestinians, Pakistanis, and Sri Lankans until late 1992; refugees are now mainly coming from Somalia and the former Yugoslavia). In response to publicity concerning the involvement of foreigners in street crime and allegations of social welfare fraud committed by refugees, the Parliament passed tighter immigration laws that took effect on January 1, 1999. Family reunification is now more difficult, and immigrants and refugees can no longer acquire permanent residence by living in the country for eighteen months; rather, they must now reside for three years and demonstrate that they have integrated into society.

Furthermore, immigrants receive a special integration allowance that is 20 percent lower than the social benefits that a citizen receives. Critics claim that this provision violates the 1951 United Nation Convention Relating to the Status of Refugees.

Incidents of racial discrimination and racially motivated violence occur, but are rare in Denmark. The government effectively investigates and deals with cases of racially motivated violence. However, in November 1999 Copenhagen experienced some of its worst rioting in years. The rioters were protesting a High Court decision to expel a twenty-three-year-old Turkish citizen. Although not a Danish citizen, the individual grew up and had close family in Denmark, including a wife and child. Despite this, the court ordered the expulsion after a three-year jail term for armed robbery.

Furthermore, the problem of trafficking in women for the purpose of prostitution remained a focus of government concern during 1999. Of particular concern is the importation of women from eastern Europe and Southeast Asia. These women are lured by the prospect of higher wages and a better life and find themselves forced into a life of prostitution by the individuals who brought them into the country and who are suspected of being part of organized crime. No concrete statistics are available as to how many women are involved in prostitution. The minister of justice's plans, announced in 1998, to convene a commission in March 1999 to look into the problem were dropped without explanation.

In light of terrorist activity Denmark has approved an antiterrorism bill. This bill was approved even though certain nongovernmental organizations and industry groups voiced their opposition to it. This bill was initiated into law in June 2002. This antiterrorism legislation makes it mandatory for telecommunications and Internet providers to register and store traffic data for up to one year. Secretly installed snooping software for those computers owned by criminal suspects is also a power granted to law enforcement through this bill. This particular software is designed to record keystroke data and then transmit it to the law enforcement agency electronically. Only serious crimes will constitute use of this software, and it will also require an interception warrant. Those crimes punishable by imprisonment for six years or more, including narcotics offences, homicide, assault and battery, causing danger to other people's lives and health, theft, computer crimes, trafficking of refugees and child pornography, crimes against national security, and the public order constitute a serious crime.

## CRIME

**Organized Crime.** In 2002 a broad range of organized crime occurred in Denmark committed by several

different ethnic groups. Biker groups and in some cases other gangs (in part Danish) were also of some concern in relation to organized crime and those criminal acts bordering on organized crime. The community of bikers that reside in Denmark has been a concern for many years. However, street gangs and the crime they commit can be compared to those crimes committed by biker groups. Police efforts to deal with street gangs coincide with those used to deal with the biker community. Progress has been made in recent years in dealing with street gangs and maladjusted young people. However, there are still substantial problems that are caused by street gangs. Crime prevention efforts and problem-oriented policing will continue in relation to these individuals. Central monitoring of gang areas by the police will be limited to the extent that is appropriate. To a large degree, monitoring will take place only at a police-district or regional level. By constant, national monitoring will occur in those areas where street gangs are comparable to the biker community.

In 2002, often in cooperation with Danes, people from several different European Union member states were behind narcotics crime. Citizens of European Union countries were also involved in smuggling, financial crime, and counterfeiting. It is also well known that numerous amounts of cases of persons of Polish ethnicity have been involved in raiding and narcotics smuggling that is either considered organized crime or could fall into the category thereof. In addition, Polish criminal networks have committed large thefts stemming from parked vehicles to burglaries and ordinary shoplifting.

Russians are hardly noticeable in the organized criminal activities in Denmark. There are networks of Russians that are connected to the trafficking of women. In other cases, Russians are suspected of participating in the planning of criminal activities aimed against or covering Denmark.

Networks originating from Serbia-Montenegro have been in current investigations in relation to narcotics crime and have shown that they are notorious for smuggling heroin into Denmark. Also, there is information that supports the notion that these Serbian-Montenegro networks also supply large shipments of heroin to all of Scandinavia, Switzerland, and Germany. They are also suspected to have ties to the biker community of Denmark.

Albanians played a noteworthy role in the smuggling of heroin in 2002. They are fortunately having great difficulty in obtaining their supply of heroin. This is a direct result of investigations in recent years. Scandinavian countries and the Czech Republic are the primary cooperatives in the investigations with the authorities in Denmark. There have also been quite a

few investigations that can connect the Albanians to the smuggling of cocaine.

Some of the child-pornography materials subsequently discovered by police officers while involved in unrelated investigations are believed to have come from the Far East. Nonetheless, many of the women found in massage parlors are of Thai ethnicity and have been recruited from Thailand. These women are often recruited by other Thai women in Denmark who are usually associated with the sex-trade industry.

The smuggling of large quantities of cigarettes, with Denmark acting as a destination or transit country, was connected with Lithuanians in 2002. Furthermore, a network of Lithuanians was implicated in the distribution of counterfeit U.S. dollars. Lithuanian criminal networks are also known to break into parked vehicles and burglarize residential areas.

Bank robberies in Denmark for 2002 were linked to Estonian criminals. The trafficking of women was also associated with people from the Baltic countries. Ethnic Russians residing in the Baltic States are frequently implicated in this type of crime as well.

There is no direct evidence to substantiate that South American individuals, groups, or cartels are active in Denmark. However, it is assumed that South Americans have some association with the supply of cocaine that has entered into the Danish market in 2002.

In 2002 organized crime occurred in the greater part of the urban areas of Denmark. Nonetheless, it has spread throughout the country. Denmark is mainly used as a transit country in relation to organized crime. Denmark cooperates with the Nordic police and customs (including what is known as the PTN cooperation between the Nordic police and customs authorities), the Task Force in the Baltic Sea Region, which deals with organized crime, the European Union, and Interpol. Denmark held both the chairmanship of the Task Force on Organized Crime in the Baltic Sea Region up to the end of 2004 and the presidency of the European Union in the second half of 2002.

It is the continuous consensus that organized crime is committed in Denmark, particularly including crimes committed by those in the biker community. However, in 2002 organized crime in Denmark was at a relatively meek level. There still remains cooperation between the biker community and other organized groups (in certain cases international). An example of this derives from the smuggling and dealing in narcotics. Foreign networks, especially European, have used Denmark for their more elevated criminal activity. However, this in no way suggests that international criminal organizations have taken over or even have a real controlling impact in Denmark. As of 2002 there was no indication that organized crime

had in any way posed influence on public administration, law enforcement authorities, or the political arena. There also had been no incident of any public administrators, law enforcement officers, or political icons being involved with organized crime.

Danish criminal law is in fact monistic, meaning that violations of the law are not divided into categories such as felony/misdemeanor or crime. However, this does not mean that major and minor offenses are treated the same.

Fifteen is the age of criminal responsibility in Denmark. The legal classification of criminal offenses is identified in the special part of the Criminal Code or in separate statutes. General circumstances for imposing criminal penalties are located in the general part of the Criminal Code, which applies to separate statutes as well. Sanctions that are described in the general part of the Criminal Code are uniform no matter if the criminal offense consists of an infraction of the Criminal Code or of separate statutes.

**Crime Statistics.** From 1991 to 2001 Denmark had an approximate 9 percent decrease in overall crime. Total crimes recorded by the police in 1991 were 517,775, whereas the total in 2001 was 473,290. Furthermore, homicides in Denmark had a 41 percent decrease between the years 1991 and 2001. Specifically, there were eighty-eight homicides in Denmark in 1991 and this number dropped to fifty-two in 2001. By contrast, other violent crimes increased by 15 percent between the years 1991 and 2001, rising from 13,963 incidents to 16,010 as recorded by the police. Robberies also increased from 2,523 in 1991 to 3,192 in 2001, resulting in a 27 percent increase. Domestic burglaries declined by 7 percent going from 34,648 in 1991 to 32,274 in 2001. Motor vehicle theft took a strong plunge with an overall decline of 31 percent between 1991 and 2001 (there were approximately 42,701 domestic burglaries in 1991 and this dropped to 29,464 in 2001). Finally, drug trafficking also went down by 2 percent during the same ten-year period, from 171 incidents in 1991 to 168 recorded incidents in 2001.

#### CORRECTIONAL SYSTEM

The correctional service controls fifteen prisons, one institution for inmates needing psychiatric treatment, and forty local jails. Five of the prisons and the psychiatric institution are closed, meaning that they are secured by an external ring wall as well as by internal precautions like secured buildings and electronic security systems combined with relatively dense staffing. The staff does not carry arms. Being used as remand detention institutions, the local jails are also closed. The remaining nine prisons are open institutions, where inmates are physi-

cally able to leave the institution. Two of the closed prisons have both male and female inmates. In one of these prisons there is cohabitation between men and women within units. There are also two open prison departments for women.

The Danish correctional system is based on three types of punishment: ordinary imprisonment, lenient imprisonment, and day fines. In special cases, dangerous offenders may be sentenced to indeterminate preventive detention. Imprisonment may be meted out with determinate sentences from thirty days to sixteen years or life, lenient imprisonment from seven days to six months. Imprisonment may be imposed in the form of suspended or nonsuspended sentences. Since 1982 the rules governing probation and suspended sentences formed the basis of an experiment with community service orders, and from 1992 the scheme was made permanent.

The Department of Prisons and Probation is the central agency of the entire Prison and Probation Service and is headed by the director-general of prisons and probation. The field of responsibility for the director-general is enforcement of all penal sanctions and effectuation of remand in custody. The Prison and Probation Services in Greenland and on the Faeroe Islands are also within the director-general's field of responsibility. The Danish Criminal Code and the Danish system of sanctions also apply to the Faeroe Islands, while a special Criminal Code with a special system of sanctions applies to Greenland.

**Prison Conditions.** Denmark prisons and jails are all state institutions; they are under the administration of the Ministry of Justice Department of Prisons and Probation. As of 1992 there were a total of about 2,600 personnel including the prison guards and vocational staff. Prison personnel were also comprised of about 680 social welfare officers, teachers, health officers, vicars, and office clerks. Subsequently, this makes the inmate to prison staff ratio almost 1:1. Although the figures on the gender distribution are not available for Denmark's prison system, the prison staff is noted as being a mixed group of men and women.

The standard training and qualifications for prison guards are good physical condition, good personal and economic conditions, and satisfactory academic achievement. However, the new recruits who are inquiring about being a prison guard usually need to be between the ages of twenty-one and twenty-nine, of Danish citizenship, and have never been convicted of a crime. Prison personnel learn the details of their duties at the Prison Educational Center. All prison wardens are required to possess a university law degree.

Deprivation of liberty is in fact the true punishment in Denmark; the inmate still maintains his or her civil

rights during the sentence. Any other restrictions placed on the inmate besides the deprivation of liberty occur only if necessary. In accordance with the principle of normalization, an inmate's experience in prison must in some way be comparable to a normal life in the community. This is done to the best ability of the correctional system. These conditions are basically constant and apply to persons who serve sentences in a local prison and in a closed prison. However, the physical conditions particularly in the small local prisons have some differences as it pertains to the term of the sentence. For the most part, local prisons in Denmark are usually half-full with remanded prisoners; the remaining space is used to house convicted criminals.

As a general rule, inmates have their own cell. Each cell is about 75 square feet. The local prisons have single cells, as well as two- and three-person cells. Nonetheless, the decision has been made to eliminate three-person cells in all possible cases.

A convicted offender has one month or less from his or her sentencing date until he or she can expect to start serving a sentence. The offender has the opportunity to use this time to make arrangements for lodging during the sentence, arrange to store belongings, make arrangements with his or her current employer or place of education, take care of any financial matter, and make inquiries as to how a spouse and/or children (if any) are to survive during his or her imprisonment. The offender is allowed to bring certain personal belongings, which include clothes, television, radio, books, and pictures.

In adherence to the principle of normalization, most prisons have implemented a "do-it-yourself" cooking system, where the inmate is responsible for buying and preparing his or her own food. Inmates are also allowed to write and receive letters from whomever they wish; correspondence is read only in unique cases. In open prisons, access to coin- or card-operated pay phones are available to the inmates. Also, in some closed prisons the inmates are allowed to use card-operated pay phones for phone calls to telephone numbers approved by the authorities. This trend is soon to be available in all closed prisons. Inmates are also allowed to receive unsupervised visits from relatives in single rooms or in their cells; only in certain exceptional cases will these visits be supervised.

Usually, inmates serve their sentences with other inmates; however, inmates have the option to serve their sentence in segregation. In recent years a growing number of vulnerable inmates have felt threatened and intimidated by other dominant inmates. Because of this and other reasons, segregated sentences have increased.

Remanded prisoners generally do associate with other inmates in the local prison. However, the court may decide that due to police investigations, the

remanded prisoner is to be segregated or placed in solitary confinement. Typically, 9 to 10 percent of remanded prisoners are in fact segregated from the other inmates. The police can also monitor the letters and visits to remanded prisoners to have a more secure investigation.

#### **Prison Statistics.**

- Total Prison Population: 3,774
- Prison Population Rate per 100,000: 70
- Pretrial Detainees: 29%
- Female Prisoners: 4.6%
- Juvenile Prisoners: 0.6%
- Number of Prisons: 57
- Official Capacity of the Prison System: 3,960
- Occupancy Level: 95.3%

#### **MOST SIGNIFICANT ISSUES FACING THE COUNTRY**

Perhaps the most widely cited criminal issue within Denmark revolves around the trafficking and smuggling of human beings. This is largely intertwined with the sex-trade industry that is so strongly associated with Denmark. The smuggling of women into Denmark for purposes of prostitution is a recurring problem. Smuggling of women and girls from Thailand, eastern Europe, and Russia has been noted as occurring at high levels. However, it should be pointed out that much of this is in the way of smuggling rather than forceful abduction of the victim.

Another crime problem in Denmark is Internet-based child pornography. This has been cited as a continuing problem and many raids have been made of suspected child-pornography distributors. In fact, Danish police have acted in conjunction with the United States in investigating child Internet pornography, which resulted in a national sweep that led to over 100 arrests across the country. These raids took place in thirty-nine of Denmark's fifty-four police districts. This has been noted as the most large-scale enforcement action against child pornography in Denmark policing history.

Finally, Denmark has experienced difficulty in dealing with the influx of immigrants within its borders. Some of this immigration is legal, and some is illegal. This has resulted in many reports of police difficulties with the minority and immigrant populations within Denmark. Whether these issues are largely media driven is yet to be determined. Still, the combination of eastern European immigration, worldwide migration of women in the legal sex trade, and the illegal smuggling of Asian women has caused a confluence of problems that is hard for Danish authorities to unravel. These issues, along

with the open borders, drug legalization, and the open sex-trade industry, have resulted in a conundrum of social issues for police. Nonetheless, Denmark maintains a relatively safe and peaceful society that is not plagued by crime or turmoil—an indicator of stability achieved through open tolerance that is so commonly associated with the Danish culture.

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# Djibouti

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**Official country name:** Republic of Djibouti

**Capital:** Djibouti

**Geographic description:** A country in eastern Africa in the region adjacent to the Horn, bordering the Gulfs of Tadjoura and Aden

**Population:** 476,703 (est. 2005)



## LAW ENFORCEMENT

**Structure and Organization.** The 8,000-member National Police Force, under the Ministry of the Interior, is responsible for internal security and border control. The Gendarmerie Nationale, a police force that patrols rural areas, is under the Ministry of Defense. It is also responsible for the president's security. The elite Republican Guard that also serves the president, is a detail of the Gendarmerie. A small intelligence service reports directly to the president.

## CRIME

**Crime Statistics.** Offenses reported to the police per 100,000 population: 252. Of which:

- Murder: 4.2
- Assault: 124.2
- Burglary: 45.0
- Automobile Theft: 0.5



## CORRECTIONAL SYSTEM

The corrections system is administered by the penitentiary administrator under the Ministry of Justice. There are four prisons in Djibouti, with the largest being Gabode. Many of the prisoners are illegal immigrants from Ethiopia.

**Prison Conditions.** Prison conditions are harsh. The government is sometimes forced to shorten prison sentences to avoid overcrowding. Inmates are required to pay bribes to authorities to permit them to receive food brought by family members. Medical care is nonexistent. There are no educational or rehabilitation programs. Women and children are usually housed separately. Female inmates are often raped by prison guards. Juveniles and pretrial detainees are sometimes housed in the same facilities as convicted felons.

**Prison Statistics.**

- Total Prison Population: 384
- Prison Population Rate per 100,000: 61
- Pretrial Detainees: 57.2%
- Number of Prisons: 4

*George Thomas Kurian*



# Dominica

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**Official country name:** Commonwealth of Dominica

**Capital:** Roseau

**Geographic description:** An island in the Caribbean Sea between the Dominica Channel and the Dominica Passage

**Population:** 69,029 (est. 2005)



## LAW ENFORCEMENT

**Structure and Organization.** The Dominica Police Force is an agency that was formed by the British and inherited by the independent republic. It is headed by a chief of police who is also the traffic commissioner. There are twenty police stations on the island. Training is provided by the Police Training School at Morne Bruce, northeast of Roseau.

The police have an Internal Affairs Department that investigates public complaints against the police. The unit received fifty-five complaints during 2003, of which twenty-two alleged excessive use of force. Several officers attend human rights training courses in Trinidad.

Since Dominica does not have a military force, there is a Special Service Unit within the police force to serve any external security needs.

### Police Statistics.

- Total Police Personnel: 232
- Population per Police Officer: 297



## CRIME

**Crime Statistics.** Offenses reported to the police per 100,000 population: 9,567. Of which:

- Murder: 7.9
- Assault: 682.4
- Burglary: 1,736
- Automobile Theft: 77.6

## CORRECTIONAL SYSTEM

Prisons are administered by the superintendent of prisons of the Dominica Prisons Service under the Office of the Prime Minister.

**Prison Conditions.** Although prison conditions are austere, inmates are provided work therapy, music, sports programs, educational opportunities, and counseling.

Prisoners have access to fresh pork from pigs raised at the prison. Women are segregated from men and juveniles from adults, but pretrial detainees are housed with convicted felons.

**Prison.** There is only one prison on the island, the Goodwill Prison at Roseau, with an official capacity of

175 and a total prison population of 298. The occupancy level is 143.3 percent. The incarceration rate is 420 per 100,000 population. Of the total inmate population, 43.4 percent are pretrial detainees and 2.1 percent are female.

*George Thomas Kurian*

# Dominican Republic

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**Official country name:** Dominican Republic

**Capital:** Santo Domingo

**Geographic description:** This country occupies the eastern two-thirds of Hispaniola, the second-largest island in the Caribbean

**Population:** 8,950,034 (est. 2005)



## LAW ENFORCEMENT

**History.** The National Police was formed in 1936 through a merger of the municipal police of Santo Domingo and other towns.

**Structure and Organization.** The National Police is headed by a director general, who reports to the secretary of state for interior and police. The director general is assisted by a deputy director and two secretariats, one for internal affairs and planning and the other for public relations. Administration and operations are carried out by three sections: Administration and Support, Police Operations, and Special Operations. Each section is headed by an assistant secretary general.

The Administration and Support section supervises personnel, education and training, and finances and is responsible for the logistical system, communications, transportation records, and the police laboratory. The Police Operations section carries out routine police operations, including patrolling, traffic control, criminal investigations, rural operations, and control of civil disturbances. Patrolling is done on foot, on horseback and bicycle, and in automobiles, airplanes and boats. The



Special Operations section is essentially the Secret Police in charge of covert operations and intelligence gathering. Four regional directors are directly subordinate to the assistant director general of police operations. The regional headquarters are Santo Domingo, San Pedro de Macorís, Santiago de los Caballeros, and Barahona.

Besides law enforcement duties, the National Police is also active in civic projects.

**Education and Training.** Cadets and officers receive training at the Police Academy in Santo Domingo. The academy was established in the early 1970s with aid from the United States. National Police personnel also receive training in the U.S. Federal Bureau of Investigation Academy at Quantico, Virginia.

**Uniforms and Weapons.** Regular police officers wear gray shirts, caps, trousers, and ties, with a shield on the left breast.

**Police Statistics.**

- Total Police Personnel: 14,795
- Population per Police Officer: 605

**HUMAN RIGHTS**

The National Police has a long record of human rights violations and extrajudicial killings. Prisoners and detainees are subjected to torture and beatings, suspects and their relatives are arbitrarily arrested, citizens' privacy rights are violated, and excessive force is used in dispersing demonstrators. More than 250 people die at the hands of the police annually. Many persons with prior criminal records have been incorporated into the police ranks. A Police Reform Commission has been set up to modify existing police law and afford more accountability in police activities.

The police make frequent sweeps or roundups in low-income, high-crime neighborhoods in which they arbitrarily arrest and detain individuals. They then detain individuals for up to twenty days or more while they look for a reason to charge them with a crime, even though the law permits such detentions only for a maximum of forty-eight hours without a judge's order. Such detainees are frequently beaten. Police also arrest and detain relatives, parents, siblings, or spouses of detainees as a means of forcing a confession.

**CRIME**

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

- Murder: 15.8
- Assault: 28.4
- Burglary: 154
- Automobile Theft: 14

**CORRECTIONAL SYSTEM**

After the Dominican Republic achieved independence, the French criminal code was adopted in 1845. It was revised in 1867 and 1884. The death penalty was abolished in 1924. The maximum penalty is hard labor for thirty years.

The national penitentiary is La Victoria in Santo Domingo, where all prisoners sentenced to more than two years are incarcerated. Twenty other towns have prisons or equivalent facilities. Of these, the largest are in Santiago, La Vega, Puerto Plata, San Francisco de Macorís, Moca, San Juan, San Cristóbal, and Barahona. Working prisoners receive payment, of which 30 percent goes to the family of the prisoner, 25 percent to the

prison workshops, 25 percent to the pension fund, and 20 percent to the prisoner himself.

A warden is responsible for running each prison and reports to the attorney general. The General Directorate of Prisons falls under the authority of the Public Ministry. A police or military colonel appointed for three- or six-month periods reports to the warden. However, in practice the colonel is in charge of the prison and the warden has little or no power. Some prisons are totally out of the control of the authorities and are operated by armed inmates who charge other prisoners for basic amenities.

**Prison Conditions.** Prison conditions are harsh. Reports of torture and mistreatment are common. The prisons are seriously overcrowded, health and sanitary conditions are poor, and some prisons are outside the control of prison authorities. Given that the General Directorate of Prisons is seriously underfunded, the prisoners are expected to bribe the guards. Furthermore, there is little to no medical care because of the lack of supplies and physicians.

Those who cannot afford to pay for beds are forced to sleep on the floor or in the dirt and therefore are known as "frogs." Inmates receive only one meal per day at a cost of \$0.50 per day, and the food is inedible. There is extensive drug and arms traffic within the prisons, as well as prostitution and sexual abuse, including abuse of minors. Visitors have to bribe guards to visit prisoners. The Najayo Prison was built to hold 850 inmates; as of 2005 it held more than 2,840 persons, most of whom suffered from various illnesses. Conditions at La Victoria Prison were equally deplorable. It housed four times the number of inmates it was designed to hold. Conditions in the female prison wings are somewhat better, but female inmates are prohibited from receiving conjugal visits. Some prison guards force women to act as prostitutes in return for food and protection. Although the law requires juveniles to be separated from adults, they are often mixed with the general prison population. Juvenile prisoners are forced into sexual servitude in return for protection. Pretrial detainees are held with convicted prisoners and are not separated by crime.

**Prison Statistics.** In the 35 prisons around the country with a total capacity of 9,000, police hold more than 13,836 prisoners and detainees. The military controls 22 prisons with a total of 5,069 prisoners. Of the total prison population, 79.8 percent are pretrial detainees, 3.1 percent are female, and 1.6 percent are juvenile. The official capacity of the prison system is 8,561 and the occupancy rate 175.3 percent.

*George Thomas Kurian*

# East Timor

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**Official country name:** Democratic Republic of Timor-Leste

**Capital:** Dili

**Geographic description:** A country located on the eastern half of the island of Timor in Southeast Asia, northwest of Australia, in the Lesser Sunda Islands at the eastern end of the Indonesian Archipelago; it also includes the Oecussi (Ambeno) region in the northwest portion of the island, and the islands of Pulau Altauro and Pulau Jaco

**Population:** 1,040,880 (est. 2005)



## LAW ENFORCEMENT

**History.** East Timor became the twenty-first century's newest democratic country after a long and hard struggle. Although economically poor, the Timorese people voted for independence from Indonesia and subsequently witnessed the birth of a new country.

Following the announcement of the vote results, the country's previous institutions and infrastructure, including the police, prosecution, judiciary, and correctional system, collapsed. Beside this massive physical destruction, East Timor was faced with a critical shortage of skilled professionals in almost all areas including judges, prosecutors, police officers, and correction officers. This enormous devastation and vacuum posed a serious threat to the development of the new nation.

**Structure and Organization.** Following the successful restoration of peace and security, a transitional adminis-

tration was established and endowed with overall responsibility for the administration of East Timor, including providing security and maintaining law and order. The creation of a new police service that was credible, professional, and impartial was a major part of this role. In this regard, East Timor's Police Service (ETPS) was officially established on August 10, 2001.

The name of the ETPS was respectively changed to Timor-Leste Police Service (TLPS) and Policia Nacional de Timor Leste. The established strength of the new police service was set at 3,000 officers.

The first East Timorese police commissioner was appointed on October 15, 2001. Gradually, Timorese officers have been appointed to key positions within the organization, including the director of police academy, the deputy commissioner operations, the deputy commissioner administration, the chief of operations, the national investigations, and the district commanders.

ETPS officers have executive policing powers throughout the country. The UNPOL police commissioner had overall responsibility over international and national police officers until May 20, 2005, when the final withdrawal of UNPOL was scheduled.

ETPS is one of only a few examples of establishing a police service from scratch in a postconflict society. Because of this fact, the police service is still in need of further national and international assistance to stand on its feet.

**Education and Training.** A training program was designed based on international democratic policing standards. The basic training program lasts for twelve weeks. However, a four-week intensive course is available for former police officers.

A comprehensive selection system for the recruits was established and began registering potential recruits in early 2000. This system provides a selection process that is free of any kind of discrimination and political influence.

Applicants for the ETPS must be of good character and be a resident of East Timor, must not be less than eighteen years of age by the time of application, and must have a high school education. The selection process includes a selection interview, a physical, and medical tests. Applicants must not have any criminal convictions in any court of law of a competent jurisdiction. Besides this selection criteria, the list of candidates are published on a prominent public notice board of the respective districts before final clearance. This system is aimed to invite any objection from the villagers on the grounds of previous criminal records, militia activities, or involvement with criminal characters.

All persons who successfully complete the selection procedure are accepted for basic training at East Timor Police Academy as cadets.

The first basic training course commenced at East Timor Police Academy on March 27, 2000, with fifty

cadets from different districts. On July 12, 2000, the first forty-eight officers—thirty-six men and twelve women—graduated. Thereafter, the officers were deployed to their respective districts as recruit agents to continue their training and development under the supervision of UNPOL field training officers.

After completing the three-month Field Training Program, the recruit agents are qualified for entry into the East Timor Police Service. Recruit agents in the ETPS are subject to a six-month probationary period once they have completed all the training requirements. After the probationary period, the recruit agents are promoted to the rank of agent.

Officers seeking promotion are subject to the ETPS promotion procedures, which are based on merit and skill levels. After completing the middle- and senior-level supervisory courses, officers are then considered for promotion to the relevant rank.

## CORRECTIONAL SYSTEM

There are three prisons in East Timor: Gleno, Becora, and Baucau. The prison facilities are deteriorating. Prison guards are reported to be ill disciplined and prisoners complain of mistreatment. Only Becora Prison has separate facilities for juveniles. Female inmates have separate quarters. There are two full-time social workers to look after women, the elderly, and the mentally ill.

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*Ali Semerci*

# Ecuador

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**Official country name:** Republic of Ecuador

**Capital:** Quito

**Geographic description:** A country in western South America bordering the Pacific Ocean at the equator

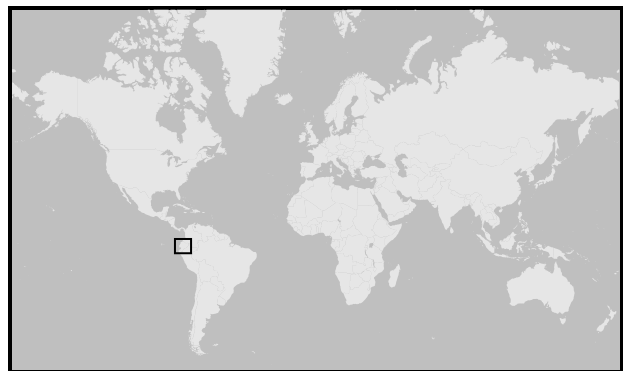
**Population:** 13,363,593 (est. 2005)



## LAW ENFORCEMENT

**History.** Under Article 120 of the 1945 constitution the primary responsibility for the preservation of public order rests with the National Civil Police. The first police force was established by the 1830 constitution, which required municipal councils to create their own police departments with appropriate regulations. For the first thirty years as an independent nation, the police systems were under the control of either the municipalities or the army. The police evolved slowly under a provincial aegis until 1937, when the first national police organization was formed. Control of the police reverted to the central government. In 1951 the name was changed from National Civil Guard to National Civil Police.

**Structure and Organization.** The National Civil Police makes up about 60 percent of the total personnel strength of all law enforcement agencies. The National Civil Police is headed by a commander, who reports directly to the minister of government. The administration consists of four operational divisions and the National Training Institute. The four divisions are: the Urban Service, the Rural Service, the Traffic Service, and the Criminal Investigative Division. The commander is



assisted by a staff that includes four sections: personnel, intelligence, operations, and logistics.

The country is divided into four police districts with headquarters in Quito, Riobamba, Cuenca, and Guayaquil. The first district includes the provinces of Carchi, Imbabura, Pichincha, Cotopaxi, Napo, and Pastaza; the second includes the provinces of Los Ríos, Bolívar, Tungurahua, and Chimborazo; the third includes the provinces of Cañar, Azuay, Loja, Morona-Santiago, and Zamora-Chinchipec; and the fourth or coastal district includes the provinces of Esmeraldas, Manabí, Guayas, and El Oro. The Galápagos Islands are included in the fourth district. The police in Guayaquil and Quito are organized in regiments of about 700 people each, while the 22 provinces have police corps that vary in size according to the size of their population. The Nineteenth Corps is on Isabela Island in the Galápagos Islands.

The urban police is a separate force in larger towns and cities. In 1972 a Tourist Police was established in



*Police stand outside the gates of the Brazilian ambassador's residence in Quito, Ecuador, April 21, 2005. Security around the embassy was increased after Brazil granted asylum to former Ecuador president Lucio Gutierrez, who was inside after being removed from office by Congress. Street protests over claims of abuse of power and misrule forced Gutierrez's ouster. AP IMAGES.*

Quito and Guayaquil. The Tourist Police consists of people who are fluent in English and well versed in the country's art, folklore, and history. In 1971 the police radio network in Quito and Guayaquil was improved, and a voice-operated network was extended throughout the country with forty base stations and some mobile units operating on a twenty-four-seven basis.

The Rural Police serve in scattered units throughout the country outside towns and cities. The local police chief also serves as the judge in minor cases. The Petroleum Police watches over and protects oil installations in the eastern zone.

The Traffic Division of the National Civil Police functions on all streets and highways except in Guayas province, which has its own autonomous Traffic Police. The division issues licenses, controls traffic signals, and investigates traffic accidents. Motor traffic is confined mainly to Quito and Guayaquil and to the Pan American Highway, which passes through the length of the country.

The Criminal Investigative Division was a separate unit until 1964, when it was placed directly under the

National Civil Police. It is a plainclothes force that investigates all crimes. Interpol has an Ecuadorian section with headquarters in Quito.

The Customs Police is under the Ministry of Finance. Its officers and men are suspected of being heavily corrupt and of colluding with smugglers. Other police agencies include the Ministerial Military Police in charge of public buildings, the Drug Squad, and the Juveniles Brigade.

**Police at Work.** Police corruption is a major problem. Both the military and the police have been implicated in narcotics trafficking. Off-duty police officers have been implicated in armed robberies and auto thefts. Allegations of bribery, police abuse, torture of detainees, deaths in custody, and extrajudicial killings are widespread. Few police officers are convicted, even when they have been indicted for these crimes.

**Education and Training.** Most of the National Civil Police commissioned officers are graduates of the National Training Institute. The Police Academy is in



## *Ecuador*

Quito, and the course for cadets is three years. Officers are trained at the Officers' Training School. Lower ranks are trained at the Other Ranks' Training School. Recruitment is limited to Ecuadorian citizens between twenty-one and thirty years of age with at least a primary education.

### **Police Statistics.**

- Total Police Personnel: 50,707
- Population per Police Officer: 263

### **HUMAN RIGHTS**

The government's human rights record is poor. There are credible reports that the police commit extrajudicial killings, especially in response to demonstrations. Persons are subject to arbitrary arrest and prolonged detention. There is violence and pervasive discrimination against Afro-Ecuadorians and indigenous people. Police who torture and mistreat detainees are not prosecuted, disciplined, or punished.

### **CRIME**

**Crime Statistics.** Offenses reported to the police per 100,000 population: 587. Of which:

- Murder: 25.9
- Assault: 35.6
- Burglary: 164.5
- Automobile Theft: 52.9

### **CORRECTIONAL SYSTEM**

The penal code was adopted in 1938. Capital punishment is outlawed. The maximum sentence is fifteen years of hard labor.

The corrections system is operated by the National Directorate of Prisons under the Ministry of Government. The two largest prisons are the Garcio Moreno Prison in Quito and Penitenciario del Littoral in Guayaquil. There is also a municipal jail in Quito and jails in all the provincial capitals except those in the

eastern part of the country. There is one agricultural penal colony, the Colonia, Penal de Mera, on the bank of the Pastaza River.

One of the most modern penal establishments is that in the northern city of Tulcán near the Colombian border. It is divided into three sections—male, female, and minor offenders—and has a modern classroom.

### **PRISON CONDITIONS**

Prisons in the tropical highland areas tend to be worse than those in the highlands. Overcrowding is a serious problem. The Thomas Larrea Prison in Portoviejo was built to hold 150 prisoners but as of 2005 it had a population of more than 300. Traumatic injuries caused by fights between inmates account for more than 65 percent of all deaths in prisons. There is also increasing drug use among prisoners. Pretrial detainees are not held separately from convicted prisoners. There are no separate facilities for dangerous criminals and there are no effective rehabilitation programs. New prisons have not been constructed because of lack of financial resources. However, the amount allocated for prison rations in 2003 was increased to \$0.70 per day. According to a legislative provision, those who are held without trial for a certain period may obtain their freedom immediately. Women and juveniles are held separately from men and conditions are better in women's sections than in others.

### **Prison Statistics.**

- Total Prison Population: 13,045
- Prison Population Rate per 100,000: 100
- Pretrial Detainees: 62.4%
- Female Prisoners: 8.8%
- Number of Prisons: 34
- Official Capacity of the Prison System: 6,800
- Occupancy Level: 191.8%

*George Thomas Kurian*

# Egypt

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**Official country name:** Arab Republic of Egypt

**Capital:** Cairo

**Geographic description:** Occupies the lower end of the Nile Delta in the northeastern corner of the African continent and the Sinai Peninsula, the land bridge between Asia and Africa

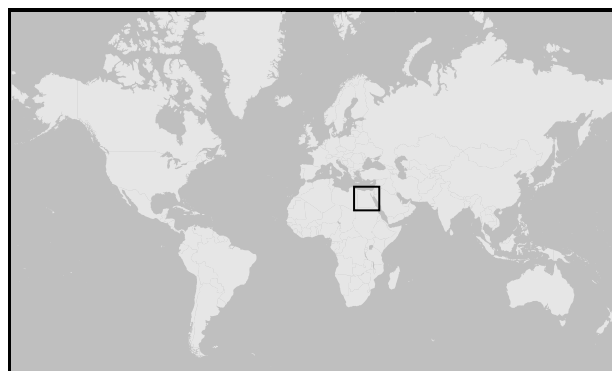
**Population:** 77,505,756 (est. 2005)



## LAW ENFORCEMENT

**History.** Under the rule of the Ottoman Empire, Egypt had a corrupt and oppressive police system that treated the population with the disdain of an occupying power. Contacts between the fellahin in rural areas and the police were few, but confrontational when they occurred. The police were concerned only with securing the rights of the state and the powerful. Each law enforcement official, down to the *umdah*, or the village headman, pressed hard on those below him to placate those above him. The police and internal security matters were divided among various ministries, each rife with corruption and competing with other agencies for power and authority. Because of overlapping responsibilities, there was endless chaos and morale was poor. At the same time, the police did nothing to curb the high rate of individual and group violence caused by the propensity of the fellah to take the law into his own hands and retaliate against all forms of perceived injustice by government officials, neighbors, or relatives.

The army officer's coup that overthrew the monarchy initiated a series of police reforms. All police func-



tions were integrated in the Ministry of the Interior. Standards of recruitment and performance were raised, a training program was initiated, and a serious effort was made to educate the public about the rule of law.

During the first ten years of the Nasser regime, police organization and morale were strengthened and the incidence of serious crimes were reduced. Although the regime was authoritarian some limits were placed on the arbitrary nature of police behavior and conduct. The trend continued under Anwar Sadat, who succeeded Gamal Abdel Nasser. The police training program was modernized, better police equipment was introduced, and a police anticorruption campaign was launched. The notorious Turah prison was demolished. Some of these reforms were expanded by Muhammad Hosni Said Mubarak, Sadat's successor. As a result, Egypt has a more modern police system than any other Arab state.

**Structure and Organization.** The Police and Security Service is a national organization with its headquarters

in Cairo under the Ministry of the Interior. There are parallel subordinate elements in each governorate, town, and village. Besides criminal investigation and maintenance of law and order, the police have a broad range of responsibilities that include prison administration, immigration control, and suppression of smuggling, security intelligence, traffic, and emergency relief. The police are also used to supervise elections and facilitate the Haj, the annual pilgrimage to Mecca. In times of war or martial law, the police are subject to military direction. Military training, a major part of basic police training, reflects their historical tradition as a paramilitary force.

The National Police is organized along military lines with the line of command running from the minister of the interior down through sequentially lower echelons. The organization betrays Turkish, French, and British influences and the centralized flavor it acquired under the monarchy. The total strength of the force is 117,560, of which some 10 percent are officers. In addition, there are 70,000 security militia and village watchmen who as police auxiliaries perform night guard duties in rural areas.

A presidential decree in 1971 reorganized police and security affairs under eight departments of the Ministry of the Interior: State Security Investigations, Emigration and Nationality, Inspection, Criminal Investigation, Transport and Communications, Administrative Affairs, Police Support, and Officers' Affairs and Personnel Affairs. In August 1971 the minister of the interior took over three general departments and assigned the rest to four deputy ministers. Those grouped directly under the minister were State Security Investigations and Organization and Public Relations. Under the deputy minister for public security were Public Safety, Travel, Immigration and Passports, Port Security, Criminal Evidence Investigations, Emergency Police Rescue, Ministerial Guards, and Central Police Reserves. Under the deputy minister for special police were Prison Administration, Militia and Civil Defense, Police Transport and Communication, Traffic, and Tourism. Under the deputy minister for personnel affairs and training were the Police College, the Institute for Advanced Police Studies, the Enlisted Training Administration, Personnel, and the Policemen's Sports Association. Under the deputy minister for administrative and financial affairs were General Administration, Police Supplies and Procurement, Budgets, Accounting, Construction, and Legal Affairs.

The new Police Authority Law passed by the People's Assembly in 1972 identified the president of the republic as the chief of police and the minister of the interior as the superior of police. The minister is assisted by the Supreme Police Council in the formulation of policy. This law created the new positions of first

undersecretary and undersecretary to be filled by senior police officials.

In each governorate a director of police commands all police in that jurisdiction. Both the governor and the director of police answer to the minister of the interior on all police matters. In the district subdivisions of the governorate, district police commandants have similar positions and functions at that level. While municipal and district police have modern facilities in larger cities, this is not the case in villages with a population of 5,000 or fewer, where the force is poorly manned and often horse-mounted. Only about one-eighth of the villages have even a police station. A village or rural district station typically includes an officer in charge with the grade of captain or major, ten to twenty policemen of lower grades, and various numbers of village guards. The typical station has two floors, quarters upstairs for the commander and policemen on duty, and two or three duty rooms, two cells, and a stable for six or eight horses on the lower level.

For operational purposes, Egypt is divided into three districts. District One includes the headquarters in Cairo and the Cairo and Alexandria governorates. District Two includes the governorates of lower Egypt, the Suez Canal area, Giza, Beni Suef, and El Faiyûm. District Three encompasses all the remaining governorates.

Also under the Ministry of the Interior are the State Security Investigations Sector, which conducts investigations and interrogates detainees, and the Central Security Force, which enforces curfews and bans on public demonstrations.

*Grades, Promotions, and Discipline.* The police assignment and transfer system, under which up to one-fourth of those of officer rank are shifted annually, was revised in 1972. In District One, the tour of duty is set at five to ten years, in District Two at four to five years, and in District Three at three years. In District Three, which is the least desirable assignment, there are extra inducements, such as extra leave. After training, initial assignments for new policemen, with some exceptions, are made in their home areas, but the transfer of policemen under probation is prohibited. Initial appointments of the Police College graduates are made in accordance with a set priority of governorates, starting with Cairo. Similarly, the large cities have priority for the appointment of new municipal policemen of the constable first grade.

The law of 1972 reidentified all police ranks. In the officer grades, these are the same as in the army, starting with the major general and descending to the first lieutenant. Below the first lieutenant is the grade of lieutenant-chief police warrant officer, followed by three descending grades of police warrant officers. The munic-



*Police stand guard outside the remains of Ghazala Gardens Hotel in Sharm al-Sheikh, Egypt, July 24, 2005. A series of car bombs exploded outside the luxury hotel and a nearby coffee shop in the Egyptian Red Sea resort town. At least 88 people were killed, making the attacks the worst in the nation's history. AP IMAGES.*

ipal police patrolmen or constables have the grades of first or second assistant policemen. Enlisted police-soldiers have the usual four military grades of master-sergeant, sergeant, corporal, and private. The irregular part-time and other security watchmen have the grades of chief of guards, deputy chief guards, and guards. Regular police insignia are the same as those of the army.

Personal history files dating from birth are kept on all officers, and reports are added annually in January before the preparation of promotion and transfer orders, which are customarily issued in July and August. Annual reports are seen by the officer concerned and approved by the Supreme Police Council before they go into the files.

Promotion through the rank of brigadier general is according to seniority and vacancy except in the case of major general, which is by selection. The mandatory retirement age is sixty, but major generals can receive up to three years of extension. Police pensions are set at 80 percent of pay at the time of retirement and 85 percent for disability in the line of duty.

Disciplinary action in the police service may be judicial or administrative. In the former case, it is regulated by the Ministry Justice Law of 1966 and is administered by the Ministry of the Interior in cooperation with military authorities. In the history of modern Egyptian police, there was only one occasion when there was a police mutiny. It happened in 1986 when 10,000 members of the Central Security Command went on a rampage and destroyed public and private property and stormed a prison south of Cairo and freed most of the convicts there. The death toll in the uprising was officially estimated at 107. Following the mutiny, which was put down by the army, President Mubarak fired the minister of the interior.

**Education and Training.** With some exceptions, officers must be graduates of the Police College at Cairo, and all men entering the service must complete a three-month course conducted at the college. Particular attention is given to the training of officers in modern methods and

techniques and selected cadres are sent to foreign police schools. The Police College is in the Al Abbasiyah suburb of Cairo on a 40-acre tract equipped with a laboratory and facilities for police dogs and horses. The college's Institute of Advanced Police Studies offers training for officers above the rank of lieutenant.

Officer candidates must be born of Egyptian parents and are required to have a grade average of 55 percent in secondary school, except for the sons or brothers of men who were killed in active military or police duty and sons of police or military officers. The curriculum includes security administration, French and English language studies, military drill, civil defense, fire fighting, criminal investigation, forensic medicine, sociology, radio communication, first aid, anatomy, and cryptology. Also emphasized are public relations and military subjects, such as infantry and cavalry training, marksmanship, group leadership, and field training. Graduates of the two-year program receive a degree of bachelor of police studies and are commissioned police lieutenants. The annual number of new officers has been estimated at over 1,000. Advanced officer training is given at the college's Institute for Advanced Police Studies, and graduation from this school is required for advancement beyond the rank of lieutenant colonel.

The three-month basic course at the Police College for enlisted ranks maintains a military environment, but stresses police activities and techniques. On completion of this course, the students are sent to their assigned units, where they receive additional on-the-job training. Some noncommissioned officers are sent to police schools abroad.

In 1975 the school instituted a doctoral program in criminology and a two-year program to commission as first lieutenants selected applicants already holding degrees in medicine, engineering, and law. Not all training is conducted at the Police College. Other schools exist, such as a criminal evidence investigation institute and a police communications institute.

**Uniforms and Weapons.** The basic uniform consists of a khaki close-neck tunic worn over matching trousers with a khaki peaked cap. There are variations of this standard uniform depending on the type of duty and the region.

#### **Police Statistics.**

- Total Number of Police: 21,497
- Population per Police Officer: 3,605
- Percentage Female: 19%

#### **HUMAN RIGHTS**

The human rights record of the Egyptian police remains troubling. Security forces mistreat and torture prisoners,

arbitrarily arrest and detain persons, and hold detainees in prolonged pretrial detention. Local police routinely kill and torture persons who are not even suspects and often engage in mass arrests and security sweeps. There are many reports of disappearances of persons while in police custody. Thousands of persons are detained administratively under the Emergency Law on suspicion of terrorist or political activity. The total number of persons thus held exceeds 15,000.

#### **CRIME**

**Crime Statistics.** Offenses reported to the police per 100,000 population: 3,693. Of which:

- Murder: 1.6
- Assault: 0.7
- Automobile Theft: 3.1

#### **CORRECTIONAL SYSTEM**

Prison administration is under the jurisdiction of the Ministry of the Interior. Prison officials usually are graduates of police or military schools. The Higher Council of Prisons monitors prison administration. Reforms instituted after the 1952 coup include the installation of separate facilities for women and juveniles, provision of medical services, and increased emphasis on rehabilitation. First offenders are not stigmatized with a criminal record for minor breaches and provision was made for assisting a prisoner's family in need.

Penal institutions are divided into penitentiaries, general prisons, district jails, and reformatories for juvenile offenders. Criminals with the heaviest sentences are sent to penitentiaries, where they are subjected to hard labor under strict supervision. Solitary confinement is imposed as a disciplinary measure for bad behavior. General prisons are located in the governorates to house offenders sentenced to terms of three months or less. The village police station lockups are for temporary incarceration only and are not regarded as penal institutions.

**Prison Conditions.** Almost all prisons are overcrowded, unsanitary, and poorly maintained. Most of the prisons were built in the early part of the twentieth century and are dilapidated. Overcrowding also occurs in the four juvenile institutions. Medical facilities in prison are substandard and tuberculosis is widespread. Some prisons are closed to the public. Lack of proper hygiene, food, clean water, proper ventilation, and recreation activities combine to make prison life extremely harsh.

Prisons are regularly inspected. Officials found guilty of brutality or negligence are subject to summary dismissal, although this rarely happens. Except in the penitentiaries, prisoners are offered educational and

rehabilitative programs and each prison has a literacy center in which illiterates receive basic schooling. There are restrictions on visits to prisoners incarcerated for political reasons.

The government does not permit the International Red Cross and other human rights monitors to visit the prisons. Lawyers are not permitted to meet their clients in prison.

**Prison Statistics.** There are forty-three prisons in the country, of which thirty are general prisons, not counting the district jails. The total prison population is estimated at 61,845. The incarceration rate per 100,000 population is 87. Pretrial detainees make up 16.7 percent of the prison population and females 4.3 percent.

*George Thomas Kurian*

# El Salvador

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**Official country name:** Republic of El Salvador

**Capital:** San Salvador

**Geographic description:** A country in Central America bordering the North Pacific Ocean

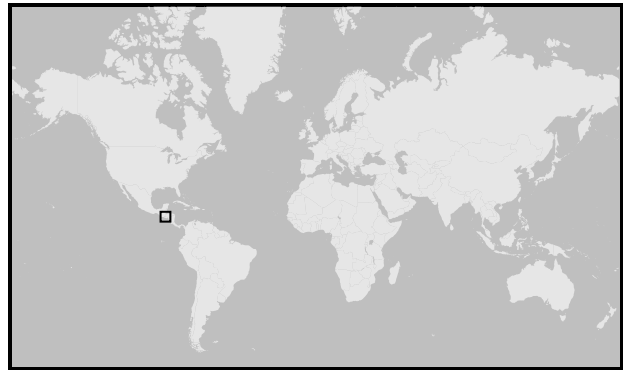
**Population:** 6,704,932 (est. 2005)



## LAW ENFORCEMENT

**History.** Formed in 1912, the Civil Guard was set up by Spanish officers, who patterned the new organization after the Spanish Guardia Civil. The National Police, organized in its present form in 1945, is the outgrowth of a number of predecessor bodies since colonial times. Before independence, the Corps of Watchmen patrolled the towns and main highways at night. The first unified police force was established in 1843 with the formation of the Corps of Police, which was charged with maintaining law and order in the urban districts. This body eventually became the National Police. In 1868 the Civil Guard was founded to augment the Corps of Watchmen. Although at first their sphere of operations included both urban and rural areas, in time they became an exclusively rural force until 1912, when they were supplanted by the National Guard. In 1992 all these agencies were combined into the National Civil Police under a director general.

**Structure and Organization.** The National Civil Police consists of the National Guard, the National Police, and the Treasury Police. All three are paramilitary organizations commanded by army officers subordinate to the Ministry of Defense. Each force, although centralized

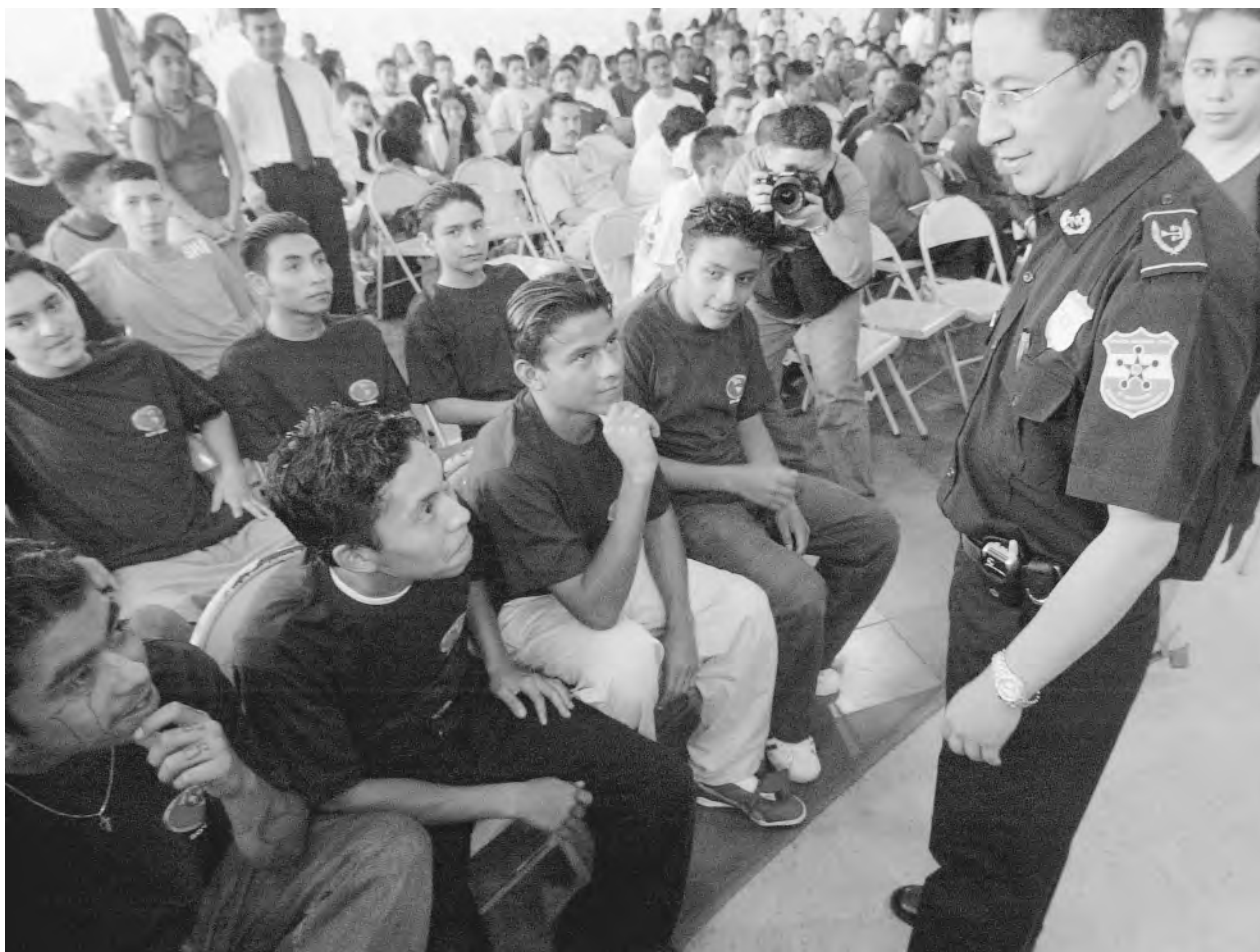


and directed by its own commander, works in close coordination with the armed forces.

The National Guard is a constabulary-type force engaged primarily in rural police duties. It is distributed throughout the country in five infantry commands comprising fourteen separate companies. Each command has its headquarters in the principal city within its jurisdiction, usually a departmental capital, and assigns its companies as needed to the surrounding rural areas. The men wear army-type uniforms and are armed with standard infantry weapons.

The National Police is primarily an urban force. It is a centralized force under a director general with headquarters in San Salvador. It constitutes the Department of Public Security within the Ministry of National Defense. Although directly controlled from the capital, local detachments enjoy considerable autonomy.

Police headquarters comprise three major branches: the general, investigative, and traffic. The fire department



*The director of the El Salvador police department, Ricardo Meneses, meets with gang members attending a gang prevention program in San Bartolo. In 2005 several Central American authorities and U.S. federal agents announced new efforts to share information and coordinate initiatives to address gang issues. As part of these efforts the FBI, California police, and Central American authorities mentioned they would open a liaison office in San Salvador. AP IMAGES.*

is also under its jurisdiction. The general branch includes all policemen on the beat. Investigative policemen are plainclothes detectives and forensic laboratory technicians concerned with criminal investigation and detection. The traffic police work almost exclusively in the larger towns and cities. Except for traffic policemen who carry only a billy club, most policemen are armed with a billy club and a pistol. In addition, the Night and Bank Watch Corps engage in night patrols and bank surveillance. Regionally, the National Police is divided into four regions: western, central eastern, metropolitan, and para-central. Regions are subdivided into twenty-one operational divisions broadly coterminous with the fourteen local government districts. Special National Civil Police units include: Air Corps, antinarcotics, arms and explosives, crime statistics, discipline investigation, firearms support, human rights, intelligence, juvenile and family, logistics, maritime, mounted, personnel, public order,

public relations, support, tourist police, environmental, hostage rescue, border and immigration control, and protective services for dignitaries.

The Treasury Police is a small corps organized in 1926 for customs duties and control of contraband activities. It operates primarily at airports, seaports, and border areas, with headquarters in the capital. Its agents wear army uniforms and are unarmed, but they usually work with armed members of the National Guard.

Officer grades of the National Police and Treasury Police start at subinspector and ascend through inspector, second commandant, first commandant and director general. Noncommissioned officer ranks are the same as in the army and a patrolman is called an agent.

**Uniforms and Weapons.** Officers wear olive-green long- or short-sleeved shirts with matching caps. Those in other ranks wear beige shirts and coffee-colored trousers



with a Sam Browne belt with a pouch and holster in black and a helmet. The traffic police wear the same uniform but with black knee boots. Insignia of rank consist of silver or gold bars—and one and two silver bars for subinspector and inspector, respectively, and one or two gold bars for second commandant and first commandant, respectively. The director general wears the insignia of army rank.

#### **Police Statistics.**

- Total Police Personnel: 6,354
- Population per Police Officer: 1,055

#### **HUMAN RIGHTS**

The government generally respects human rights, but there remain serious problem areas. Some police officers kidnap persons for profit, use excessive force, and mistreat detainees. There are special police courts that hold disciplinary proceedings against National Civil Police charged with human rights abuses. In 2000 a presidential commission was established to investigate alleged police misconduct. The commission's recommendations led to new legislation strengthening the powers of the Police Inspector General to summarily remove police officers charged with crimes or misconduct. More than 551 policemen were dismissed in 2001.

#### **CRIME**

**Crime Statistics.** Offenses reported to the police per 100,000 population: 879. Of which:

- Murder: 36.9
- Assault: 71.1
- Automobile Theft: 82

#### **CORRECTIONAL SYSTEM**

The constitution prescribes that the penal system shall be designed for the rehabilitation of prisoners rather than solely for punishment. Article 168 states, "The State shall organize penitentiaries with the aim of reforming offenders, educating them and teaching them industrious habits, looking toward their rehabilitation and the prevention of crime."

Overall direction and administration of the prison system is vested in the director general of penal and rehabilitation centers under the minister of justice. The

prison system consists of three national penitentiaries and thirty jails or preventive detention facilities distributed throughout the country. The penitentiaries are operated by the federal government, while subordinate facilities are administered by local authorities. Three penitentiaries—in Ahuachapán, Santa Ana, and San Vicente—house approximately one-half of the prison population.

Each of the country's departments has at least one jail or detention facility, and there is one in every departmental capital. The Department of San Salvador, however, has no facility for men, although there is a prison for women in Lake Ilopango. There is one institution for women, at Santa Ana. Prison facilities range from simple frame enclosures with little security and few amenities to well-constructed, professionally planned buildings with sound protection and adequate accommodations. Other than the penitentiaries, the prison system is loosely organized and receives little guidance or control.

**Prison Conditions.** From 1997 to 1999 the prison population fell about 23 percent as the result of the implementation of new penal and sentencing codes that limit preventive detention to serious crimes. Even with this decrease, however, the prisons exceed the official capacity by more than 4,800 prisoners. Because of lack of holding cells, pretrial detainees are often sent to regular prisons, where they are placed with violent criminals. Gang violence plagues the prison system, especially in the country's three largest and oldest penitentiaries. The media report incidents of prisoners torturing fellow prisoners in La Esperanza Prison. Annually, about twenty-five prisoners die as a result of prison violence.

#### **Prison Statistics.**

- Total Prison Population: 12,117
- Prison Population Rate per 100,000: 184
- Pretrial Detainees: 42.3%
- Female Prisoners: 5.5%
- Number of Prisoners: 21
- Official Capacity of the Prison System: 7,312
- Occupancy Level: 165.7%

*George Thomas Kurian*

# Equatorial Guinea

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**Official country name:** Republic of Equatorial Guinea

**Capital:** Malabo

**Geographic description:** A small country on the west coast of central Africa bordering the Bight of Biafra, where the African shoreline bends west; includes the island of Bioko, where the capital is located

**Population:** 535,881 (est. 2005)



## LAW ENFORCEMENT

**Structure and Organization.** The national police force is the Guardia Civil based on the colonial Spanish force of the same name. It functions under the Ministry of State Security. Security forces commit numerous human rights abuses.

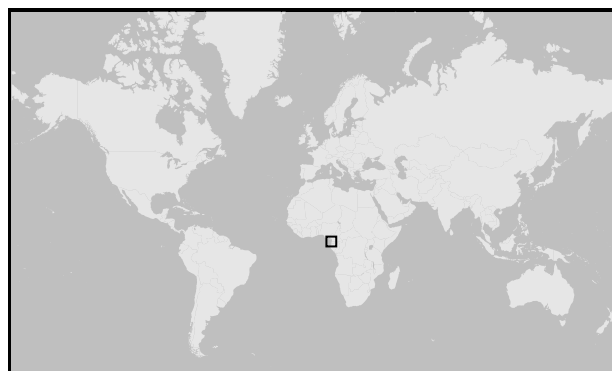
### Police Statistics.

- Total Police Personnel: 2,600
- Population per Police Officer: 206

## CORRECTIONAL SYSTEM

The main prison is the Black Beach Prison at Malabo. There is also a prison at Evinayong on the mainland.

Since Equatorial Guinea does not publish information on its prisons, little information is available on their



condition. It is believed that there are over forty prisons and Gendarmerie detention centers. Of these, the largest is the Black Beach Prison. Torture is routinely used in prisons to extract confessions and there are a number of deaths each year in prisons as a result of mistreatment. Prisoners do not receive medical care, and prisons do not have working toilets, drinkable water, or beds. Prison officials sexually assault female inmates and use them as unpaid labor or domestic help. Some prisoners do not receive any food for days. Male and female prisoners are not held in separate facilities nor are adult and juvenile prisoners.

*George Thomas Kurian*

# Eritrea

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**Official country name:** State of Eritrea

**Capital:** Asmara

**Geographic description:** A country in eastern Africa bordering on the Red Sea

**Population:** 4,561,599 (est. 2005)



## LAW ENFORCEMENT

**History.** Located on the Horn of Africa, Eritrea is a surprisingly stable state considering the region in which it exists. Once an Italian colony, Eritrea was incorporated into Ethiopia after the fall of fascist Italy at the end of World War II. The Eritreans revolted against Ethiopian rule in 1961. Thirty years later, the Eritreans defeated the Ethiopians and declared independence. In 1996 Eritrea drafted its first constitution. However, a second war erupted with Ethiopia in 1998, and the constitution was never implemented. The United States helped to broker a cease-fire in 2000 and the United Nations ruled on the current border demarcation. As of 2005, United Nations' peacekeeping troops were patrolling the temporary security zone between Eritrea and Ethiopia.

**Structure and Organization.** The police structure in Eritrea closely resembles that of the new nation-state. The current police structure was taken directly from the remnants of the large wartime security force and has been restructured nearly every two years since Eritrea first gained independence from Ethiopia in 1991.

Police institutions in Eritrea were taken directly from the policing structures of the Eritrean People's



Liberation Front (EPLF), the guerrilla insurgent group responsible for the defeat of Ethiopia. By most reports, the EPLF had extremely well-organized and effective institutional structures.

Beginning with independence in 1991, the EPLF performed policing duties throughout the country. However, by the mid-1990s demobilization had begun in earnest, providing enough trained individuals to allow for an independent police force.

Eight provinces exist in Eritrea, each with some level of autonomy and responsibility for policing. However, the National Assembly outlines the internal and external policies of the government and regulates their implementation and approves the budget.

**Salaries.** Until 1994 the police in Eritrea were an unpaid force. In 1994 the police were paid around \$10. Intentions were to pay the police an annual salary of approximately \$240 by 1996. In 2002 the gross domestic product per capita was \$700.

**Police Statistics.** Official reports of the number of police officers in Eritrea are rather difficult to interpret given that in 1995 the number of officers was 162, yet one year earlier the official number was 314.

**Education and Training.** All officers in the Eritrean police force receive a two- to three-month basic training course. Police training is separate from corrections and fire fighting, focusing on driving, public order, photography, investigation, and management.

**Uniforms and Weapons.** Eritrean police wear no noticeable uniforms. However, it has been reported that some ranking officers wore blue shirts and epaulettes by 1996.

There is no official information regarding weaponry or equipment that the Eritrean police are known to carry. However, because the police come from the ranks of the Eritrean security forces, it is assumed that some weaponry is carried.

**Transportation, Technology, and Communications.** Only sketchy information is available about equipment available to Eritrean police. Most indicates that some military-type equipment is used, but that it is not modern equipment, and the police, in their subservient role to the security forces in Eritrea, are given the remnants of available equipment.

#### HUMAN RIGHTS

In September 2001 the Eritrean police force arrested eleven leaders of the ruling political party after they had sent a letter to President Isaias Afewerki requesting implementation of the democratic reforms provided for in the 1997 constitution.

Following these arrests, the police routinely arrested publishers, editors, and reporters and closed down all nongovernmental newspapers and magazines. Formal charges have never been filed against those detained. It is a violation of Eritrean law to detain an individual for more than thirty days without notice of charges.

Religious minorities are also routinely arrested for practicing their faith. Members of Pentecostal Christian churches and Jehovah's Witnesses are frequently arrested for practicing their faith. There have been so many arrests that some prisoners are being incarcerated in empty cargo containers. The Red Cross has been denied access to these prisoners.

#### CRIME

Most crime in Eritrea involves traffic violations and some petty theft. Much of the crime appears to be related to boredom, such as drinking and fighting.

#### CORRECTIONAL SYSTEM

The prison system is headed by a commissioner of prisons. There is a large prison at Asmara, while the other regional and local prisons are ramshackle structures.

**Prison Conditions.** Prison conditions are spartan, more because of budgetary problems than anything else. Women and men are held in separate facilities, but there are no juvenile detention facilities and pretrial detainees are housed with convicted prisoners. Prisoners are allowed three visits per week by family members.

*Jennifer Albright*

# Estonia

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**Official country name:** Republic of Estonia

**Capital:** Tallinn

**Geographic description:** Borders the Baltic Sea and the Gulf of Finland; it covers a total land area of 17,461 square miles, which includes 1,520 islands in the Baltic Sea

**Population:** 1,332,893 (est. 2005)



## LAW ENFORCEMENT

**History.** In the First Estonian Temporary Government established on February 24, 1918, the prime minister fulfilled the tasks of the minister of internal affairs. German occupation hampered the actual establishment of the state apparatus, and the first minister of internal affairs was in a prison camp until Germany surrendered on November 11, 1918.

The Second Temporary Government, in which the prime minister and the minister of internal affairs positions were filled by the same person, was formed on November 12 after the collapse of German rule. The first written acts of the Ministry of Internal Affairs were dated from November 13, 1918, and contained orders from the Bolsheviks for mayors and the chairmen of county councils to establish local governments and militia units.

The Third Temporary Government was formed on November 27, 1918, and by December 2 the initial structure of the Ministry of Internal Affairs was completed. The ministry consisted of the Minister's Office and the Administrative, Local Government, Technical, Health, Police, Religion and Statistics Departments,



which later were called Major Directorates. In addition, the ministry involved temporary government commissars, the Horses Mobilization Commission, Requisition and War Damage Assessment Commission, Commission on Fighting against Speculation and Usury, Insurance Committee, Immobile Commission, and Commission on Combating Illegal Alcohol. The need for these commissions came from the wartime situation; they were later dismantled.

The touchstone of the ministry's work was the Communist uprising on December 1, 1924, which was successfully suppressed by the national defense apparatus. Order was soon restored, and the Defense League was created under the guidance of the minister of internal affairs. In connection with the state of emergency the minister of internal affairs assumed the responsibilities of the governor general on January 7, 1925.

In the face of the difficult economic situation of the late 1920s and early 1930s, the Ministry of Internal

Affairs merged with the Court Ministry on July 1, 1929, and a joint Minister's Office was set up. On April 1, 1934, the ministries were separated again. On the one hand, the economic crisis was coming to an end and, on the other hand, the Ministry of Internal Affairs became much more important in an environment in which state intervention in all areas of life significantly increased.

During this time the Ministry of Internal Affairs consisted of the Administrative Department, the Police Directorate, and the Border Directorate. On November 23, 1934, the Administrative Department was divided in two: the General Department and the Local Government Department; because of this, the state's role in controlling local government significantly increased.

*The Police Service.* External police subordinate to local government was established during the war for independence, but from December 2, 1918, the Police Directorate of the Ministry of Internal Affairs coordinated the work of the police. On December 17, 1919, the communal police was abolished and the national police, subordinate to the Police Directorate, was set up. The independent criminal police, subordinate to the Ministry of Courts, was established on January 5, 1920.

The training of professional staff was extremely important at this time as few officers came over from the Russian police. A two-grade Police School was opened in 1925: the higher-grade educated constables and the lower-grade trained common policemen. The image of the profession can be characterized by the fact that there were 350 to 400 applicants for 40 places in both courses in the late 1930s. The school trained 500 constables and 530 policemen in 15 years.

The police structure was put to the test by the Communist revolt on December 1, 1924, and by the extremist right-wing independence war movement in the early 1930s. In connection with the growth of the military threat in the world in the late 1930s, the need for a national civil defense system was high on the agenda. The high commander of the military forces and the minister of internal affairs agreed that this task should be given to the police, which set up the office of a civil air defense inspector on November 10, 1934. The Inspectorate was responsible for fire safety arrangements throughout Estonia as the inspector headed the Fire Corps.

*Border Guards.* On May 30, 1922, the legislature made the Border Service subordinate to the Ministry of Internal Affairs. The government's regulation of November 20, 1922, established a Border Directorate that was later renamed a service. Administratively, the Border Guards were subordinated to the minister of

internal affairs, who gave them their assignments, but the staff consisted only of professional military men.

The Border Service was taking in noncommissioned officers and officers from the military and had to provide special training for them. Nearly 50 cordon leaders, 600 guards, and more than 70 dog guides were trained before the war. The men's ammunition and equipment significantly improved, particularly the vehicles. This enabled the number of border guards to be reduced from 2,000 men to approximately 1,000.

*Local Government Service.* The Ministry of Internal Affairs' hold was strong over Estonia during the war for independence. The first Estonian constitution established a regime where the state interfered little with the activities of cities, counties, and rural municipalities. The second and third constitutions notably changed the situation, resulting in the setting up of a special department at the ministry. In 1934–1937 local governments had only nominal freedom; the ministry appointed officials and directly controlled their work.

The Estonian police disappeared in the summer of 1940, when Estonia formally lost its independence to the Soviet Union. After the war the Estonian Communist Party (ECP) became the preeminent organization in the republic. Most of these new members were Russified Estonians who had spent most of their lives in the Soviet Union. Not surprisingly, Estonians were reluctant to join the ECP and thus take part in the Sovietization of their own country.

As part of the Sovietization process, regular policing duties fell largely to the Ministry of Internal Affairs, which was the successor to the People's Commissariat of Internal Affairs. After Joseph Stalin's death in 1953, the Soviet Union underwent a period of relative stability politically and, in the ensuing decades, attempts at limited reform of the Ministry of Internal Affairs were undertaken. Not until the 1980s and particularly with the advent of glasnost did meaningful reform become possible.

*The Reemergence of Estonian Policing.* In February 1990 Estonia's Supreme Soviet eliminated paragraph 6 of the republic's constitution, which had guaranteed the Communist Party of the Soviet Union's (CPSU) leading role in society. The final blow came at the ECP's Twentieth Congress in March 1990, when it voted to break with the CPSU. The party splintered into three branches, then consolidated into a pro-CPSU (Moscow) faction and an independent Estonian Communist Party.

The Police Act, passed on September 20, 1990, created a transition period during which the dissolution of the Soviet militia and the formation of the Estonian police was to be completed. The Estonian police was

reestablished within the jurisdiction of the Ministry of Internal Affairs in March 1991. That was almost half a year before Estonia regained its independence. The act remained in force until May 1998, when a new Police Service Act was passed, specifying personnel recruitment, working conditions, benefits, ranks, and regulations concerned with leaving the police force.

**Structure and Organization.** The Ministry of Internal Affairs of Estonia is headquartered in Tallinn and is headed up by the minister, who is responsible for a wide range of tasks. These include ensuring national security, protecting public order, guarding and protecting the state border, ensuring the border regime, arranging matters related to civil defense and fire and rescue services, protecting local government, regional development, citizenship, migration, churches, and congregations, as well as drafting appropriate legal acts.

The Ministry of Internal Affairs supervises five central agencies: the Police Board, the Security Police Board, the Board of Border Guard, the Citizenship and Migration Board, and the Rescue Board. It also administers the Inspection of Data Protection and Public Service Academy, which is an educational institution providing applied higher education in the field of policing as well as in other fields of administration of the Ministry of Internal Affairs.

The Police Board manages, directs, and coordinates the activities of all police units under its administration. It is headed by the director general, who is appointed by the government on recommendation from the minister of internal affairs.

The Estonian police structure consists of two larger independent branches: the State Police Department and the Security Police Department. The State Police is responsible for public order and internal security, crime prevention and crime detection, and carrying out pretrial criminal investigations. The Security Police is responsible for maintaining the state's constitutional and territorial integrity, protecting state secrets, conducting counterintelligence, and fighting against terrorism and corruption.

At the regional level the police force is divided up into seventeen prefectures, each of which is responsible for several police stations. The police prefects are appointed by the minister of internal affairs following proposals from the director general of the Police Board. These regional services are responsible for general police tasks such as maintaining public order, fighting crime, and assisting the public.

The police are further structurally divided into two main branches: the Central Criminal Police and the Constabulary. Until May 1998 the Traffic Police existed as a separate branch and was then integrated into the

jurisdiction of the prefectures. The Estonian police has four national units: the Central Law Enforcement Police, the Central Criminal Police, the Forensic Service Center, and the Police School.

**Central Law Enforcement Police.** The main tasks of the Central Law Enforcement Police are to analyze and coordinate the activities of the police in the area of law enforcement (e.g., crime prevention), to participate in ensuring public order and performing traffic supervision, to process misdemeanors, to protect the president, the chairman of the Parliament, the prime minister and the official guests of the state, to guard locations assigned by the government, and to train police dogs.

**Central Criminal Police.** The Central Criminal Police coordinates the activities of the Criminal Police in the whole country and manages the international cooperation of the criminal police. The Criminal Police investigates crimes committed by criminal organizations, drug crimes, economic crimes, and computer-related crimes exceeding the service areas of prefectures. It also investigates crimes related to money laundering and those that require extensive international cooperation.

**Forensic Service Center.** The main tasks of the Forensic Service Center are to conduct forensic examinations covering eighteen main areas including fingerprinting, ballistics, and others. The center performs extensive data collection and maintains the relevant databases. It is responsible for providing the appropriate professional training for its personnel as well as for equipping the police agencies with forensic-related equipment.

**Salaries.** In Estonia the police officer is generally underpaid. Keeping in mind the peculiarities of police work and the stress and danger involved, the average salary of \$450 to \$500 per month is considered low. Before passage of the Police Service Act, the police did not have official benefits like health and life insurance and a special pension.

**Police at Work.** The highest ranking police officer holds the title of Director General of the Police. A police officer is defined as a person employed in the police service, and he or she is a state official.

In 2004 the Estonian police set four main priorities:

1. Implement the new community-based police structure
2. Improve the fight against drug-related crime, juvenile delinquency, and domestic violence
3. Reduce the number of traffic victims by enhancing traffic supervision
4. Improve the fight against crime on the international level

**Police-Community Relations.** Public opinion of the police is increasingly positive as training increases and improves. However, as in most places, people fail to report crime because of the belief that police are unable to assist the victim or apprehend the suspect. Also, people generally believe the damages caused by a crime are too trivial. Media play a leading role in forming the opinion of the police—police failures, corruption, indifference to citizen concerns, and incompetence frequently are highlighted.

During the summer the Estonian police hold a Police Family Day, and in 2001 there were more than 2,000 participants from all over Estonia. The event is developing into an important tradition.

**Police Officer Ranks.** The position of a police officer is divided into basic categories according to the educational and other basic requirements.

The ranks for higher police officers are:

- National Police Commissioner
- National Security Police Commissioner
- Deputy National Police Commissioner
- Deputy National Security Police Commissioner
- Police Chief
- Deputy Police Chief
- Police Prefect
- Deputy Police Prefect
- Police Counselor
- Chief Superintendent
- Superintendent

The ranks for senior police officers are:

- Leading Police Inspector
- Leading Constable
- Senior Police Inspector
- Police Inspector
- Constable

The ranks for junior police officers are:

- Junior Police Inspector
- Junior Constable

**Awards and Celebrations.** When entering the service, all police officers take the police oath. The festive receptions of the Police Director General traditionally takes place on Police Day (November 12) and on the National Anniversary. Police Day is celebrated by awarding police employees with Police Crosses of Merit, by a

formal police ball, and by commemorating police officers killed in the line of duty.

The Police Cross of Merit was established in 1993 to award police officers for long-term service or noteworthy performance of duties, including instances of bravery in the performance of duties, and, in exceptional cases, to notice people who are not police officers for noteworthy services to the Estonian police.

On the tenth anniversary of the reestablished Police Service, police officers who had served ten years in the police and foreigners who had shown special support to the Estonian police were rewarded with the Police Commemorative Cross.

**Education and Training.** A basic police training center was created in 1990 near the resort town of Pamu. A degree can be obtained from the Estonian Public Service Academy's Police College founded in 1992. The first class graduated in 1996. From 1996 to 1998, 197 officers earned degrees at the academy. About 15 percent of the Estonian police officers have not received specialized training.

The main color of the emblem of the Estonian police is blue, which is one of the colors of the national flag and symbolizes peace and stability. The emblem is a shield. Against the blue background, the emblem features a lion holding the small coat of arms of Estonia in its front paws. Since the lion has always characterized nobility and courage, it was also chosen as the heraldic animal of the Estonian police. Holding the small coat of arms in the front paws, the lion shows readiness to protect the public and the state's interests. The emblem was first used by the Estonian police in 1935.

## UNIFORMS AND WEAPONS

The Estonian police use everyday, ceremonial, and special uniforms. The uniform is dark blue; the everyday shirt is light blue. The buttons of the uniform have three lions on them and are gold in color. The overalls of the police are dark blue, except for special units, which use black overalls. On the left sleeve is a patch depicting the lion on the blue public shield and above it is the word *Politsei*.

The traditional uniform hat is octagonal and the female uniform also includes a uniform hat. In addition, the police wear caps while performing duties and winter hats in winter.

**Police Statistics.** With a staff of slightly less than 5,000 (1,500 are women), the police force is a large public organization, considering the size of Estonia. Of these, 3,500 are police officers (more than 950 are women).



Policing in Estonia still carries little prestige, in part a holdover from the legacy of the Soviet era. In addition, the burgeoning market economy offers more attractive opportunities than law enforcement. Between retirements and staff downsizing, a number of officers have left the service in recent years. In 1992 the police had a staff of 6,807 with 81.5 percent of the positions filled. By the end of 1997 there were 1,200 fewer police staff positions. At the same time, the percentage of positions filled fluctuated between 75 and 81.5 percent. Between 1993 and 1997, 3,975 new police officers were recruited. During this same period 1,386 officers were released from duty. In 1998, 686 police officers (13 percent of the force) were, for various reasons, released from duty.

From 1991 on the police force staff has constantly been growing older. Between 1992 and 1997 the percentage of police personnel under the age of twenty-five dropped from 36.5 to 17 percent. At the same time, the percentage of thirty-five to fifty-five-year-olds has risen from 27 to 39 percent. In 1992 there were 2,010 who were twenty-five years old or younger, by 1997, the number had dropped to 764. At the same time, the average length of service kept rising. In 1992 the percentage of officers with a length of service of up to three years was 38 percent, by 1997, it had dropped to 11 percent. At the same time, the percentage of officers with a length of service of over fifteen years rose from 18 to 27 percent. These statistics indicate that the issue is not the natural ageing of the police personnel, but young people are leaving the force and not joining the police.

## CRIME

Alcohol remains a problem in Estonia and is seen as a common characteristic in the commission of crime. Sixty to 70 percent of violent crimes, 80 percent of violent crime committed by juveniles, 40 percent of traffic accidents, 50 percent of drownings, as well as vehicle theft and hooliganism are connected to alcohol.

From 1988 to 1992 crime increased almost 400 percent, and from 1992 to 1998 it rose 11 percent, mostly because of the increased incidence of property crime. Violent crime reached its peak in 1994 and after that decreased steadily. New crime categories have appeared in Estonian crime such as drug-related crimes, organized crime, and white-collar crime.

**Organized Crime.** In the early 1980s crime groups were not well organized, as they concentrated mainly on fraud, pocket picking, and illegal money exchange. More potent organized crime spread to Estonia during perestroika, as the business opportunities increased and politics became more liberal than in the past. Independence in 1991 and

the subsequent commitment to a market economy were two factors that influenced the rapid expansion of organized crime.

Estonian organized crime groups began extensive smuggling in precious metals from Russia through Estonia to the West, a period often referred to as the "Metal age." During the early 1990s Estonia ranked in the world's top-ten exporters of nonferrous metals.

Most turf wars between organized crime groups were fought during this period and statistics of violent crimes and homicides peaked. Since 1994 Russia and Estonia have passed many laws to regulate and limit the metal trade, border controls have been tightened, and regional cooperation in the prevention of organized crime has increased.

Gradually, most organized crime groups shifted to more profitable forms of illegal business, such as different forms of economic crime, tax evasion, and drug smuggling. As of 2005, the situation appeared stable and links to Russia, Finland, and elsewhere in the Baltic Sea region were established.

According to Estonian police figures, there are about ten to twenty organized criminal groups divided according to ethnicity into Estonian and Russian (including Ukrainian and Belarusian). There is also some divergence in their activities, although the division is not absolute. Russian criminal groups concentrate mainly on racketeering, theft, vehicle trade, and violent crimes, whereas the Estonians specialize in economic crime, tax evasion, and smuggling. As of 2005, transnational Estonian organized crime was predominantly about smuggling drugs, alcohol, and other illegal or high-tax goods from Russia to Finland, Sweden, and elsewhere in the Baltic Sea region. However, Finnish and Swedish criminal groups had also organized themselves in Estonia for drug production, smuggling, and recruiting prostitutes.

**Narcotics.** Tourism and soft border controls between European Union members has resulted in relatively safe transit routes for heroin, amphetamine, and cannabis products from the Netherlands, Belgium, and the Scandinavian countries to Estonia. The abuse of, and trafficking in, illegal drugs is rising rapidly.

The United Nations report "Ecstasy and Amphetamines, Global Survey 2003" lists Estonia among countries with the widest use of amphetamine-type stimulants. Decreasing amphetamine prices on the local market and the record amounts of seized drugs indicate the increasing popularity of amphetamines among Estonia's drug users. In 2003 locally produced amphetamines almost displaced heroin and synthetic heroin in the local market. The popularity of homemade poppy products has been rising in Estonia's economically

depressed areas. Several cannabis-growing sites were also found in 2003. Police assert that the majority of locally produced cannabis is consumed in Estonia.

According to law enforcement authorities, Ecstasy has entered the domestic market in the wake of successful efforts to make heroin more difficult to obtain, including the imprisonment of key dealers and closure of sales sites. At the same time, Ecstasy's price has remained low, an indication of domestic manufacture. Police authorities in Estonia are concerned not only about cross-border drug trafficking but also about the growing domestic manufacture of illicit drugs, including amphetamines, Ecstasy, and opiates.

The 2003 discovery and closure of one of the biggest Ecstasy factories in the Nordic and Baltic states and the closure of two drug laboratories producing amphetamines, followed by seizures of record amounts of illegal drugs, demonstrate the country's growing involvement in the international narcotics trade.

According to the Ministry of Internal Affairs, of the total narcotics business in Estonia, transit accounts for approximately 70 percent and local use 30 percent. The closure of drug labs is forcing some amphetamine producers to move to Finland. However, Estonia is still reportedly a key supplier of illicit synthetic drugs to the Nordic countries. In addition, a new route of trafficking in drugs has appeared. In response to the continuously increasing demand and higher prices in Russia, there have been several cases of trafficking amphetamine and Ecstasy from Estonia to Russia.

**Trafficking in Persons.** The law prohibits trafficking in persons; however, women are trafficked and there are reports of victims of trafficking younger than eighteen years old. Articles 133 and 134 of the Penal Code criminalize enslaving and abduction and provide prosecution for trafficking. The maximum penalty for trafficking is twelve years imprisonment.

Women are trafficked to Nordic countries and western Europe. Some nongovernmental organizations speculate that approximately 500 people are trafficked per year, although this figure appears grossly understated. There are no reliable statistics available on the extent of the problem. Reported job advertisements placed in local newspapers to recruit women are in some cases associated with international prostitution rings.

The government established a national roundtable headed by the Ministry of Internal Affairs to draft a national action plan to combat trafficking and participated in the work of the Trafficking in Women Group of the Task Force on Organized Crime in the Baltic Sea Region.

The Ministry of Social Affairs, in cooperation with the Nordic Council of Ministers, initiated a large-scale antitrafficking campaign, mostly geared toward prevention. The campaign has drawn public attention to the issue of trafficking in persons and promoted international cooperation to address the problem.

## CORRECTIONAL SYSTEM

Prisons fall under the direction of the Ministry of Justice. The Department of Prisons of the Ministry of Justice manages and supervises prison administration and operations of the institutions. It also enforces sentences of imprisonment imposed by courts as well as decisions to remand a person for trial or take him or her into custody in connection with a trial. The main task of the Department of Prisons is to organize the work of prisons, places of preliminary detention, extradition camps, supervision, execution of pretrial investigation of prison crimes, and surveillance.

On January 1, 2000, the Board of Prisons was reorganized into the Department of Prisons and the administration and control of prisons was subordinated directly to the Ministry of Justice.

The Department of Prisons is divided into three divisions: the Punishment Implementation Division, the Social Welfare Division, and the Legal and Development Division. There are eight closed prisons and one open prison in Estonia. Of the total prison population, approximately 3,200 are convicted inmates and about 1,300 are awaiting trial. The number of prisoners has remained relatively constant throughout the whole independence period.

Educational opportunities are available in most Estonian prisons under the academic guidance of the Ministry of Education, while infrastructure and budget issues are addressed by the Ministry of Justice. Besides general education, inmates have available a variety of vocational specializations: electric and gas welder, locksmith, electrician, painter-plasterer, mason, gardener, salesman, real estate maintenance, and others. The social welfare component of the corrections system provides lectures and training on preparing for and coping with freedom, managing a family, learning to cook, how to find a job, and so on.

## PRISON CONDITIONS

Prison conditions vary greatly in the small Baltic country. For example, in the capital the Tallinn Prison, built just after World War II, has been undergoing a phased renovation that is expected to continue until at least 2007. There are 350 convicted and 650 pretrial prisoners held there; the population consists mostly of Russian inmates with about 30 percent Estonians. Generally, pretrial

prisoners are held in worse conditions than convicted prisoners; the cells are smaller, there is less fresh air, worse medical conditions, and about one-third are infected with HIV. Tallinn Prison reflects the systemwide shortages typical of Estonian prisons; adequate space, updated facilities, and professional staff including counselors and teachers are lacking.

By contrast, the Tartu Prison, the crown jewel of the system, is new, having opened its doors in November 2002. It is Estonia's first post-Soviet prison and, at more than \$30 million, it is the second most expensive building in Estonia. The Tartu facility is equipped with an integrated x-ray system, 200 DVD-recorded security cameras, 7 social workers, 4 psychiatrists, and 4 chaplains. Convicted inmates generally have larger cells and more privileges than pretrial detainees.

Generally, one problem for long-term inmates is that they were incarcerated before the collapse of the Soviet Union in 1991. The shock of the rapidly changing society as well as the challenge of reintegrating into a society they are unfamiliar with poses serious difficulties. The overall system will experience even more challenges. As some prisons close, inmate overcrowding in other facilities will be exacerbated.

Prison conditions remain poor, although there have been some improvements. A lack of funds and trained staff continue to be a serious problem. Overcrowding in the antiquated Tallinn Prison persists. The percentage of prisoners suffering from tuberculosis was much higher than in the general population. The government has refurbished some prison buildings. Modest gains have been made in hiring new prison staff and retaining existing personnel. Work and study opportunities for prisoners increased slightly as the government implemented new programs. The government is considering new regulations that would reduce significantly the number of persons incarcerated and thereby alleviate overcrowding. In 2002, 341 prisoners had been released under the government's early release program. Unlike previous years, there were no reports of prisoners killed by other prisoners.

**Prison Statistics.** In 2000 the majority of prisoners were those convicted of property crimes (52.9%). Compared to the previous year, the number and proportion of those convicted for robbery had increased (424 persons or 13% in 2000 and 353 persons or 11.8% in 1999). Thirty-three percent of inmates had committed violent crime. The average term of imprisonment in 2000 was 4.7 years. The most frequent term was five to ten years of imprisonment, and this had been set for 38.4 percent of

convicted prisoners. The general trend is the lengthening of sentences.

The average age of convicted inmates was 27.7 years in 2000 and 29.5 years in 1999. Since 2002 the average age of prison inmates has decreased. The largest age group is still thirty-one to forty year olds.

In 2002 there were 238 criminal proceedings initiated against inmates. Most offenses committed in prisons were related to production, possession, consumption of alcoholic beverages, or the possession and use of narcotic drugs.

- Total Prison Population: 4,571
- Prison Population Rate: 339 (based on an estimated national population of 3.21 million at beginning of 2003)
- Pretrial Detainees: 23.7 percent
- Female Prisoners: 5.2 percent
- Juvenile Prisoners: 4.9 percent
- Foreign Prisoners: 35.8 percent
- Number of Prisons: 8
- Official Capacity of Prison System: 4,850
- Occupancy Level: 94.2 percent

Recent prison population trend (year, prison population total, prison population rate per 100,000 of national population):

1992	4,778	(306)
1995	4,401	(295)
1998	4,811	(331)
2001	4,803	(351)

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*Joseph D. Serio*

# Ethiopia

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**Official country name:** Federal Democratic Republic of Ethiopia

**Capital:** Addis Ababa

**Geographic description:** A landlocked country in the Horn of Africa

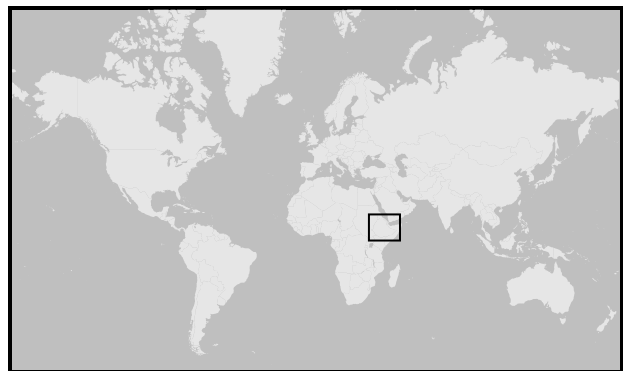
**Population:** 73,053,286 (est. 2005)



## LAW ENFORCEMENT

**History.** The first formal Ethiopian police force was formed in 1935 in Addis Ababa and four other cities, where they were trained by British instructors. The Imperial Ethiopian Police was organized in 1942 under British auspices as a centralized national police force with paramilitary and constabulary units.

In 1956 the separate urban police forces were merged with the national police. Originally administered as a department of the Ministry of the Interior, the national police evolved by the 1970s into an independent agency commanded by a commissioner of police directly responsible to the emperor. Local control over the police was minimal, despite imperial proclamations that granted governors general police authority in their regions. Assistant police commissioners in each district were assigned to work in conjunction with the governors general, but in practice administration was directed from Addis Ababa. The national police force was, however, assisted by the regional units of the Territorial Army, which was commanded by the governor general, and by an unpaid civilian auxiliary in remote areas.



Police posts were found in all cities and larger towns and at strategic points along the main roads in the countryside. The police were usually locally recruited and were familiar with the areas they served, but they were viewed as hostile by the general populace. Police operations generally emphasized a punitive rather than a preventive function.

By 1974 the national police numbered approximately 28,000 in all branches, including 6,800 in a mobile emergency force, 1,200 frontier guards, and a 3,200-member commando unit with rapid reaction capability. Paramilitary forces were equipped with weapons and vehicles provided by West Germany and commandos and frontier guards were trained by Israelis. About 5,000 constabulary police, mostly recruited locally, and 2,500 commandos were stationed in Eritrea.

One of the first acts of the Communist military government, known as the Dergue, or Provisional Military Administrative Council, after the 1974 coup

that ended the monarchy, was to circumscribe the authority of the national police, which was strongly identified with the old regime. Police constables were accused of protecting landowners against peasants in the countryside and arresting supporters of the military regime in Addis Ababa.

The national police were thoroughly reorganized after 1977. Overall, command was vested in a commissioner who was loyal to the Communist rulers. The army assumed a larger role in criminal investigation and in maintaining public order. Local law enforcement duties, normally carried out by the constabulary, were taken over by the People's Protection Brigades. The police commando units were integrated into the army's Eighth Division.

**Structure and Organization.** After the end of the Communist regime, the police force was cleansed of its Marxist elements and brought back to its original organizational structure. At the head of the police hierarchy is the Federal Police Commission operating under a commissioner. It includes several subdirectorates, including the Officer's Training College, Aviation Section, Airport and Railway Police, and a hospital. There are provincial headquarters in each of the provincial capitals. At both the national headquarters and at the provincial headquarters there are the following departments: Transport and Maintenance, Customs Police, Buildings Department and General Stores, Criminal Investigations, Traffic, and Radio Communications.

A high percentage of rural constables can neither read nor write and do not keep records of their activities. Many crimes are traditionally considered to be private matters and are often ignored by the police unless one of the interested parties files a complaint. In contrast, the Addis Ababa police are highly efficient and are organized into uniformed, detective, and traffic units, a riot squad, a Police Air Wing with light aircraft, and a police laboratory. Some women are assigned to police units in large cities and are generally employed in administrative positions or in keeping custody of female prisoners. National police officers are paid according to a basic wage scale that applies to members of the armed forces.

There are two other police forces in Ethiopia: the Emergency Strike Force and the Finance Police.

**Education and Training.** Police constables are recruited for service at an early age and trained in their native regions. Standards of training are not uniform. In-service or specialized training is limited outside Addis Ababa. Officers are commissioned after completion of a cadet course at Sendafa Police College near Addis Ababa. The school was opened in 1946 and staffed until 1960 by Swedish instructors. Candidates for the two-year course

must have a secondary school education or its equivalent. Instruction at Sendafa includes general courses in police science, tactics, traffic control, sociology, criminology, and first aid. Practical training is given midway in the two-year program and may entail field service. A limited number of cadets who pass the final examinations with distinction are selected for further specialized training. The Police College also offers short-term courses and refresher training for service officers both in the police and in the military.

**Uniforms and Weapons.** The basic police uniform consists of stone-colored trousers and long-sleeved shirts worn with dark-blue belts and blue caps. A type of windbreaker is worn over the top in inclement weather.

As a rule, police in constabulary units are armed only with batons. Small arms are usually kept in designated armories and are issued for specific tasks. Weapons used in paramilitary units include heavy machine guns, submachine guns, automatic rifles, side arms, mortars, grenades, tear gas, light armored vehicles, and other equipment designed for riot control. The Addis Ababa police are equipped with cars and vans, but in rural areas the constable's sole means of transportation is a mule or horse.

#### Police Statistics.

- Total Police Personnel: 59,901
- Population per Police Officer: 1,219

#### HUMAN RIGHTS

Principal human rights problems are extrajudicial killings, mistreatment of detainees, arbitrary arrest and detention, and prolonged pretrial detention. No known actions are taken against members of the security forces responsible for torturing, beating, or abusing persons.

#### CRIME

**Crime Statistics.** Offenses reported to the police per 100,000 population: 258.3. Of which:

- Murder: 6.5
- Assault: 77.8
- Burglary: 1.4
- Automobile Theft: 1.4

#### CORRECTIONAL SYSTEM

The Fetha Negast (Law of Kings), which was introduced into Ethiopia during the seventeenth century, was the penal code and the basis for criminal justice procedure until 1930, when the emperor Haile Selassie introduced a penal code that, although primitive in its philosophy,



*Police work to contain supporters of Ethiopia's ruling party, the People's Revolutionary Democratic Front, as they struggle for water being thrown from a truck, May 7, 2005. The scene took place during an election rally in Addis Ababa, shortly after campaigning for the country's parliamentary elections ended. The weekend vote marked the first time international observers monitored the balloting process in a race that challenged an authoritarian regime that has been in power since 1991. AP IMAGES.*

strove for modernity in its application. In 1958 a revised penal code drafted by a Swiss legal expert became effective, and it was augmented by a criminal procedures code drafted by a prominent British jurist. After the 1974 coup and the overthrow of the monarchy, both the codes were modified to reflect the Marxist ideology of the new rulers, but these modifications did not survive the end of Marxist rule.

Prison administration is under the control of the federal prison administrator. Each administrative unit, including 556 districts, 102 subregions, and 14 regions, plus Addis Ababa and other major cities, has at least one prison facility and usually more than one. Addis Ababa's Akaki Prison, considered the country's most modern facility, is the central regional prison for Shewa. It has a separate wing for female inmates. The largest number of prisoners are believed to be housed in Alem Baqaqn ("the end of the world"), which was built in Addis Ababa by King Menelik II in the nineteenth century. Other large prisons include the headquarters of the Central

Investigation Division, the Zeway Prison, and Menelik's former palace.

**Prison Conditions.** Prison life is brutal and consists of exhausting work and beatings. Recreational facilities are virtually nonexistent, and there is no program of assistance to prisoners after they are released. Conditions in smaller prisons and holding cells are worse. According to an Amnesty International report, cells are infested with pests, unventilated, and lack in the most basic sanitary facilities. Medical attention is inadequate and not available in all facilities. Even the seriously ill are rarely given hospital treatment, so prisoners simply die. Death of a prisoner is viewed with relief by cellmates because it relieves overcrowding. Many prisoners share a common cell.

There is an emphasis on work as a means of production, but not as a means of rehabilitation. The largest prison industry is weaving cotton rugs and carpets, usually on primitive looms. Other activities include carpentry, blacksmithing, metalworking, jewelry making, basket weaving, flour milling, and baking. Prisoners receive

about 10 percent of the income from materials produced by them.

The care and welfare of the prisoner is the responsibility of his or her family and not the states. Prisoners are expected to provide for their own bedding and buy their own candles. Families are also expected to provide food and clothing.

A prison farm at Robi in the Arsi region holds about 1,000 prisoners. A single institution oversees the rehabilitation of male juvenile criminal offenders. There are no

comparable facilities for girls, who are usually remanded to the custody of their parents or guardians.

**Prison Statistics.**

- Total Prison Population: 65,000
- Prison Population Rate per 100,000: 92
- Number of Prisons: 114

*George Thomas Kurian*



# Fiji

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**Official country name:** Republic of the Fiji Islands

**Capital:** Suva

**Geographic description:** An island group in the South Pacific Ocean

**Population:** 893,354 (est. 2005)



## LAW ENFORCEMENT

**History.** The Fijian Police Force is a British creation. At the time of independence, it had a strength of 752 uniformed members. A supplementary force of 600 constables, paid on an hourly basis, augmented the regular force when necessary. There was also a small contingent of uniformed guards at Nadi International Airport near Suva. The structure of the police establishment was retained after independence with few changes.

**Structure and Organization.** Under the supervision of the prime minister, the Fijian Police Force is commanded by the commissioner of police with his headquarters at Suva. The control post is organized as a typical command and staff facility containing the office of the commissioner and his deputy, the Special Branch, the Criminal Investigation Division, the Immigration Branch, the Training Department, the Police School, and the band. Below headquarters level, there are four major police districts, whose boundaries correspond to the territorial ones. These police districts are further subdivided into a variable number of provinces depending on the size of the population. Each province consists of a number of stations and posts. Indians are well represented in the police force.



The functions of the former Fiji Intelligence Service were absorbed by the Police Special Branch in 2000.

**Education and Training.** Recruitment is open to all Fijians. Applicants must be between eighteen and twenty-seven years of age, be at least five feet seven inches tall, be physically fit, and have completed grade school. Men are given six months basic training at Nases, from which they graduate as constables. Nases also provides general training for all grades and ranks as well as a special leadership course for junior ranks.

**Uniforms and Weapons.** Fijian and Indian members of the police force wear different uniforms. Ethnic Fijian wear blue shorts, white *sulus* or sarongs, red cummerbunds, black belts, and sandals. They do not wear headgear of any kind. Indian constables wear blue caps fitted with a badge, blue shirts or blue slacks, and black shoes. Both groups carry truncheons but no firearms. When

engaged in rural patrols, both wear khaki uniforms, Fijians with shorts and Indians with slacks.

#### **Police Statistics.**

- Total Strength of the Police Force: 2,074
- Population per Police Officer: 431

#### **HUMAN RIGHTS**

A number of human rights violations are related to the tensions between the two leading communities: the native Fijians and the immigrant Indians. After the 2000 takeover of Parliament and the subsequent military coups, considerable violence was directed against Indo-Fijians, and the police sometimes participated in the violence. Corruption is another major problem. Undertrained police officers receive only on-the-job instruction, which contributes to the problem of corruption. The Police Department's Internal Affairs Unit is required to investigate complaints of police brutality and corruption, but such investigations rarely lead to punishment of the offenders.

#### **CORRECTIONAL SYSTEM**

Prisons are administered by the commissioner of prisons with headquarters at Suva. He controls fourteen penal institutions. The largest is that at Suva. Three other prisons are located at Viti Levu, and one each in Vanua Levu, Taveuni, and Rotuma Islands. A prison farm is located at Maboro, near Suva. There is a new detention

center at Nukulau Island outside of Suva that holds the 2,000 coup leaders.

Penal policy is based on rehabilitation. Recidivism is low. Prisoners are provided with facilities for academic as well as vocational training. Recreational programs are available, and inmates are encouraged to engage in competitive team games. The prison farm employs inmates to produce food and offers them training in agriculture and animal husbandry.

**Prison Conditions.** Prison conditions do not meet international standards, and conditions especially at Suva and Naboro prisons are extremely harsh. The government lacks the resources to improve prison conditions.

#### **Prison Statistics.**

- Total Prison Population: 1,130
- Prison Population Rate per 100,000: 133
- Pretrial Detainees: 9.7%
- Female Prisoners: 2.3%
- Juvenile Prisoners: 0.0%
- Number of Prisons: 14
- Official Capacity of the Prison System: 987
- Occupancy Level: 110.1%

*George Thomas Kurian*

# Finland

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**Official country name:** Republic of Finland

**Capital:** Helsinki

**Geographic description:** On the Scandinavian Peninsula in northern Europe, between Sweden and Norway on the west and Russia on the east

**Population:** 5,223,442 (est. 2005)



## LAW ENFORCEMENT

**History.** How the Finnish people came to live in the area known as Finland is debated. Some scholars believe that the original home of the Finnish people was in what is now known as west central Siberia. It is a recognized fact that the Finnish people came to the region they call Finland several thousand years ago.

It is known with the introduction of Christianity by King Eric of Sweden that a relationship between the Swedish people and Finnish people began around 1154. The Finnish people became incorporated into Sweden's political and military systems after the 1362 election of the Swedish king. Around the twelfth century the Swedish language became the dominant language of the people. Though Finland belonged to the dual kingdom of Sweden-Finland, its inhabitants were allowed to manage local affairs themselves. In 1432 Finland was able to have representation in the Kingdom of Sweden's governing body known as the Riksdag (Diet of the Four Estates). In 1809 the Russian Army under the command of Alexander I conquered the Finnish region and Finland was ceded by Sweden to Russia. Finland became a grand



duchy of the Russian Empire and remained so until the end of 1917.

When the Bolshevik Revolution in Russia erupted on December 6, 1917, Finland declared its independence. In 1918 Finland erupted into a catastrophic civil war between the Whites and the Reds. In only a few months about 30,000 Finns perished. Most of the casualties were a result of summary executions and deaths of individuals in detention camps. This civil war resulted in the deaths of 1 percent of the population.

World War II again brought war to the Finnish people. The Finnish Army fought the Soviet Union in the Winter War of 1939–1940 and again in the Continuation War of 1941–1944. The Lapland War of 1944–1945 had the Finnish Army fighting the retreating Germans who were fleeing northern Finland. In 1947 Finland signed a peace treaty with the Soviet Union. Finland had to reduce its defense forces and concede

territories. It also agreed to pay \$300 million gold for war reparations to the Soviet Union. In 1948 Finland signed an Agreement of Friendship, Cooperation, and Mutual Assistance with the Soviet Union. This treaty obligated Finland and the Soviet Union to come to each others aid in time of war.

In 1991 the dissolution of the Soviet Union occurred and Finland began to seek greater participation in Western political and economic structures. In 1995 Finland became a member of the European Union.

Concerning the development of Finnish police, in 1816 in the town of Turku, the Chambers of Police were established to keep order, prevent crimes and breaches of the peace, and act as courts for minor offenses. These Chambers of Police became officially known as police departments in 1861. In 1903 all the different town police departments became part of the state administration. The Police Act of 1925 brought the rural police with the town police under the same set of regulations. The Police Act of 1967 superseded all previous legislation and regulations pertaining to the police. In 1973 amendments were made to the Police Act of 1967 in an effort to improve relations between the police and the public.

Per the 1973 amendment, the Finnish police were organized under the direction of the Ministry of the Interior, which is responsible for local and regional administration and for internal security in Finland. Under the minister of the interior's authority are the Police Department, Department for Rescue Services, Immigration Department, and the Frontier Guard Department. The Ministry of the Interior's Police Department is the Supreme Police Command of Finland. The Police Department is responsible for managing and developing police activities and for making decisions on national strategies. The Supreme Police Command creates procedures for all other police departments. The Police Department also provides expertise for internal security matters and attends to matters related to private security, money collection, lotteries, firearms, and amusement machines. The national police commissioner is in charge of the operations of the Police Department and makes decisions on police strategies and priorities. The national police commissioner is also responsible for public relations, cooperation with interest groups, and strategies concerning international operations.

The national police units in Finland consist of the National Bureau of Investigation, the National Traffic Police, and the Security Police.

**Structure and Organization.** The government of Finland is a constitutional republic, with the current constitution taking effect on July 17, 1919. To ensure a system of checks and balances, the government is divided into three

overlapping branches: executive, legislative, and judicial. The executive branch includes the president, the prime minister, and the Council of State.

The president is elected for a six-year term. The president's primary responsibility is national security and foreign affairs. The president is the chief of the armed forces but does not make decisions related to war. The president has the power to initiate legislation, pocket veto, and the right to call Eduskunta (Parliament) to session. The Council of State executes the president's executive decisions, and his legislative powers are implemented by the Eduskunta. The president determines what legislative proposals are sent to the Eduskunta after the Council of State drafts the government bills and he or she approves them. It is important that the president works well with the members of the Eduskunta if he or she wishes to accomplish his or her goals. The president has the power to nominate ministers, but his or her choices have to be accepted by the Eduskunta. He or she can be removed from office and tried by the Supreme Court if the Eduskunta decides by a three-quarters majority that he or she has committed treason.

The prime minister heads the Council of State and Prime Minister's Office. The Prime Minister's Office is responsible for monitoring implementation of the different governmental programs and assisting the prime minister in the general management of government functions. The Prime Minister's Office also coordinates Finland's European Union policy. The prime minister is the political leader of the government and is responsible for mediating the different views on government policy by the various groups represented in the government. The Finnish constitution was rewritten in March 2000 and increased the prime minister's authority. The president can dissolve the Eduskunta and call fresh elections only with the authority of the prime minister. The prime minister chairs sessions of the government and has the right to decide the order of business in these sessions. The prime minister will also stand in for the president in cases where it is known in advance that the president will be abroad during decision-making times in sessions of the government.

The Council of State shares executive power with the president and is responsible for managing the governmental machinery. This branch writes and prepares most legislation and bills presented to the Eduskunta. There are thirteen ministries in Finland. All matters to be decided by the government are prepared in these ministries. Each ministry has an area of responsibility with an appointed minister. Any matter in the government that does not fall within the scope of one of these ministries is handled by the Prime Minister's Office. One important member of the Council of State is the chancellor of justice. The president appoints this position for life. He or she is not a minister but is obliged to attend all

meetings of the council to review its proceedings for legality. He or she also reviews the actions of the president and reports infractions to the Council of State. The Responsibility of Ministers Act of 1922 is a constitutional act and was set up as an indirect way of controlling the president's actions. Since many of the president's decisions are approved by the Council of State, ministers can be held liable for approving an illegal act.

Finland's legislative body consists of a 200-member parliament known as the Eduskunta. The Eduskunta was formed in 1906 after a military defeat in East Asia weakened the Russian Empire. The Parliament Act of 1928 decided that members of the Eduskunta were to be elected for four-year terms. All citizens who are twenty years of age or older and are not in the professional military may serve in the Eduskunta. The Eduskunta is the country's highest governing body because it represents the people and the people have sovereign power. The Eduskunta is closely tied to the president and the Council of State. "Neither the President nor the Council of State is able to carry out many executive functions without the support of the Eduskunta" (Solsten and Meditz 1990). The Eduskunta approves the government's annual budget and any loans contracted. Treaties have to be approved by the Eduskunta and this body decides if the country is to go to war to declare peace. The Eduskunta can hold the government accountable and can call for the impeachment of the president if necessary.

The Ministry of Justice is responsible for the development of laws and participates in the law drafting at the institutions of the European Union. The Ministry of Justice also heads and supervises the enforcement of punishments. Finland's judicial power is exercised through independent courts that are guaranteed by the constitution. In Finland the law is codified and there is no writ of habeas corpus or bail. In Finland there are sixty-six district courts and six appellate courts. The highest court in the country is the Finland Supreme Court. The Supreme Court is located in Helsinki, which is the capital of Finland. The Supreme Court hears appeals from the appellate courts where allegations of errors may have occurred. The president appoints the chief justice of the Supreme Court and the other Supreme Court justices. There are eight special administrative courts in Finland. These courts hear appeals against decisions of administrative authorities. These appeals can go all the way to the Supreme Administrative Court, which consists of a five-judge panel. The supreme prosecutor in Finland is the prosecutor general. There are also special civil courts with judgment-rendering powers. Prosecutors in the local level courts are called district prosecutors.

The Police Department of the Ministry of the Interior is at the head of the organization. Under the Police Department of the Ministry are the "provincial police commands, the national units, the police training establishments, the Police Technical Centre, Police IT Management Agency and functionally also the Helsinki District Police" (Finnish Police 2005).

The Finnish police structure is broken down from top to bottom by the following:

- National Police Commissioner
- Deputy National Police Commissioner
- Provincial Police Commissioner
- Helsinki Police Chief
- Chief of a National Unit (National Bureau of Investigation, Security Police, National Traffic Police)
- Inspector General of the Police
- Inspector General of the Police Head of Training
- Inspector General of the Provincial Police
- Helsinki Deputy Police Chief
- Deputy Chief of a National Unit (National Bureau of Investigation, Security Police, National Traffic Police)
- Chief Police Inspector
- Police Chief
- Rural Police Chief
- Chief Superintendent of the Supreme Police Command
- Provincial Chief Superintendent
- Deputy Police Chief
- Chief Police Inspector of the National Traffic Police
- Chief Inspector of the Supreme Police Command
- Provincial Chief Inspector
- Chief Inspector
- Sergeant
- Senior Constable
- Constable
- Police Cadet

*Principle Agencies and Divisions.* Finland has five separate provinces and one province of the Åland Islands, which is self-ruled. The five provinces are administered by provincial boards and headed by a governor. Each one of these boards is directly responsible to the Ministry of the Interior. The responsibilities of these provinces include police work, civil defense, planning, social services, and

the collection of taxes and fees. Below the level of the provinces is the county, which is then divided into cities, towns, and communes. These are headed by municipal and communal councils that are elected by proportional representation every four years. The Swedish-speaking Åland Islands are geographically located between Finland and Sweden. The provincial council consists of thirty delegates who are elected by the citizens of the Ålands.

Finland's military consists of a defense force of approximately 35,000 people. Finland uses a mandatory conscription for all males to serve six to twelve months, which means the military can field approximately 400,000 personnel in the event of an emergency. Women are permitted to serve, but only on a volunteer basis.

**Salaries.** Since the country of Finland is a part of the European Union, it has adopted the euro as its standard form of currency. A beginning police officer in Finland makes approximately €1,700 a month. The pay scale for the police in Finland is based on experience, job description, rank, and other factors. The total cost of police operations in Finland for 2002 amounted to approximately €533.5 million, of which 80 percent went to the payment of police salaries. The police receive most of their funding from the state budget. The Supreme Police Command prepares the budget proposals and the Ministry of the Interior negotiates with the Ministry of Finance. The police budget is then approved by the Eduskunta when the state budget is approved. Once the state budget has been approved, the Supreme Police Command determines the allocations for each of the units it supervises.

**Retirement Age.** The average age of a Finnish police officer is 41.9 years. A police officer can receive full retirement at age sixty-five. Between the ages of sixty to sixty-four the pension will be reduced.

**Police at Work.** The Finnish police operate under the Police Act, which requires the police to safeguard the country's legal and social system and to maintain order and security. The police are also required to prevent and investigate crime and bring suspects to prosecutors for consideration of charges. The Police Act allows for the police to prioritize their duties, with life-threatening situations always taking priority. The police are allowed to detain any individual for up to twenty-four hours for refusing or giving false information. The police may also detain an individual who is incapable of taking care of him- or herself because of intoxication or a mental illness. They have the right to order a crowd to disperse if it is becoming disorderly or is obstructing traffic. The police can take temporary possession of dangerous substances, objects, or explosives if these items pose an imminent threat. The police must discharge their duties in an

acceptable and fair manner to promote understanding and cooperation. The actions that the police take must not cause any more damage or inconvenience than is necessary. The police are not to infringe on the people's rights any more than is absolutely necessary to perform their duties. The police are to maintain order and security through issuing advice, requests, and orders.

**Police-Community Relations.** In 1999 the Finnish government passed a resolution ensuring that the community-policing model was adopted throughout the country. The principal idea is that controlling and preventing offenses can be successful if the community and police work together to determine the underlying causes of the offenses or disturbances. The Finnish police also set up a security plan for all municipalities. One way the Finnish police incorporate community policing is through the use of bicycle police officers. In community policing, bicycle officers have replaced those officers who conducted foot patrols. Bicycles are slower than vehicles and the officers can better observe their environment. This makes the officers more visible and accessible to the public, making it easier to put a face to the police officers that patrol their communities.

**Local Police.** There are 90 district police departments in Finland with approximately 280 service points. State local districts with each district having its own police department organize the local police. "The function of each district police department is to maintain general law and order, prevent crime, investigate crime and other events that threaten public order and safety, to carry out traffic control and surveillance and promote traffic safety, and perform all other duties prescribed by law or otherwise assigned to the police" (Finnish Police 2005). Not all district police departments are open twenty-four hours a day. There are twenty-four police alarm centers and emergency response centers that are open twenty-four hours a day. Each district police department is also responsible for license services in its state local district. The local police are supported and trained by the Police Department of the State Provincial Office. The responsibility of the Provincial Police Command is to allocate resources for the local police, organize responsibilities of the local police service, and supervise police operations.

**Special Police.** Finland's special police forces consist of the National Bureau of Investigation, the Mobile Police, Security Police, and the Central Criminal Police.

The National Bureau of Investigation is responsible for preventing and investigating international and organized crime. This unit develops crime prevention and investigation methods. It also investigates professional, financial, and other serious crimes.

The Mobile Police (Liikkuva Poliisi) were originally formed in 1930 to prevent smuggling, to control highway traffic, and to assist local police forces in the event of civil disturbances. This unit also has the responsibility of providing security for the president, security at the Helsinki airport, and passport control along the Russian border. They also enforce hunting and fishing regulations and attempt to prevent the illegal smuggling and manufacture of alcohol and drugs. The Mobile Police have a department in each province and command units in larger communities.

The Security Police (Suojelupoliisi) were formed in 1948 and headquartered in Helsinki. The Security Police can be described as the Finnish counterpart to the Federal Bureau of Investigation. It is a civilian-only unit and is not part of the military. The Security Police's primary responsibilities are counterespionage, preventing activities that might threaten Finland's internal security, and combating terrorism.

The Central Criminal Police (Keskusrikospoliisi) were formed in 1954. They are responsible for assisting other police units in the country against serious crime. They also are tasked with investigating white-collar crime. They have advanced technical means at their disposal and maintain Finland's fingerprint and identification files.

**Riot Police.** The Finnish Mobile Police have the responsibility for riot control. The Finnish military also has special units that undergo extensive training in crowd control in the event their services are required during a crisis.

**Traffic Police.** The National Traffic Police in Finland are part of the National Bureau of Investigation. "The function of the National Traffic Police is to maintain public order and safety, carry out traffic control and surveillance, improve traffic safety, prevent crimes, and investigate crimes and other events that endanger public order and safety" (Finnish Police 2005). The National Traffic Police concentrate their efforts on motorways and other major roads and are responsible for the surveillance of heavy vehicles.

The local police concentrate their efforts mainly in built-up areas. The role of the traffic officer is to conduct speed surveillance using radar guns, laser detectors, instruments that measure speed, and automatic speed surveillance equipment. While the goal is to reduce speeding, the police can only take action against violators when the limit is exceeded by 5 kilometers per hour in built-up areas and by 10 percent everywhere else. "A driver caught speeding is usually stopped right away and is required to pay either a petty fine or the appropriate number of day-fines" (Finnish Police 2005). The system of day-fines is based on the violator's net income,

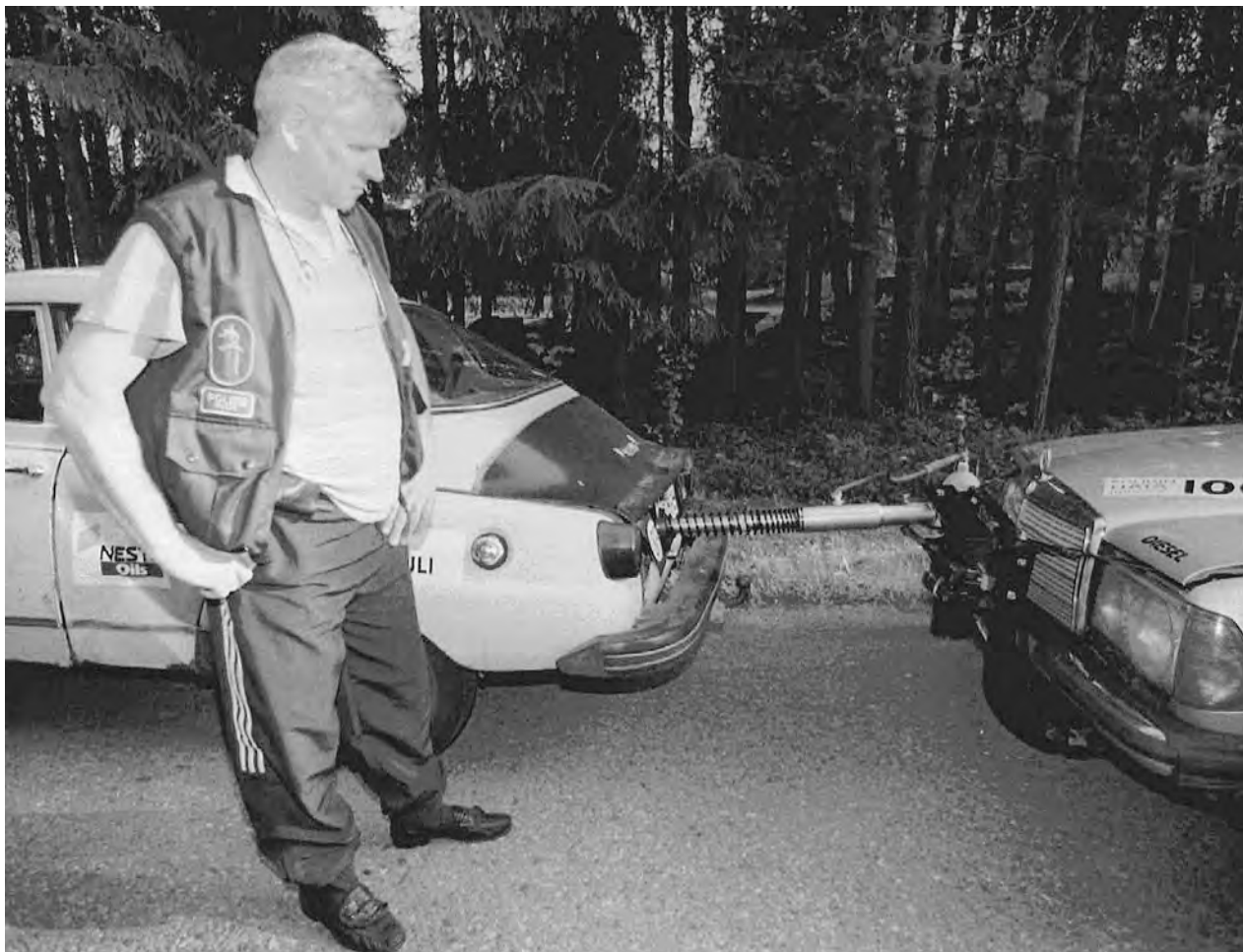
not a set fine. The police also attempt to reduce driving under the influence of alcohol or other intoxicants.

**Education and Training.** The Finnish police train at the Finland National Police School and the Police College. Both of these training and education institutes are directly under the command of the Police Department of the Ministry of the Interior. The Police School provides instruction to earn a Diploma in Police Studies and the Senior Officer's Certificate. The Police School also provides advanced and continuing education. The Police School is located in Tampere. The Police College is located in Espoo and provides research, development, and training for commanding officers and other leaders.

A diploma in police studies from the Police School takes approximately two and half years. There are approximately 110 study weeks with 6 to 7.5 months of fieldwork in different police units located in different parts of the country. Areas of training include field activities, traffic, crime prevention, legal studies, behavioral studies, and communication. Field activities include general police studies, police communication systems and their use, use of force, firearms training, physical education, and first responder. The traffic section includes the study of traffic and vehicle training. Crime prevention includes the study of criminal tactics, criminal techniques, and police information systems. Legal studies includes the study of police administration, the criminal justice system, criminal procedure law, and civil law. Behavioral studies and communication include the study of Finnish, Swedish, and English, information technology, psychology, and ethics.

At the Police School student recruiting and selection are the responsibility of the National Police School Selection Unit. The school accepts applications year round. Police cadets are selected on the basis of aptitude and entrance exam. The National Police School Selection Unit and the Recruitment Committee also select the students for the Noncommissioned Police Officer's Certificate Program. Once students receive their diploma, they are assigned to a police position. In 2002 the Finnish police forces were in financial difficulty, so not all the graduating students were immediately placed into police positions.

**Uniforms and Weapons.** Police uniforms are divided into categories for different purposes, then each member of the police has a specific uniform for the job he or she holds. There are different uniforms for field officers and for desk officers. These uniforms are not to be mixed. It is against the law in Finland for any person other than police personnel to wear any uniform or anything resembling a uniform that can be confused as a police uniform. The same is true for the police emblem or anything



*Sargent Markku Limingoja stands before a prototype police car he designed to stop speeders in Oulu, Finland, August 20, 1996. The vehicle is equipped with a harpoon mounted on the front bumper and is intended to be used to ram into the trunk of a fleeing car. The harpoon locks into place with hydraulically operated barbs and then aids the officer in bringing the suspect's vehicle to a halt. AP IMAGES.*

resembling the police emblem. A police chief may authorize the wearing of a police uniform by a citizen for special performances or events. The different uniforms of the Finnish police are the official dress uniform, the ceremonial uniform, summer and winter field uniforms, service uniform, pullover, overcoat, training overalls, bicycle uniform, motorcycle uniform, and snowmobile overalls.

The Finnish police have the right to use force when justified. They are entitled to use force to overcome resistance, remove a person from a scene, apprehend a person, prevent a person imprisoned or apprehended from escaping, removing an obstacle, prevent an imminent crime, or prevent some other dangerous act or event. While the Finnish police do carry firearms, they are to use other nonlethal forms of weapons when possible, such as batons or gas sprays. The use of a firearm is

reserved for only the most serious of cases. The Finnish police “will always try to go about their duties by issuing advice, requests and orders rather than using force” (Finnish Police 2005).

**Police Officers Killed in the Line of Duty.** Finland has not had many law enforcement officers killed while in the line of duty. In October 1997 Sergeant Eero Holsti and Senior Constable Antero Palo were murdered by an assailant in an alley way in Helsinki. Compared to other European countries, the number of law enforcement officers who have been killed in the line of duty is low.

**Police Statistics.** The Finnish police forces as a whole consisted of approximately 10,974 personnel in 2002. There were approximately 7,745 police officers, 538 cadets,



and 2,691 other staff. Women accounted for approximately 24.3 percent of all police personnel, and approximately 12.2 percent of police officers. Senior police officers accounted for approximately 2,444 officers. Commanding officers accounted for approximately 627 officers. There were 4,529 regular officers, 409 guards, 144 police chiefs, and 2,282 officers and other staff. As of 2002 there was only 1 woman police chief in the country.

There were approximately 928,000 calls for service in 2002. This figure increased from the previous year by approximately 5,700 calls. Emergency calls accounted for approximately 3.2 percent of the total amount of calls for service. According to Finnish police statistics, “many of the calls involved intoxicated persons, public disturbances, vandalism, domestic calls and drunken driving” (Finnish Police 2005).

The Personnel Barometer Survey looks at the prevalence of exhaustion symptoms among police personnel. Finnish police personnel have a high rate of occupational fatigue affecting approximately 9.7 percent of the police personnel. “The largest risk group at local police level was made up of those on desk duties, in criminal investigation and in license administration; the lowest risk of exhaustion was associated with public order and security, internal administration and guard duties” (Finnish Police 2005). According to the Finland Police Department, “one of the challenges for development and management of the police in future years will be to reduce the level of occupational fatigue” (Finnish Police 2005).

**Transportation, Technology, and Communications.** The Finnish police use a wide array of vehicles, including cars, vans, snowmobiles, jet skis, boats, bicycles, and motorcycles. The police identifiers and other equipment such as lights, sirens, and radios are fitted at the Police Technical Center. The most commonly used vehicle is the Volkswagen Transporter, which accounts for approximately one-third of all vehicles. This vehicle is a minivan-style vehicle that can be used as an office, a dog-handling vehicle, or a vehicle-weighing unit. The police patrol car is the four-door sedan Ford Mondeo. Most of these vehicles are equipped with a two-liter gas engine. There are approximately 150 police motorcycle officers. Most of these officers ride the BMW 1200. “Police motorcycles are used mostly in traffic surveillance work but also in various PR duties, motorcycle escort duties, at public events and in community policing” (Finnish Police 2005). Motorcycle officers are also used by the Security Police and the Police School. The police vehicles are used for approximately seven years and then sold in auctions.

The main information system used by the Finnish authorities is the Schengen Information System. This system maintains personal information of citizens. The

Joint Supervisory Body oversees the technical support function of the Schengen Information System. Everyone has the right to request that the Joint Supervisory Body verify that the personal information is lawful and correct. “A request for information or scrutiny must be presented to the District Police, from where the request must be forward without delay to the Data Protection Ombudsman” (Finnish Police 2005). Citizens are restricted from the Suspect Data System and the Operation Data System of the Security Police.

The Finnish police launched their official Web site in 2002. They have been successful in placing reporting forms for firearms, lotteries, and public events online. The Finnish police are expecting to completely modernize their information systems and create a new service system. They expect to have this accomplished by 2010.

**Surveillance and Intelligence Gathering.** The Finland Civilian Intelligence Service falls under the responsibility of the Security Police. Counterespionage and the prevention of activities that pose a threat to Finnish internal security is its mission. Because Finland is an open society, it will always be more vulnerable than a closed society. The Finnish Security Police have increased in competence and have been given increased resources. Finland has a stable internal environment. There are a few groups who protest and demonstrate, but they are neither well organized nor considered a threat. The major targets are civil servants in the state administration, scientists, and experts in business.

The Finland Military Intelligence Service is the General Staff Intelligence Division (Pääesikunnan Tiedusteluosasto). It operates under the Ministry of Defense. Responsible for the integrity of the territory of the country, it monitors the national territory and gathers intelligence by land, sea, and air.

## HUMAN RIGHTS

The Finnish government generally respects human rights. It allows for freedom of speech and press, peaceful assembly and association, religion, and the right to a fair and public trial. The government does not allow arbitrary or unlawful deprivation of life, torture, or other cruel and inhuman treatment or punishment, arbitrary arrest, detention, or exile, or arbitrary interference with privacy, family, home, or correspondence.

## CRIME

Crime in Finland is considered low when compared to most European countries or to the United States. In recent years there has been an increase in crime, but the country is still considered safe. Because the crime rate in Finland is so low, police operations are generally underfunded. Finland has one of the smallest police

departments of any European country. The increases in crime have come from rapid urbanization in the 1970s, but have since leveled off. In the early 1990s Finland's economy dipped into a recession, causing crime rates to again drop off especially in the area of thefts. Since the economy has improved, crime rates have again increased, but only by a slight margin.

**Criminal Identification and Forensics.** The Central Criminal Police are responsible for maintaining Finland's fingerprint and identification files. The police cadets are introduced to forensics in the police academy. A 2002 review by the national police commissioner discussed the importance of crime scene examinations and called for improved registration of personal descriptions and DNA identifiers. The Finnish police are in the same situation as most police departments when it comes to resources: they are trying to do more with less. It has been recognized that the necessary specialization that is needed is not possible in small units. The national police commissioner requested that the local units be reorganized to provide flexibility in the use of resources for criminal investigations and to increase specialization. The Finnish police were expected to be fully reorganized by 2005.

**Organized Crime.** The Central Bureau of Investigation has identified seventy-three organized crime groups that operate throughout the country. Of these groups, twenty-nine meet the European Union's definition of organized crime. These groups total approximately 750 members. The Finnish police work closely with the Baltic States and Russia on the spread of cross-border crime. Cross-border crime is continuing to increase, especially in those crimes involving financial gain. The organized crime groups are involved in laundering money from the selling of narcotics and economic crime, smuggling of taxed goods, organizing illegal immigration, and prostitution. Since joining the European Union, the Finnish police are working closely with other European countries on trying to get a handle on the widespread problem of organized crime. Some of the elements of the organized crime groups are from the former Soviet Union and eastern Europe.

**Crime Statistics.** In 2002 there were approximately 737,000 crimes reported to the police with a clearance rate of approximately 523,000. Violent crimes such as homicides, assault, robberies, and sex offenses leveled off. There are 129 to 155 homicides a year mostly because of alcohol-related quarrels. In 2002 there were approximately 28,000 assaults and 372 attempted homicides. Sex offenses increased by 20 percent, but this statistic varies because of the sensitive nature of reporting this type of crime. The ten-year average for robberies has remained stable at approximately 2,120 a year and is

highest in the urbanized regions. Theft statistics fluctuate and are based on the economic condition of the country. Economic upswings generally bring an increase in theft. Traffic crime including drunk driving has decreased. There were only 413 traffic fatalities recorded in 2002. Finland has one of the smallest narcotics markets in western Europe. Narcotic offenses have increased since the 1990s. In 2001 there were 9,372 drug-related sentences given out. This increase in recorded narcotic crime is partly because of more aggressive control efforts. Juvenile crime has remained stable over the last twenty years. Most juvenile offenses are related to alcohol possession and identity documents. Car thefts, damage to property, robberies, and thefts make up approximately 45 percent of the crimes juveniles commit.

## CORRECTIONAL SYSTEM

The Ministry of Justice is in charge of the prison system in Finland. The prison system includes closed and open institutions. Closed institutions include 1 juvenile prison, 7 central prisons, and 9 provincial prisons. There is 1 training center, 5 open prisons, 5 open colonies, and 7 open units connected to closed prisons. Closed prisons house inmates who are sentenced to prison and persons serving imprisonment for nonpayment of fines. Some closed prisons are also used to hold pretrial detainees. Open prisons house individuals who are working or who are being considered for release. There are two prison hospitals for medical and psychiatric treatment of the inmates. The Prison Court is a special court under the Ministry of Justice. This court decides on the incarceration of dangerous recidivists and whether youth offenders are to serve their sentence in a juvenile prison.

**Prison Conditions.** Prisoners are given the opportunity to work, study, and take part in other activities accepted by the institution. Prisoners in closed institutions mainly do work at the institution. Prisoners at open institutions perform work on roads, airports, official buildings, and historical monuments. Prisoners are paid for their work and in open prisons can use cash. The prison conditions in Finland are considered good and are closely monitored by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment. Physical exercise and other directed activities are organized for the inmates. There are also leisure-time activities in which inmates can exercise or work on a hobby. Prisoners may receive guests and unsupervised visits by families may be granted. Prisoners are given the opportunity to apply for leave after half of their sentence has been served. Leaves may be granted for a maximum of six days and nights during a four-month period.

## *Finland*

**Prison Statistics.** In 2000 the number of prisoners serving sentences was approximately 2,855. The largest prisoner group was being held for violent crimes. Every fifth prisoner was serving a sentence for homicide or attempted homicide. Studies show that 60 percent of the prisoners will return to prison within five years. For inmates under twenty-one years of age, the return rate is approximately 90 percent. The number of prisoners under twenty-one years of age was 123. The number of women prisoners was 142. There were approximately 400 pretrial detainees being held in prison.

### **MOST SIGNIFICANT ISSUE FACING THE COUNTRY**

Finland is a welfare state, and the future of this welfare state is a major concern for both the citizens and the government. The Finnish population is aging and the number of people needing care is increasing, while the number of people who are actively working is decreasing. The welfare system and the pension system are growing in cost because of the aging population. For Finland to maintain economic growth and employment, the country will have to revamp its welfare system.

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# France

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**Official country name:** French Republic (République Française)

**Capital:** Paris

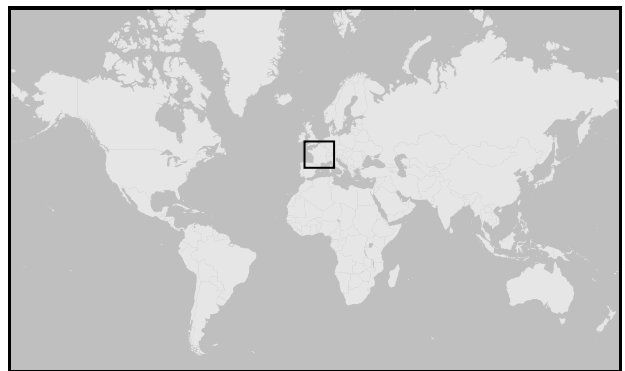
**Geographic description:** Country on the west coast of western Europe

**Population:** 60,656,178 (est. 2005)



## LAW ENFORCEMENT

**History.** Given the fundamental mission of police forces as being law enforcement, a progressive evolution throughout history has permitted the emergence of police as an institution, vis-à-vis justice and army. At the same time, the necessity of maintaining public peace and order has been used as a tool by kings in their effort to impose their preeminence over the lords, bishops, and municipalities. In that sense, the institution of provosts (judge, military governor, and police official) by Henri I in 1032 can be considered as a first step. However, the royal agents have cohabited for centuries with representatives of the local lordships. In 1254 Louis IX reorganized the police and institutes the Royal Watch. In the countryside, insecurity being chiefly caused by former soldiers, the military justice of the marshals took charge of public tranquillity step by step, and in 1544 its troops, the *maréchaussée*, were organized by François I and given jurisdiction over ordinary crime. It was the ancestor of the Gendarmerie (*gens d'armes* means “armed people”). In 1667 Louis XIV instituted the general lieutenant of police, a judge and police chief, who retained regulative power over matters under his jurisdiction in the city of Paris. This institution was extended to other cities.



During the French Revolution elected police chiefs (commissaries) were instituted in all cities wherever necessary. In 1796 a Ministry of General Police was created, and in 1800 a Préfet de Police in Paris. In rural areas the Gendarmerie was restructured in 1790 with permanent stations. Its present basic authority is a decree of May 20, 1903. On November 17, 1808, the Napoleon Code of Criminal Information (Code d’instruction criminelle) regulated criminal investigations by the police and created the Office of Judicial Police Officer.

At the beginning of the twentieth century the administration of police in the most important cities passed from the mayor to the state, and mobile criminal squads were created. Two distinct administrations were placed in charge of police duties: the Prefecture of Police in Paris and the National Security for the rest of the territory. They were unified in 1966 under the appellation of National Police; however, the Paris prefecture has maintained a broad autonomy. Nine years before, on

December 31, 1957, the Penal Procedure Code took the place of the Napoleon Code and gave a new legal framework to police criminal investigations. The orientation of that text, more favorable to the rights of the individual, was reinforced by the law of June 15, 2000. More recently, a law of August 29, 2002, for internal security, followed by a law of March 18, 2003, have reorganized and modernized the police force to deal more efficiently with an increase of crime.

**Structure and Organization.** Although France is a centralized country, police forces are divided as a result of historical evolution into two main law enforcement agencies: National Police, a civilian police force that holds jurisdiction essentially in cities of 10,000 inhabitants and over, and Gendarmerie, a military police force, holding jurisdiction mainly in the countryside. In addition, there are municipal police forces, with limited powers and some other bodies with some police prerogatives.

In France, the National Police is under the Ministry of Interior. The Direction Générale de la Police Nationale (National Police General Directorate) headed by a prefect constitutes one of the branches of that department and the general director takes his orders directly from the minister. On January 1, 2003, it employed 144,356 agents. It is divided into central, regional, and local units.

At the central level, three directorates are in charge of administration and management:

1. Administration Directorate, in charge of personnel, finances, budget, equipment
2. Training Directorate, in charge of training programs and schools
3. General Inspectorate, in charge of control and discipline, investigates the misconduct and offenses committed by members of the force

Eight central directorates or services coordinate the territorial units and act directly through their own active departments.

The Central Directorate of Public Security is in charge of public order and general prevention and suppression of crime. Having no central operational units, it manages and controls 79,124 local and territorial police officers both in uniform and plainclothes. It administers police stations in local districts in mainland France and overseas territories as well.

The Compagnies Républicaines de Sécurité (Republican Security Companies) consists of 15,106 mobile uniformed military-like troops performing public order missions (antiriot interventions and securitization of crowds, especially in case of mass demonstrations), traffic

circulation surveillance on highways, and mountain rescue. Their central headquarters, previously a branch of the Public Security Division, became autonomous in 1985. It is divided into bureaus: Staff, Budget, Equipment, General Affairs, Training, Operations, and Transmissions. The companies themselves are located at a regional level.

The Criminal Investigations Central Directorate is in charge of prevention and suppression of serious criminal activities. Its 4,354 agents participate in criminal procedure within the framework of the code and under justice control. In contrast to the preceding directorates, it does not only perform liaison, coordination, and command regional departments but also directs operative units with national territorial jurisdiction, specialized in particularly dangerous criminal categories, and both collects information and performs interventions (National Central Offices including Gendarmerie, customs, and treasury officers). It is divided into four subdirectorates.

*Criminal Affairs*

*Operations:*

- National Central Office for the Suppression of Organized Crime (Répression du banditisme), with four (and eventually five) local detachments called Search and Intervention Squads
- National Central Office for the Suppression of Illicit Drug Trafficking
- National Antiterrorist Division, which includes the National Central Office for the Control of Firearms and Explosives Trafficking
- National Central Office to Combat Traffic of Cultural Goods
- National Central Office for the Suppression of Traffic in Human Beings

*Economic and Financial Affairs*

*Offenses against Business Law:*

- National Central Office for the Suppression of Major Financial Crimes
- National Central Office for the Suppression of Counterfeit Currencies
- National Central Office to Combat Crime against Information and Communication Technologies (cybercrime)

The Forensic Science and Identification Subdirectorate (Sous-direction de la Police technique et scientifique) manages five police laboratories (Paris, Lyon, Marseille, Lille, and Toulouse). The Central Identification Department (Identité Judiciaire) runs the national fingerprints computerized index file. The Central Criminal Documentation

Unit operates the central index file, the wanted persons index file, circulation of identification or arrest messages, the stolen vehicles index file, and the National Automated Genetic Prints (DNA).

The central director of criminal police heads the French Interpol National Central Bureau. A Central Operative Police Cooperation Unit regroups Police, Gendarmerie, and Customs. A justice liaison uses Interpol, Schengen, and Europol cooperation and channels Survey and Control Training.

Following the 2002 and 2003 laws on internal security a reorganization plan of this directorate is on its way. It will essentially create a new Central National Office for the search of wanted people and fugitives and a new database at the National Central Office for the suppression of serious financial crime. There are changes at the regional level as well.

The Central Intelligence Directorate (CID; Direction Centrale des Renseignements Généraux) collects intelligence on political, economic, and social matters. Its duty of surveillance of political parties has been abandoned since 1995, and now it concentrates its efforts on foreigners, violence, external relations, and overseas territories. The directorate also holds jurisdiction over gambling and racing. It is divided into four subdirectorates:

- Research and analysis, in relation with external sections
- Social upheavals, cities and suburbs, social analysis (violence in the cities), communication, and financial research
- Racing and gambling (not only surveillance but also criminal investigations)
- Methods and staff (3,076 agents)

Changes were implemented in 2004 that improved the efficiency of the directorate concerning urban violence and antiterrorism action.

The Border Police Central Directorate (Direction Centrale de la Police aux Frontières) is in charge of ports, airports, and border police. It also holds jurisdiction over surveillance and suppression of illicit immigration. For that purpose, a Central National Office for the Repression of Illicit Immigration and Employment of Illicit Migrants, similar to those of CID, has been instituted within this directorate. It also includes the Legal and International Affairs Subdirectorate, directly under the director's authority, an operations room, and a national escort unit in charge of accompanying illicit migrants back to their country of origin. The directorate coordinates action of its regional sections and 7,339 agents.

The Territorial Security Directorate (Direction de la Sécurité du Territoire) is in charge of prevention and suppression of all activities presenting a threat to the security of the national territory. Its organization is classified.

The VIP Protection Service (Service de Protection des Hautes Personnalités) is in charge of protecting the president (along with Gendarmerie), the prime minister and members of the government, as well as foreign chiefs of states and of governments during official visits in France. It is also in charge of organizing security during travels of the French dignitaries in France or abroad. In such cases, it works in full cooperation with the competent service of the country concerned, for instance, the U.S. Secret Service. This service is divided into three subdirectorates:

- VIP Security
- Foreign Dignitaries (including a "Europe" antenna in Strasbourg)
- Operational Management

The International Technical Police Cooperation Service (Service de Coopération Technique International de Police) organizes actions of partnership concerning police and security with some countries that have cooperation agreements (training, technical assistance, advice, and so on) with France.

The central directorate includes three subdirectorates:

- Technical and Institutional Cooperation
- Information and Communication
- Management and Finance

In addition, police attaches are posted in embassies abroad, as technical advisers, or lead a delegation to coordinate action at regional level.

Due to historical reasons some regions located outside of the European continent are under French sovereignty. They belong to two categories in terms of their legal status:

- French overseas departments are administered, managed, and ruled exactly as any of the French departments in mainland France. These departments are Martinique, Guadeloupe, French Guyana, and La Réunion.
- French overseas territories and territorial communities are granted different degrees of autonomy. They are headed by a general administrator or high commissioner instead of a prefect, and each has its own particular territorial assembly. These territories are Wallis and Futuna,

French Polynesia, Antarctic French Territory, New Caledonia, Mayotte, Saint Pierre and Miquelon.

Regardless of the difference in their administrative status concerning law enforcement and corrections, the overseas French departments and territories are ruled the same way as mainland France.

In the overseas French departments and territories, the police work in the cities inhabited by 10,000 persons and more that constitute districts:

- There are two districts in Guadeloupe (Pointe à Pitre and Capesterre)
- Two districts in Martinique (Fort de France and Le Lamentin)
- One district in French Guyana (Cayenne)
- Four districts in La Réunion (Saint Denis, Port des Galets, Saint Benoit, and Saint Pierre)
- One district in New Caledonia (Nouméa)
- One district in French Polynesia (Papeete)

Employing a total of 1,500 agents, they are organized in the same fashion as in metropolitan France.

Three delegations for overseas territories corresponding to Republican Security Companies are based in Guadeloupe, with jurisdiction to Antilles and Guyana, La Réunion, and New Caledonia. In case of necessity, some additional troops could be sent from mainland France.

As in Continental French Territory, criminal investigations are conducted by public security agents. In addition, the Criminal Investigations Central Directorate created an Interregional Criminal Police Directorate for the regions of Antilles and Guyana, and a special detachment of the Central National Office for the Suppression of Illicit Drug Trafficking, due to the importance of criminal traffics in the region.

In the same way as in mainland France there are departmental intelligence directorates in charge of collecting and transmitting intelligence.

In overseas French departments and territories the Gendarmerie performs the same duties as in mainland France, policing mainly the countryside, that is, the territory as a whole, but in the cities they conduct only specialized police actions, for instance in the field of criminal investigations. Its 167 brigades and posts ensure general policing. Six air transport brigades, 5 air sections, 10 boat brigades, and 12 motorized brigades facilitate the day-to-day work in an environment where distances are often much more important than on the European continent, especially in archipelagos. Seventeen investigation brigades perform the same criminal investigations duties

as in the French European territory assisted by 12 surveillance and intervention units and 5 brigades in charge of juvenile delinquency prevention. Five road traffic brigades ensure main roads surveillance and 9 Mobile Gendarmerie troops ensure public order maintenance. If necessary, other troops can be sent from mainland France.

As a whole, 2,828 gendarmes are posted in overseas departments and territories.

Correctional institutions in overseas French departments and territories are basically the same as in mainland France. They belong to the same entities of the Ministry of Justice: Corrections Department and Judicial Youth Protection.

Martinique, Guadeloupe, Guyana, and Réunion constitute regions of the Corrections Department, which is also present in overseas territories. According to the renovation plan, the arrest house of Saint-Denis de La Réunion is to be rebuilt, and a new prison is to be built in Basse-Terre. The same overseas departments are also considered as regions by Judicial Youth Protection.

The administrative status of the overseas French departments and territories is liable to change. It has been the case in the past, for instance, concerning New Caledonia. More recently, a prefect has been appointed in the French Antarctic territories, and changes in local representative assemblies have been proposed by referendum to the inhabitants of French Antilles, but it has been rejected. In any case, modifications are not expected to bring dramatic changes in the basic organization of law enforcement and corrections.

**Police at Work.** The budget of the National Police is a part of the budget of the Ministry of Interior. In 2003 it represented 5.4 billion euros (30.3 percent of the total). In 2004 the budget of the National Police is expected to rise by 5.7 percent.

The budget of the Gendarmerie is part of the Ministry of Defense. In 2003 it represented 4.25 billion euros (13.7 percent of the total).

Under the law of August 26, 2002, called the Law of Orientation and Programming for Internal Security, these budgets were expected to increase the following five years.

According to the budgetary provisions for 2004, police personnel represent 78.2 percent of the total personnel of the Ministry of Interior. The 145,243 agents of the General Directorate, although most of them wear a uniform, are civil servants and are remunerated according to the rules established for all civil servants, tempered by the fact that they are granted a special status, that is, they are represented by unions and elect their delegates, but do not have the right to go on strike.

The National Police personnel includes 13,273 administrative employees and 118,168 active agents, plus 12,915 security assistants (*adjoints de sécurité*), and young people recruited on the basis of a personal contract to assist the local police. This form of recruitment is likely to disappear in the near future. Since 1983 there have been 38,000 active women in all police functions.

The active agents are divided into three bodies, according to the rank and nature of the duties performed. Each of these bodies has its own recruitment modalities and corresponds to a certain level in the scale of remuneration.

In France police officers in the street are called Gardiens de la Paix (Guardians of the Peace). The word *flic* (cop) is familiar and, in certain contexts, can be considered derogatory. They are recruited after an examination and without any required university degree. They attend one-year training programs at one of the police schools. The training includes a probation period in a district. The 100,978 Guardians of the Peace perform all police duties in public security districts as well as in the Republican Security Companies.

The 15,150 police officers are by statute in charge of assisting or deputizing the Commissaires de Police. They can either be in command of the guardians or perform investigative duties as detectives or general intelligence agents. Nearly 60 percent are recruited by examination open to college graduates, 30 percent by an examination open to police agents after four years service, and 10 percent by choice among master sergeants after twenty years service in the corps. They receive eighteen months of training in the National Police Officers School.

In spite of a similar etymology, the French commissaire is not, as the American commissioner, the chief of police of a capital. He or she is closer to the British superintendent, or, in the United States, a precinct captain. The 1,955 commissaries are in command of all active agents of the National Police in districts, squads, and central offices. Nearly 60 percent are recruited by examination among university graduates at the master's level, 30 percent after an examination given to police personnel after four years service, and 10 percent from among commandants. New commissaries are trained during two years at the National Police Academy and probation periods. Ranks in this body are commissaire, principal, and commissaire divisionnaire. Promotions are decided by choice. The commissaries can have access to the rank of general supervisor (Contrôleur Général), general inspector (Inspecteur Général), and director; promotion to the higher ranks of the National Police are by decision of the Minister of Interior. In 2003 eighty-five of these top-ranking police officers administered all police departments on the national territory.

The gendarmes in Gendarmerie Nationale, which is a branch of the French Army, are commissioned or non-commissioned officers, although they receive instructions from the Minister of Interior for their police missions. The personnel includes 11,000 women agents.

Apart from personnel recruited on a contract basis and for a limited time (cadets and assistant gendarmes), the active personnel of the Gendarmerie Nationale includes noncommissioned and commissioned officers.

All gendarmes are noncommissioned officers and hold the rank of sergeant in the army. They are recruited after qualification tests and are trained for one year to qualify for a certificate. The 74,000 noncommissioned officers have the same hierarchic scale as in the army (*marechal des Logis chef, adjutant, and adjutant chef*, which correspond roughly to sergeant, master sergeant, and adjutant) and perform the duties of administrative or criminal police in Departmental or Mobile Gendarmerie units.

Gendarmerie officers are army officers, who are recruited from among officers graduating from military schools having chosen to serve in the Gendarmerie or after examination among university graduates. Noncommissioned officers may also become officers after examination if they hold the baccalaureate (high school and two years of college) or a special qualification certificate.

Ranks are the same as in the army: lieutenant, captain, major (commandant), lieutenant colonel, colonel, and general. In spite of the similarity of some of these appellations, the ranks in the Gendarmerie are not similar to those in the police. The Gendarmerie employs 4,087 commissioned officers.

The municipal police agents are appointed by the mayor of the city concerned and perform their mission after agreement by the prefect and the prosecutor. Their administrative status is that of civil servants of local communities, that is, a special category of public offices. The ranks are guardian, chief guardian, sergeant (brigadier), chief sergeant (brigadier chef), first chief sergeant (brigadier chef principal), and chief of the municipal police.

*Police-Community Relations.* The necessity to bring police closer to the population led to the adoption in 1999 of the concept of Proximity Police, which was inspired by community police experiments put into practice in northern European countries. Basically, police officers are assigned to a certain delimited urban territory to perform more quickly administrative and judicial duties. Patrols by walking or cycle riding agents are made more systematically, and officers are responsible for their results. That policy results in modifications in the organizational chart of the Public Security Directorate and the Prefecture of Police of Paris as well.



**Local and Regional Police.** The National Police basic local unit is the district (*circonscription*). There are 462 districts and 678 local police stations policing more than 1,600 cities of 10,000 inhabitants or more. Although they take their orders from the Public Security Directorate, the districts are nonspecialized units and participate both in public order maintenance and in crime prevention and detection. They constitute the emergency units of the police. Each district is divided into three sections:

- A Proximity Police Service (Service de Police de Proximité) is in charge of prevention and suppression of street crimes: patrols, reception of complaints, anticrime squad, block patrolling, and emergency intervention
- An Investigation Service (Service d'investigation et de recherche) in charge of criminal investigations
- A Public Order and Traffic Service (Service de l'Ordre Public et de la Sécurité routière)

Some districts have a local forensic police laboratory.

In the most important cities the *circonscription* is divided into several precincts. In that case, the officer in charge is called a commissaire central. Beginning in 2000 the *circonscriptions* were being reorganized.

A departmental public security director holds authority over all heads of *circonscriptions*. He advises the prefect on all police affairs. Usually, the commissaire central of the chief town of the department is also in charge of that duty.

The departmental directorate is linked to common operational services: command and radio, motorcycle squad, police dog patrol, and so on. In the most important towns there exists a mobile National Police Intervention Task Force (Groupe d'intervention de la Police Nationale) composed of specially trained agents with sophisticated equipment who are able to intervene quickly in serious situations such as hostage takings, difficult arrests, dangerous insane people, and so on. A General Intelligence Departmental Directorate is also located in the department's capital. The location of police services whose jurisdiction covers more than a department does not necessarily correspond to an administrative region.

Nine groups (Groupements) of Republican Security Companies are implanted in the defense areas. They manage the sixty-one companies distributed in the whole territory. The Interregional Air and Border Police Services are also implanted in the defense areas. Nineteen regional criminal investigation services (*services régionaux de Police Judiciaire*) with national (*ratione loci*) jurisdiction are in charge of criminal investigations in the most important cases, according to the previously mentioned

specialties concerning the Central CID. Some of these services are handled by local detachments. The reorganization plan now on its way foresees the creation of nine interregional criminal police directorates.

Due to its importance as the capital, seat of the government, and the number of its population (more than 9 million), Paris has always been considered as a distinct entity as far as police is concerned. After having been for years completely independent and recruiting its own agents, the Paris Police Department still possesses its distinct characteristics and constitutes an original element of the National Police.

The chief of police (*préfet de police*) by law has the power of regulations making (*Pouvoir réglementaire*), normally granted to the mayor in all other French cities, in all police matters. He is appointed by the government and takes his orders directly from the ministers.

The Paris Police Department employs 18,837 agents and holds its jurisdiction over the city itself and the three suburban departments. It includes administrative divisions that are in charge of preparing the prefect's decisions (Arrêtés), delivering licenses and authorizations, and more generally enforcing rules (General Policing: passports, identity cards, and foreigners' permissions to reside; Traffic, Transport, and Trade: driver's licenses, car registrations, and authorizations for dangerous activities; and Public Safety: dangerous buildings and so on).

Concerning more traditional police duties, the department was drastically reorganized in 1999; it includes five directorates:

- Public Peace and Traffic, which are in charge of ensuring public peace and freedom of movement, especially in case of public events and demonstrations, as well as protection of the institutions of the republic. For this purpose, the city is divided into three districts.
- Urban Proximity Police (Police Urbaine de proximité) coordinate the twenty police precincts (Commissariats d'arrondissements) that perform general police duties: patrols, public contacts, filing complaints, collecting material evidence in scenes of crimes, criminal investigations at local level, juvenile surveillance unit, and a local police laboratory. The police stations are open twenty-four hours a day.
- Criminal Investigation Department (Direction de la Police Judiciaire) is in charge of fighting organized, professional, or particularly serious crime. It is comprised by several units: Homicide Squad, Antigang Squad, Drugs Squad, Vice Squad, Juvenile Squad, Financial and White Collar Crime Squads, Suburban Departmental CID, Supervision, Staff Logistics, Laboratory, Fingerprint, and Computers.

This CID is popularly known as the “36 quai des Orfèvres” because of its location.

- General Intelligence Department provides general information, monitors violence and terrorism and foreigner surveillance, and oversees staff and equipment. It has no jurisdiction over gambling, which remains under the Central Directorate’s surveillance.
- Department of Logistics is in charge of equipment, 4,000 vehicles, River Police (four boats), one helicopter, computers, and telecommunications.

There is no English word to translate exactly the French *Gendarmerie*, perhaps because such an institution does not exist in English-speaking countries. In Canada the Royal Canadian Mounted Police is translated as *Gendarmerie Royale*, but the force is different from the French Corps.

The National Gendarmerie is a branch of the French Army. It belongs to the Ministry of Defense and performs both military and police duties. Although it works mainly in rural areas, its jurisdiction is national, and the gendarmes can by law operate even in towns. The Gendarmerie is a uniformed police force, and its members may act in plainclothes only in specific cases and with special authorization.

The National Gendarmerie’s organization shows this aspect in civil and military missions:

- Although the Gendarmerie is a part of the army, the General Directorate in the Department of Defense is headed by a civil servant, usually a prefect; in the framework of its nonmilitary missions, it usually works under the prefect of the department, and performs its criminal investigations under the prosecutor’s authority.
- The Gendarmerie’s territorial organization participates both in military and civil structures.
- The National Gendarmerie includes central command services and two branches: the Departmental Gendarmerie and the Mobile Gendarmerie.

At central level, it includes the General Inspectorate, the command of the nine training schools and ten technical specialized centers, and administrative and technical services. Departmental Gendarmerie covers the whole territory and employs 65,669 people.

At the local level, 3,499 territorial brigades serve in the cantons, administrative units that group between five and ten communes (municipalities). The gendarmes are quartered on the site and perform all the general police duties: administrative police, patrolling, traffic police,

emergency interventions, criminal investigations, assistance, and rescue. This action is specially important in rural areas, where their knowledge of the area and its inhabitants is particularly appreciated.

At the departmental level, the brigade coordination and command is organized into 397 companies, located at the subprefecture (Arrondissement) under a commissioned officer. These companies belong to departmental groups (Groupements), whose officer in command acts in concert with the prefect. Their 357 investigations units and 92 departmental investigation units are specialized in criminal investigations. Identification and forensic science units are in charge of collecting material evidence in scenes of crime. These elements (including DNA) are analyzed in a Gendarmerie Criminal Research Center. Over 308 police dog masters help the investigators and 227 surveillance and intervention squads reinforce action in nighttime operations. In addition, 5 river and 11 air sections, 17 mountain squads, 36 juvenile delinquency prevention squads, 93 road traffic surveillance motorized groups, and 133 highways security squads constitute specialized units.

At regional level, the groups of the same administrative region constitute a legion (31 for the whole territory), nine circumscriptions assemble the legions, under a general, within the framework of the military areas, and constitute three regions.

Each general in command of a legion of Departmental Gendarmerie also heads a legion of Mobile Gendarmerie. At departmental level, 123 squadrons perform the duties of maintaining public peace and order and general security. These mobile units reinforce the Departmental Gendarmerie in case of important crowd events, demonstrations, and so on. They constitute a reserve force at the disposal of the government and can be engaged at the prefect’s initiative, specially within the framework of emergency plans. These duties are performed by 16,875 gendarmes and officers.

A National Gendarmerie Security and Intervention Group includes a parachute detachment, the Security of the Presidency Group, and the National Gendarmerie Intervention Group (Groupe d’intervention de la Gendarmerie Nationale) and is composed of specially trained and equipped agents who intervene in difficult and dangerous situations such as hostage takings, terrorist attempts, and so on.

The Republican Guard (Garde Républicaine) contains two infantry regiments and a cavalry unit (the last mounted regiment of the French Army) that perform security and honor duties for high-ranking officials of the French Republic and for VIPs of foreign countries on official visits to France. They also perform riding patrols in the forests near Paris. It has 4,850 members.



*Troops from France's counterterrorist operations use ropes to descend from the Eiffel Tower during a demonstration in Paris, October 8, 2005. The event was held to celebrate the twentieth anniversary of RAID, the country's elite police force. RAID stands for Research, Assistance, Intervention and Deterrence. AP IMAGES.*

The duality of the main police forces in France is considered a source of inconvenience. As of 2005, the government was want to palliate this situation without fundamentally changing the status of the forces: the repartition of districts between the two police forces was under review and some of them were redistributed. Since 2002, intervention regional groups composed of gendarmes, customs, and police officers have been created to fight major crime (one per region). In 2003 their actions led to the incarceration of 1,087 criminals.

In France the mayor retains some police regulative powers and may request his city council to create a municipal police, even if the city has more than 10,000 inhabitants and benefits from the National Police system. The appointment of agents and their firearm licenses are submitted to the prefect's approval. These agents may ascertain infractions, but cannot undertake investigations. They may arrest people *flagrante delicto* but must report to National Police or Gendarmerie for any further action. Their first duty is to enforce the mayor's decisions (*Arrêtés*), but they play an important part in street traffic

and patrols. The Law on Internal Security of March 18, 2003, increased their responsibilities mainly in traffic matters.

In 2001, 3,027 cities, including Paris, had municipal police forces, whose importance varied according to that of the town itself. In eight cities, more than a hundred people were employed, and the Directorate of Prevention and Protection of Paris counted more than 600 agents. On the whole, 14,452 Municipal Police agents were employed in French territory in 2001.

In rural areas about 3,800 rural policemen were in charge of implementing the mayor's decisions concerning traffic and infractions to the Rural Code. They take their orders from the mayor and may carry a firearm on declaration by the mayor to the prefect.

The National Railway Company and the Parisian Transport Company have developed security departments that cooperate with National Police and Prefecture of Police to improve safety in stations and on rail, subway, and bus lines that are sometimes concerned with urban violence.

Although not formally considered as “police,” agencies belonging to the Ministry of Finance conduct investigations in the field of their jurisdiction, with particular procedural prerogatives. A cooperation with National Police and Gendarmerie has been set up in the matters of economic and financial crime, money laundering, trafficking, especially in drugs, and illicit immigration.

More than 4,000 enterprises deal with security in France, in fields like protecting commercial centers, private housing groups, and transport of funds, private detectives, and so on. Since 1995 the laws on security that regulate their activities to promote professionalism also grant them certain prerogatives in such matters as searches and interventions flagrante delicto, as specified in an official agreement.

**Education and Training.** National Police and Gendarmerie have their own police schools and academies for training newly recruited agents and to ensure their continuing education. The National Police has fourteen police training schools provide new Guardians of the Peace with a basic training, including sport, shooting, self-defense, police rules and regulations, and rudiments of law. Two police schools teach police officers.

Training includes more advanced law and management studies. One National Police Academy for the Commissaires de Police is granted a particular administrative status as a public teaching institution under the ministry of interior’s authority. Fifteen regional training centers are in charge of continuing education. To correct inequities in the seniority system, training probation periods are requested before any promotion.

The National Gendarmerie runs twenty-four schools and training centers that provide training to the newly recruited gendarmes and graduation certificates necessary to be promoted to certain ranks. In addition, under the direct authority of the minister of interior, an Advanced Studies of Internal Security Institute, in which Police, Gendarmes, Customs, Justice, and Education cooperate, conduct research and organize training and information sessions on all questions related to security.

**Uniforms and Weapons.** Each police officer is provided with a handgun (Manhurin F1 357 Magnum, Ruger SP101 38sp, or Beretta 92 FS 9mm Parabellum) and, if in uniform, a “defense stick.” The police also carry machine pistols (Beretta 12 SD 9mm Parabellum or MP5 9mm Parabellum) and grenade launchers (Ruger AMD). As of 2005, a program of extension of flash balls and other nonlethal weapons was being developed. At the end of 2003, all law enforcement and customs officers were equipped with a Sig Sauer SP 2022 handgun. The National Gendarmerie, being a military corps, carry

rifles, handguns, machine guns, and heavier weapons. Both Republican Security Companies and Mobile Gendarmerie units are provided with protection devices, such as shields, helmets, gas masks, and tear-gas grenades.

The legal conditions of use of firearms are different for police and Gendarmerie. The May 20, 1903, decree, in its article 174, provides that “armed force may be employed after summons, and when it is impossible to defend by any other way the ground held by gendarmes, or to immobilize people or vehicles.” Such a text does not apply to police officers. Judicial Supreme Court decisions restrict their right to use firearms to legal self-defense.

**Transportation, Technology, and Communications.** The police forces in France own a number of buildings and facilities necessary to ensure their presence in the whole territory as well as to quarter some of their troops. There are 1,971 police stations (*hôtels de police*) in urban areas and 110 barracks that quarter the Republican Security Companies. In addition, the National Police owns 19 retaining centers to house illicit immigrants during investigations, 34 schools and training centers, and 700 other facilities, such as workshops, garages, and telecommunications facilities.

The Gendarmerie Nationale owns 4,187 barracks representing both the local stations in rural areas (the gendarmes having their living quarters in the same place at which they are stationed) and the barracks of the Mobile Gendarmerie legions. In addition, the Gendarmerie have twenty-four schools and training centers and their own technical plants, garages, telecommunications facilities, and so on.

Mobility of police services is ensured by an important automobile fleet. The National Police owns a fleet of 1,818 heavy vehicles (buses, trucks, vans, water cannon cars, and so on), 18,658 cars of all nature (patrol cars, ordinary cars for CID, and so on), and 10,656 motorcycles. The Gendarmerie is equipped with 2,132 heavy vehicles, 25,235 cars, and 4,619 motorcycles.

The Information Technology and Communication System Directorate of the Ministry of Interior is given the responsibility to conceive and set up information processing and communication systems (telephony, radio telephony, data processing, computing, and office automation) for all departments of the ministry.

The National Police have a network of 59,830 terminals, with 21,191 of them being linked to the encrypted network of the Ministry of Interior. Furthermore, 827 microcomputers are embedded on vehicles and linked to the network, thus allowing access to police databases. The French National Central Bureau is linked to the Interpol Global Secured System.

Concerning telecommunications, 26,054 mobiles on vehicles and 34,304 mobiles for pedestrian patrolmen ensure a constant liaison of police officers with analogized network. A link through a numerical encrypted network is now in development with twelve departments already so equipped.

In the Gendarmerie, 53,000 microcomputers are at the gendarmes' disposal, with 2,000 of them being linked to the intranet system, and thus allowing access to all judicial databases and to the 7,000 microcomputers embedded on board vehicles. The Gendarmerie numerical telecommunication network covers ninety-seven departments.

**Police Officers Killed in the Line of Duty.** Law enforcement in France remains a dangerous activity. In 2003 9 police officers and 10 gendarmes died in the line of duty; 3,654 police officers and 915 gendarmes were wounded during operations.

## HUMAN RIGHTS

In France the first text providing for a protection of human rights is the 1789 Declaration of the Rights of Man and Citizen, especially its article 7: "Nobody can be accused, arrested, nor detained but in cases and following the forms provided by Law." France is a party to the December 10, 1948, International Bill of Human Rights and the November 4, 1950, European Convention on Human Rights.

As in all democratic countries, police cooperate in ensuring the respect of the fundamental rights of the citizens, especially in ensuring public peace. Performing that duty, police officers are particularly concerned with provisions concerning personal integrity and respect of fundamental rights.

Several dispositions of the Criminal Procedure Code, as amended by subsequent laws, are intended to protect human rights. For example, police custody (*garde-à-vue*) can last only twenty-four hours and can be extended only by the prosecutor or the judge. The judicial police officer must inform the person concerned of his or her rights (the obligation to notify his or her right to silence was withdrawn by the law of March 18, 2003). The suspect may meet a lawyer during the first hour of custody and request to be examined by a doctor. An effort is made to humanize the conditions of police custody (improvement of housing and food). Searches are also limited. Wiretappings and computer searches must be ordered by Justice.

If these dispositions are not respected, they are likely to involve annulment of the procedure, and provoke sanctions against the judicial police officer. It should be mentioned that, besides the French courts' jurisdiction, a recourse is open before the European Court of the

Human Rights that could condemn the country for infringement of the 1950 convention.

Databases must be created by decree after the formal agreement of a National Committee Computer Science and Freedom (Commission Nationale Informatique et Libertes). The inscription of new categories of persons in a database must be approved by law.

A Code of Ethics for the National Police (Decree 86592 of March 18, 1986) enumerates the police officers' obligations: loyalty, protection of fundamental rights, integrity, dignity, respect of professional secrecy, respect of human beings, and prohibition of illicit violence or humiliating treatments. It determines the conditions for use of licit force and use of firearms (licit self-defense) as well as control modalities.

A National Committee for Ethics on Security Matters (Commission Nationale de deontologie de la Securite) was created by the law of June 6, 2000. This committee is composed of seven personalities (justices, members of Parliament, and qualified persons) chaired by the former chief justice (Premier Président de la Cour de Cassation). Cases of suspected attempts to human rights can be referred to this committee by or through a member of Parliament. It conducts investigations and gives advice. It may also make suggestions to legislators.

At internal level police and Gendarmerie are accountable to specialized departments in charge of discipline and ethics. The National Police General Inspectorate and the Prefecture of Police General Inspectorate investigate and propose administrative sanctions against police officers committing infringements of discipline. They also conduct criminal investigations in such cases if necessary. For the Gendarmerie, the May 20, 1903, decree provides in its Title V conduct regulations, within the framework of the military discipline, a more general way than the 1986 decree for police.

## CRIME

Crime detection, prevention, and criminal investigations constitute the most important task of police forces. Actually, it could be said that almost all the efforts of police agencies, including public order maintenance and intelligence collection are directed toward crime prevention. Crime suppression constitutes the main condition of public peace, and disturbances to public order must in a democracy find their sanction before courts and by law. In that sense, the 7,200 emergency interventions a day made in 2002 by the National Police can be considered as efficient preventive and suppressive actions.

In 2003, 2,834,555 offenses of all categories were reported to or investigated by the National Police and 1,140,139 offenses by the Gendarmerie. Thus, 71.3 percent of the total were dealt with by a department whose

jurisdiction covers only 5 percent of the total territorial area and 50 percent of the population. (The figure for Paris corresponds to 6.9 percent of the total criminality.) The total number of crimes committed in 2003 (3,974,694) compared to that of 2002 (4,113,882) shows a decrease of 3.4 percent. Crimes committed in urban areas under National Police jurisdiction decreased by 3.3 percent, while those reported to the Gendarmerie decreased by 3.6 percent. Thus, for the first time since 1997 French criminal statistics show a decrease. That tendency is even more significant if one considers the figures for rural areas. The number of crimes reported to the Gendarmerie that increased by 11.9 percent in 2002, show in 2003 a decrease similar to that registered in the cities by the National Police. Of course, it is too early to draw any general conclusion from these figures. Actually, if one considers the situation on a long-term basis, it is obvious that France, as well as all industrialized countries, have experienced a drastic increase of crime since the mid-twentieth century. The rate of crime per 1,000 inhabitants, which was 13.73 in 1950 went up to 48.90 in 1980 and 69.32 in 2002. Such a situation led to a political backlash and finally brought about the adoption of the 2002 law on public security. The decrease registered in 2003 constitutes an encouraging vindication of such a policy.

Criminality in France mainly includes thefts, burglaries, housebreaking, and all kinds of robberies. These offenses are usually called street crimes (*Criminalité de voie publique*) and are one of the main sources of insecurity felt by the population. In 2003 they decreased by 9 percent. Economic and financial crime decreased by 1.6 percent, "important crime" by 6.7 percent, and armed robberies by 20.0 percent. By contrast, crimes against persons, including violence, threats and sexual assaults, increased by 7.3 percent. While drug-related crimes increased by 18 percent and the procuring of drugs by 12 percent, these increases are considered as the result of a better organization of the detection system. Actually, the number of crimes detected "on initiative" in absence of any complaint increased by 9 percent in 2003. In 2004, 232 persons were arrested for participation in terrorism-related activities.

In France, as well as in all democratic countries, police action against crime cannot be separated from justice. Actually, as the French legal criminal system is of the inquisitorial type, criminal investigations are strictly regulated by the Penal Procedure Code. Without delving in detail into the procedural system, it is necessary to mention some legal points that condition investigations.

In France all police officers cannot perform all acts of criminal investigations. They are by law divided into two categories: judicial police officers (*Officiers de Police Judiciaire*) and judicial police agents (*Agents de Police Judiciaire*). The capacity of the judicial police officer is

granted by Justice and can be withdrawn by Justice. Some acts of procedure can only be accomplished by judicial police officers, for instance, searches and police custody (*Garde à vue*). In application of the Law on Internal Security, expenses for 2,000 new judicial police officers are provided for in the 2003 budget.

There are three ways of investigations according to the circumstances: preliminary investigation, *flagrante delicto* investigation, and execution of "rogatory letters," that is, orders of a judge (*Juge d'instruction*).

The possibilities open to police officers differ accordingly. For instance, searches cannot be conducted in preliminary investigation without the agreement of the person concerned. Police detention is extended in investigations concerning certain types of crime, for instance, drugs and terrorism.

Police officers and gendarmes acting in criminal investigations are, according to the code, placed under the prosecutor's authority. As they already belong to different departments (Interior and Defense), this is likely to create some difficulties.

Territorial jurisdiction is also a possible source of problems: Some judicial police officers from the police and Gendarmerie are granted a national jurisdiction and it may happen that the two services work on the same case. Legal arrangements such as the 2002 decree giving the minister of interior an authority over Gendarmerie in agreement with the minister of defense, and the creation of new services as the regional investigating groups in which police officers and gendarmes participate are intended to palliate this difficulty. As far as criminal investigations are concerned, in case of conflict of jurisdiction it is up to the prosecutor or the judge to decide. It may also happen that, in the same case, a *Juge d'instruction* delivers orders at the same time to both agencies to perform different acts.

Actually, police and Gendarmerie local units hold general jurisdiction, receive complaints, collect material evidence on scenes of crimes, listen to witnesses, arrest criminals in the act, keep people under watch, and transmit the case to the prosecutor's office. Only difficult or specific cases are transmitted to specialized services such as Regional Criminal Police Services or one of the central offices, usually on the prosecutor's instructions or a decision of the hierarchy, for instance, CID headquarters in the Prefecture of Police of Paris acting in agreement with the prosecutor's office, which is located in the same building in the court house.

In 2003 the conviction rate was 29 percent (25% in 2002). Compared to the 313,546 police detention measures taken in 2002, that number increased by 12 percent. Elements of evidence have been collected concerning 639,000 suspected persons (an increase of

5% from 2002). Minors (under eighteen years old) represent 18 percent of the total number of suspects (21% in 2002). Over 35,000 illicit immigrants have been returned to their countries. That action is only possible thanks to international cooperation and to an intense effort to dismantle illicit networks, often linked to organized crime, that organize border crossings. Thus, 1,032 cases of illicit traffic in migrant people were transmitted to Justice in 2003.

Preventive action is developed principally in the field of the antiterrorist plan "Pirate Look Out" (Vigie pirate), which calls for a reinforcement of sensitive target surveillance and a noticeable increase of patrols by police, Gendarmerie, and even army in the streets and public places. It may be noted that such an action also discourages the ordinary street criminals.

Facing the large increase of juvenile crime, especially in suburban areas, including thefts, violence, vandalism, and street gangs, an important effort of prevention is directed toward minors: 108 juvenile squads, besides their judicial activities concerning crimes against minors or committed by minors, have developed preventive action, especially to prevent runaways and school truancy. Special referents have been instituted to make contact easier between police, juveniles, and their parents. Better cooperation between the police and education services creates a better informed community. In 2002, 9,637 such actions concerned 313,379 persons. At the same time, 212 antidrug training police officers gave 4,677 information sessions about the dangers associated with drug use and thus reached 157,352 persons, including 112,608 pupils and 15,169 parents and teachers.

National Police interventions in 2002 concerned 53,072 traffic accidents, totaling 1,540 killed and 66,419 wounded people. Gendarmerie interventions concerned 37,434 accidents, totaling 5,360 killed and 52,656 wounded people. In 2003 the number of traffic accidents decreased by 17 percent; 5732 persons were killed (a 21 percent decrease) and 111,300 wounded (a 19 percent decrease). Since 1995 safety on the roads has been included in the Programming Law as a priority, and noticeable efforts have been accomplished in suppression (speed control by radar) and prevention programs, particularly concerning children and youngsters. In 2002, 663,114 young people were informed and trained by police, and 377,636 by the gendarmes. Thanks to these efforts, the number of accidents decreased considerably (30.6% for accidents, 27.8% for killed persons, and 38% for wounded people between 1995 and 2002).

In 2002 the rescue teams of the Republican Security Companies made 12,447 interventions on beaches and 1,125 in mountains. Gendarmerie teams made 2,996 rescue interventions in mountains and 911 in the sea.

## CORRECTIONAL SYSTEM

Before the French Revolution corrections did not constitute an organized system. On the one hand, before the eighteenth century imprisonment was not considered as a penalty alone; punishment was essentially of corporeal nature such as death, gallows, hard labor, or transportation. Jail was mainly a place where people waited for being sentenced, executed, or transported. On the other hand, different sorts of prisons coexisted: jails linked to court houses, fortresses, general hospitals conceived in eighteenth century as asylums hosting poor people, detention quarters, poor houses where beggars were coerced to work, and state prisons like the Bastille, which held persons not sentenced in court but imprisoned by the king's order.

Only in the Age of Enlightenment, and in particular under Cesare Beccaria's influence, did deprivation of liberty become a way to punish criminals. The 1791 penal code instituted prison as a penalty for offenses and less serious felonies. A corrections department was created in 1795 in the Ministry of Interior. The First Empire followed the same way concerning the penal system. The central detention houses were created by a decree in 1808 to receive people sentenced to criminal imprisonment. The 1810 penal code created justice houses to detain people waiting for trial. They became departmental prisons in 1811. During the nineteenth century the correctional system followed the evolution of ideas concerning criminal science. In 1911 the Department of Corrections (Administration Penitentiaire) was linked to the Ministry of Justice. In 1938 hard labor was abolished.

After World War II the system was reformed toward the notions of rehabilitation and social reintegration. An ordinance of February 2, 1945, put forward the necessity of reeducating juvenile criminals. The death penalty was abolished in 1981, and in 1987 the mission of Prisons Service was determined by law as "playing a role in the enforcement of court decisions as well as in the maintenance of public safety. It facilitates the social reintegration of those sentenced by the courts and is organized to ensure the individualization of sentencing."

In France the Department of Corrections is under the Ministry of Justice. In addition, minors receive a special form of treatment, closer to education than to correction *proprio sensu*, in which another department within the Ministry of Justice, the Judicial Youth Protection (Protection Judiciaire de la Jeunesse), takes an important part.

Corrections do not concern police custody (*garde-à-vue*) but only execution of Orders of Justice, either concerning people placed in provisional detention awaiting trial, or people serving a term after having been sentenced in court.

Headed by a director appointed by a presidential decree on the advice of the minister of justice, the Corrections Department includes a central headquarters and decentralized services. At central level the director is the head of his or her cabinet, the General Inspectorate, the National Correction School, and central administrative units. Nine regional directors manage 185 correctional institutions (prisons).

The prison system is divided into several categories according to the length of the term to be served and the dangerous character of the inmates concerned: 5 central prisons receive people sentenced to long terms of imprisonment and high-risk inmates, 23 reintegration-oriented centers receive people serving a term of more than 1 year or showing definite potential for social rehabilitation, 28 penitentiary centers that include at the same time 2 of the preceding categories and 13 open prisons oriented to the day release program. There is 1 national prison hospital.

Alternative measures to imprisonment are an approach aimed at making the offender aware of his or her responsibilities. Persons concerned are placed under control of a special judge "for implementation of sanctions." On his or her request, they are followed up by 102 probation services. As of July 1, 2002, 132,374 people were followed up by these services. New techniques like electronic braces to keep people under watch and judicial control are being experimented with.

According to the ordinance of February 2, 1945, minors benefit of a special penal statute, concerning their responsibility, and their penal treatment as well. Imprisonment must be an exception, and measures taken by juvenile courts and judges are closer to education than to correction. A September 9, 2002, law modified some of the dispositions of that ordinance to adapt the institutions to the increase in juvenile delinquency. The measures can be implemented concurrently by an administrative body and private authorized associations.

The Judicial Youth Protection (*Protection Judiciaire de la Jeunesse*) is one of the directorates of the Ministry of Justice. It includes a central headquarters, 15 regional directorates, 100 departmental directorates, and 404 administrative institutions. Imprisoned minors are incarcerated in special quarters of prisons and watched by Judicial Youth Protection educators instead of wardens of the Corrections Department. Two hundred thirty-four educative action centers and education active homes receive minors placed by judges' decision, either after having committed an offense or living in unfavorable conditions. Fifty-three of them permit overnight lodging. Ninety-eight educative services near the courts are at the disposal of the judge (*Juge des Enfants*). Immediate placement centers receive minors in emergency cases for a three-month term to evaluate their situation and then advise the judge on

future options. Reinforced educative centers receive multi-recidivists or severely endangered minors. They are small educative units, receiving fewer than ten minors followed by an equivalent number of educators, for two- or three-month stays. The September 9, 2002, law created closed educative centers to receive minors under judicial control or sentenced to imprisonment with probation. Four hundred ninety-five recognized associations manage 1,158 institutions. Some of them have been officially recognized by Judicial Youth Protection and are entitled to receive minors on Justice orders as well as children in difficulty placed by Social Services.

The budget of the Department of Corrections for 2003 was 1492.5 million euros, representing 30 percent of the total budget of the Ministry of Justice.

**Prison Conditions.** A program for the construction of new prisons is intended to lead to an effective modernization of the penitentiary institution by closing the old obsolete units and providing a response to the need of adequacy to the modern conditions of life in detention. Two central houses and eighteen new penitentiary centers have been planned, which will incorporate wings for male, female, and adolescent inmates. They are expected to be completed by 2007 or 2008.

**Prison Statistics.** In 2003 there were more than 60,000 persons in custody. This number has doubled since the 1960s, and since the 1990s the length of terms has also increased.

The increase of crime rate during the second half of the twentieth century brought about an increase of the number of prisoners. While the number of prisoners increased, the number and quality of penitentiary institutions did not follow the same path. Thus, the problem of overpopulation, inadequacy, and decay of prisons has become a subject of polemics. Beginning at the start of the twenty-first century an effort was made to improve the situation.

According to the Corrections Department, the number of places available in 185 French prisons was, on June 1, 2003, 48,603 and the number of inmates 60,963. The prison population rate was 91 per 100,000. Pretrial detainees made up 35.7 percent of the prison population, female prisoners 3.8 percent, and juvenile prisoners 1 percent. The occupancy level was 117.5 percent. A program was established in 1987 to reduce overpopulation, its aim being to create 13,000 new individual places. Twenty-five new institutions have been built throughout metropolitan France, twenty-one of them being run by means of dual management: the prison service staff carry out purely correctional duties, while maintenance, transportation, accommodation,



## *France*

food service, health-service work, and vocational service are delegated to private companies.

On January 1, 2003, the Corrections Department consisted of 28,590 agents, including 22,358 warders, 1,949 probation officers, 503 social workers, and 380 prison directors and regional directors; in addition, the Corrections Department had recourse to 718 employees of private-associated bodies.

The National Corrections Department school performs staff initial training during one year for warders, and two years for directors. Staff members are also provided with permanent educational training.

The budget of Judicial Youth Protection for 2003 was 566 million euros, representing 11 percent of the total budget of the Ministry of Justice.

The number of juveniles under the care of the Judicial Youth Protection had increased considerably, from 50,562 in 1997 to 71,432 in 2001. In addition, juvenile delinquency has become tougher, the nature of crimes committed by juveniles is more serious, and the offenders are younger (the number of minors under thirteen involved in criminal offenses has increased). The Judicial Youth Protection appears as malfunctioning. The detention units, for instance, are located in prisons and are inadequate for educational programs. This is why credits have been adopted to create fifteen educational closed centers.

In 2002 the Judicial Youth Protection Department employed 7,078 agents, including 3,459 education

officers. To permit the proper functioning of the new educational centers, a five-year program was adopted for the recruitment and training of 1,250 new agents, 25 percent of them being budgeted in 2003.

In 2002, with an average of 20,936 inmates working in prisons, the rate of remunerated activities was 43.1 percent. Nearly 26,573 adult inmates and 2,968 detained minors received educational training, from alphabetization to university degree. The rate of imprisonment for 100,000 inhabitants in 2000 was 113, the rate of prison occupation density per 100 places was 97, and the rate of evasions per 100,000 inmates was 8.1. Thus, the situation of France among European countries appears as average.

French law enforcement and corrections agencies and corrections are being reorganized to meet more efficiently the increase of crime. This movement is not yet complete and in the following years some other modifications are likely to be brought to the structures of institutions and administrative status of personnel. Until now, the changes that have already occurred seem to have proved successful; since the beginning of 2003, a decrease of crime rate has been noticed. Of course, conclusions could possibly be drawn only over the long haul.

*George Thomas Kurian*

# French Polynesia

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**Official country name:** Overseas Lands of French Polynesia

**Capital:** Papeete

**Geographic description:** Archipelago in the South Pacific Ocean, part of Oceania

**Population:** 270,485 (est. 2005)



## LAW ENFORCEMENT

**History.** On the conquest of Polynesia by the French, a Gendarmerie was established as the principal agent of law enforcement. There have been few structural changes since then.

**Structure and Organization.** The Gendarmerie is a quasi-military organization that is strictly disciplined, highly mobile, and armed and equipped for security patrol and other police duties in nonurban areas. Its basic personnel, including officers and noncommissioned officers, are recruited and trained in France, but the lower ranks are almost all native.

The basic operating unit of the Gendarmerie is the brigade, a small unit of five to fourteen men, commanded by an officer or noncommissioned officer, and stationed in one of the police districts or subdistricts. Brigades are organized into different formations for specialized duties, such as routine patrol traffic control, criminal investigation, counterintelligence, riot control, and general guard or escort assignment. About twenty-five brigades are assigned to each department.



Two or more brigades, usually but not always of mixed types, are grouped into larger units called companies. These units are responsible for security operations in territories that vary in size from one to several police districts. All companies, in turn, are subordinate to a single commander at the central headquarters at Papeete.

Besides the Gendarmerie, the mayor of Papeete is authorized to raise a local urban police force organized along the lines of the Sûreté Nationale in France. These forces are commanded by a chief of police (*préfet*). The police chief is trained in France, but most of the patrolmen (*gardiens de la paix*) are natives and are recruited and trained locally.

## CORRECTIONAL SYSTEM

The incidence of crime is low in French Polynesia. As a result, the only major penitentiary in is Papeete. There are detention centers on all the major islands.

*French Polynesia*

**Prison Conditions.** French Polynesia observes international standards in its treatment of prisoners.

**Prison Statistics.**

- Total Prison Population: 327
- Prison Population Rate per 100,000: 131

- Female Prisoners: 4.1%
- Number of Prisons: 3
- Official Capacity of the Prison System: 152
- Occupancy Level: 215.1%

*George Thomas Kurian*

# Gabon

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**Official country name:** Gabonese Republic

**Capital:** Libreville

**Geographic description:** Central African country on the equator bordering the Atlantic Ocean

**Population:** 1,389,201 (est. 2005)



## LAW ENFORCEMENT

**Structure and Organization.** Organized along French lines, the police forces of Gabon comprise the National Police and the paramilitary Gendarmerie. The National Police is commanded by a high commissioner and the Gendarmerie by a commander in chief. The former has two operational units: the National Security Police (Sûreté Nationale) and the Judiciary Police.

The Gendarmerie consists of three brigades subdivided into companies: the Mouanda Company in the east, the Libreville, Makokou, and Oyem companies in the north, and the Lambarene, Moula, Port-Gentil, and Tchibanga companies in the south. Gendarmes are trained at the Gendarmerie School in Owendo.

### Police Statistics.

- Total Police Personnel: 1,030
- Population per Police Officer: 1,349

## CRIME

**Crime Statistics.** Offenses reported to the police per 100,000 population: 114. Of which:



- Murder: 1.4
- Assault: 17.9
- Burglary: 2.3
- Automobile Theft: 7.5

## CORRECTIONAL SYSTEM

The nation's thirty-two prisons and detention centers are run by the Prison Administration in Libreville.

**Prison Conditions.** Conditions in most prisons are harsh. Sanitation and medical care are nonexistent. Food is inadequate and is supplemented by supplies from relatives. Women are held separately from men, juveniles from adults, and pretrial detainees from convicted prisoners.

*George Thomas Kurian*

# Gambia, The

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**Official country name:** Republic of the Gambia

**Capital:** Banjul

**Geographic description:** Smallest country in the continent of Africa, an enclave of Senegal in West Africa bordering the Atlantic Ocean

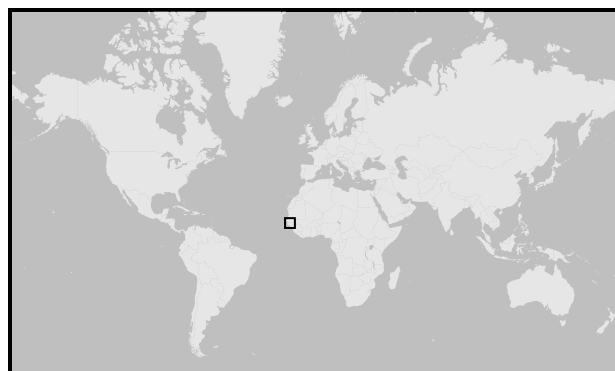
**Population:** 1,593,256 (est. 2005)



## LAW ENFORCEMENT

**History.** Before 1855 the enforcement of law and order and the prevention of smuggling on the River Gambia was in the hands of an armed militia and imperial troops. In 1855 a river police of ten men was formed with a vessel under the command of a European. In 1866 some of the imperial troops were withdrawn and replaced by trained constabulary. In 1870 all the imperial troops were withdrawn and the strength of the constabulary was raised to 100. In 1901 the strength of the force was 2 officers and 80 men. On the eve of independence in 1958 the strength of the force had grown to 284 officers and men. When the Gambia Regiment was deactivated, the force, now known as the Gambia Police Force, took over the defense role as well under an inspector general as commander.

**Structure and Organization.** The Gambia Police Force is commanded by an inspector general headquartered in Banjul, who reports to the secretary of state for the interior. Territorially, the country is divided into four operational divisions, including one division covering the capital. The operational divisions include a Criminal Investigations Department, a licensing office, and a traffic division. The police also supervise the fire brigade.



The inspector general also controls the Field Force, which is responsible for internal security and ceremonial duties.

**Education and Training.** Education is provided for all ranks at the Police Training School in Banjul.

**Uniforms and Weapons.** The uniform is either a khaki drill, short-sleeved, open-neck tunic worn with matching trousers or a gray bush shirt with black trousers. At night a black, closed-neck tunic is worn with matching trousers. A black peaked cap and a black leather belt complete the uniform.

The General Police are not armed but the Field Force is equipped with small arms and rifles.

## Police Statistics.

- Total Police Personnel: 428
- Population per Police Officer: 3,722

## HUMAN RIGHTS

The security forces, especially members of the National Intelligence Agency, commit many human rights abuses. They routinely harass journalists, detainees, prisoners, and members of the opposition. People are arrested arbitrarily and then held incommunicado for long periods. No actions are ever taken against the police officials responsible for killing civilians or depriving them of their rights.

## CRIME

**Crime Statistics.** Offenses reported to the police per 100,000 population: 89. Of which:

- Murder: 0.4
- Assault: 10.6
- Burglary: 5.6

## CORRECTIONAL SYSTEM

The prison system is administered by the commissioner of prisons of the Gambia Prisons Service under the Ministry of the Interior. There are three prisons in the

country, of which the largest is Central Prison at Banjul and the others are Janjanbureh and Jeshwang.

**Prison Conditions.** The International Committee of the Red Cross, which visited the Gambia prisons, reported that prison conditions met international standards. Prisoners receive three meals a day, each prison has an infirmary and outside doctors are brought in when necessary. However, the same report noted that the maximum-security prisoners are subjected to harsh conditions and confined to small individual cells for long periods. Some have to sleep on the floor. There are also reports of beatings and deliberate malnourishment.

**Prison Statistics.** The official capacity of the three prisons is 780, but the actual prison population is only 450. The occupancy level is 58 percent of capacity. The incarceration rate is 32 per 100,000 persons. Of the total prison population 18.5 percent are pretrial detainees, 1.2 percent are female, and 66.7 percent are foreigners.

*George Thomas Kurian*

# Georgia

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**Official country name:** Georgia (Sak'art'velo)

**Capital:** Tbilisi

**Geographic description:** Borders Armenia, Azerbaijan, Russia, Turkey, and the Black Sea and controls much of the Caucasus Mountains and the routes through them

**Population:** 4,677,401 (est. 2005)



## LAW ENFORCEMENT

**History.** On November 7, 1917, the Bolshevik Party staged a coup in Russia and established Soviet power. The leading political parties of the Transcaucasus refused to recognize the new power and on November 17 set up a local administration: the Transcaucasian Commissariat. Soon the Transcaucasian Federation was established, but it was short lived. On May 26, 1918, the National Council of Georgia declared Georgia's independence.

On May 7, 1920, Soviet Russia and Georgia signed a treaty according to which Russia recognized the independence and sovereignty of the Georgian Democratic Republic. What seemed a new dawn for Georgia was fleeting. After the Sovietization of Azerbaijan and Armenia in February 1921, the Bolshevik armies invaded Georgia. The forces were unequal and on February 25, 1921, units of the Red Army entered the capital, Tbilisi.

Under Communist hegemony, the beleaguered nation once again became the realm of foreign power. In 1924, after an attempted uprising led by Georgian Mensheviks, more than 5,000 Georgians were executed. Although Joseph Stalin and his chief of secret police,



Lavrenty Beria, were both Georgians, the Georgian people were given no reprieve under their oppressive regime. Georgia had to pass through the ordeal of industrialization and collectivization, suffering severely during the depressions of the 1930s. During World War II 300,000 Georgian soldiers were killed.

In 1990 multiparty elections were held and, on the April 9, 1991, the legislature declared the independence of Georgia. On the wave of anticommunist sentiments, the dissident, Zviad Gamsakhurdia, was elected president. However, he was unable to rule the country at that crucial juncture. Although earlier a victim of totalitarianism, as president he tried to build a totalitarian regime. His unpredictable international policy almost completely isolated Georgia.

In the winter of 1991–1992 a military rebellion by the opposition forced Gamsakhurdia to leave Georgia. Unable to cope with many international, economic, and other domestic problems, the State Council invited

Eduard Shevardnadze, the former secretary of the Georgia Communist Party and former Soviet Foreign Minister, to Georgia. Shevardnadze obtained the overwhelming majority of votes in the elections that followed in October 1992 and was confirmed as chairman of the Parliament of the Republic of Georgia. On August 24, 1995, a new constitution was adopted and three months later, after presidential elections were held, Shevardnadze was installed as the president of Georgia.

In November 2003 Georgia held parliamentary elections that were denounced by local and international observers as being grossly rigged. Candidate Mikhail Saakashvili claimed that he had won the elections (a claim supported by independent exit polls) and urged Georgians to demonstrate against Shevardnadze's government and engage in nonviolent civil disobedience against the authorities.

Massive political demonstrations (the so-called Rose Revolution) were held in Tbilisi between November 20 and November 23, with over 100,000 people participating and listening to speeches by Saakashvili and other opposition figures. After an increasingly tense two weeks of demonstrations, Shevardnadze bowed to the inevitable and resigned as president on November 23.

On January 4, 2004, Saakashvili won the presidential election in Georgia with more than 96 percent of the vote. He ran on a platform of opposing corruption and improving pay and pensions. He has promised to improve relations with the outside world.

**Structure and Organization.** The Ministry of Internal Affairs (MIA) and the Prosecutor General's Office have primary responsibility for law enforcement. The MIA controls both the police and the Internal Troops, which have heavy weapons and are responsible for maintaining domestic order in cases of emergency. The police are divided into functional departments, such as Criminal Investigation, Traffic Police, and others corresponding to their responsibility. In addition, it has been responsible for issuance of passports and visas as well as running fire departments and prisons. The Ministry of State Security plays a significant role in internal security. In times of internal disorder, the government may call on the MIA or the military.

In 2002 the MIA created a seven-person unit to specifically combat trafficking. The unit received support from the American Bar Association's Central and Eastern European Law Initiative, the International Organization for Migration, and other organizations. Local nongovernmental organizations worked closely with the public defender's office, the body primarily responsible for referring victims to prosecuting authorities.

Information on policing in that part of the world is particularly difficult to access, and Georgia is no different. According to the MIA, Georgia had approximately 30,000 officials from various departments, including 6,400 Internal Troops, 1,850 police academy personnel (1,360 students), and 665 in the passport and visa department. There were 1,749 civilians among the police, besides 14,592 officers and 12,863 privates. A separate police protection department, with 9,700 officers and an independent budget and source of income, provides security and protection of private businesses. This estimate of 30,000 officials apparently includes various departments, such as fire and emergency units, which do not serve a policing function.

While nongovernmental organizations cite the figure as closer to 35,000, others estimate it to be 80,000, and some go as high as 200,000. Another MIA figure said that the number of police officers in 2000 was slightly less than 14,000.

Regardless of the size of the police force, there is little doubt that it is an organization in the throes of major change. In March 2004 200 high-ranking officers in the MIA were essentially dismissed on orders from the minister. Most of these were heads of regional and district units. It may be that these officials were implicated in corruption and bribe taking or simply part of the endless political shuffles in the MIA. The following month the MIA announced that it would be totally restructured, a number of services would be abolished, and police would be equipped with modern technology. The police would be demilitarized, losing armored vehicles such as tanks and armored personnel carriers. In its place, a gendarmerie is to be created. In June 2004 the Ministry of Interior announced that it was forming the "universal police patrol" that will perform the functions of investigators, road and environmental police, and firefighters. It was described as a "Western-type unit" and was operational by the end of 2004. According to officials, 130 "high-class" vehicles were ordered to equip the new unit.

The Georgian armed forces are responsible for defending the nation's borders against attack, but daily monitoring and controlling the borders is the responsibility of the State Department of the State Border Guards. As of 2005 it was an independent governmental structure. Consisting of 5,500 personnel, the Border Guards is now responsible for all of Georgia's land borders and its seacoast. At present, however, many of these borders are not secure because of separatist movements in several parts of the country.

Key objectives of the Border Guards are to prevent the illegal smuggling of drugs, weapons, or sensitive materials (such as nuclear fissile material across



Georgia's borders), prevent the illegal movement of migrant populations or terrorists into or through Georgia, and protect Georgia's economic well-being by enforcing customs regulations.

The government of Georgia places special emphasis on ensuring that the oil pipelines and other vital economic assets in the country remain secure. Primary responsibility for protecting the pipeline rests with the President's Special Protective Service, but the armed forces play a role as well. In April 1999 Georgia hosted a multinational military exercise in which its forces trained with units from Azerbaijan and Ukraine in tactics and techniques for defending the pipelines.

**Police at Work.** The possibilities for success in policing Georgia are seriously hampered by extremely low salaries and the inability of the government to pay them without interruption. In 2003 the state minimum wage was \$10.80 (20 lari) a month. There was no state-mandated minimum wage for private-sector workers. Generally speaking, the minimum wage was not sufficient to provide a decent standard of living for a worker and family. Police salaries begin at about \$100 per month (200 lari).

One source of frustration for police officers is the government's inability to pay salaries in a predictable manner; delays can be days, weeks, or even months. As in many other sectors of society, police officers frequently engage in a wide variety of activities to supplement official salaries. The most visible of these activities is the solicitation of bribes from drivers by the traffic police. Other activities include engaging in smuggling activities and extorting businesspeople. It is common in that part of the world that police officers will pay to be promoted. Sums are so high that the only way to raise the money or repay a lender is by becoming a full participant in official corruption.

The involvement of police officers in such activities creates a constant tension between law enforcement and journalists that takes a variety of forms. In one dramatic illustration, in September 2002 more than twenty police officers allegedly entered the local Zugdidi television station, which provided footage for an exposé on police involvement in smuggling gasoline to the neighboring separatist region of Abkhazia, and beat employees and destroyed equipment. Following an internal police investigation, the deputy police chief was dismissed and the station continued to broadcast.

Georgian police generally work in an environment that is highly politicized, heavily influenced by criminal organizations, and is an increasingly active transit corridor for narcotics. The police force is ill equipped and unprepared to handle effectively the challenges it faces.

In 2001 Georgia formed a commission to reform its law enforcement agencies. The commission developed a strategy for reorganization that was forwarded to the Georgian National Security Council; however, no significant changes were made. In this environment of pervasive corruption and low law enforcement salaries, combined with the growing opportunities in illicit markets, there is little reason for optimism in the near term.

The 2001 reform effort came on the tail of a 1996 MIA internal reform effort to reduce corruption. It, too, failed to achieve any meaningful results. Parliament's Commission on Corruption charged several former senior government officials with corruption; however, no senior official in the government at that time was charged. Georgia's anticorruption efforts are hampered by the widespread acceptance of corruption within Georgian society.

During 2003 the MIA fired 97 police officers, lowered the ranks of 27 officers, and ordered a variety of administrative and criminal punishments for 281 officers. In July 2003 a former policeman was found guilty of the 2001 killing of an independent television journalist and sentenced to thirteen years in prison. The journalist's wife alleged that he was killed in connection with his investigation into ties between senior government officials and Chechen separatists. In August 2003 the deputy of the head of an MIA district office was arrested. At the time, he was under the influence of drugs and was found with large quantities of heroin on his person. During the search, three pistols were found in his flat, two of which did not have registration numbers.

In general, officers were held accountable for abuses only in extreme cases and changes to the Criminal Procedure Code weakened a detainee's ability to substantiate claims of such abuses. In the first eight months of 2003, 182 cases against MIA employees were sent to the Prosecutor General's Office for investigation, which resulted in the opening of criminal cases against 18 persons. Many observers claimed that prosecutors were frequently reluctant to open a criminal case against police or they closed a case for lack of evidence.

#### Police Statistics.

- Total Strength of Police Force: 11,500
- Population per Police Officer: 407
- Percentage of Women: 8.5%

#### HUMAN RIGHTS

As is the case with police forces throughout the region, the Georgian police are frequently alleged to commit human rights abuses, whether on the streets or in prison facilities. Police frequently rely on confessions to



**Georgian President Mikheil Saakashvili inspects police forces in Tbilisi, September 18, 2005.** *The event was part of a celebration to mark the first anniversary of the country's Patrol Police unit. Saakashvili disbanded the country's force of traffic police after concerns of corruption and ineffectiveness. He then created the Patrol Police, modeling the unit's responsibilities after U.S. police departments.* AP IMAGES.

prove cases rather than on collecting evidence. These confessions are often extracted through the use of enormous psychological pressure and physical abuse. Overall, there is insufficient official accountability in a system that relies heavily on personal contacts, family and clan ties, weak governmental supervision, and extensive corruption. Encountering tales of police officers beating a suspect, threatening violence against citizens, or forcibly breaking up protests is a regular occurrence.

While there are instances of police officials apparently being arrested, tried, and convicted in connection with the abuses they allegedly had delivered, frequently the charges are less than the situation warrants and, in some cases, those who are sent to prison are released early. In a typical example, a traffic police inspector, who was sentenced to two years imprisonment for "exceeding his authority" in connection with the death of one individual, was released nine months early. "Exemplary behavior when in detention" was cited as the reason for the release. The

victim had been severely beaten by several traffic police officers and died in a hospital two days later of multiple fractures and other serious injuries.

Human rights observers and lawyers noted that abuses occurred more frequently at the time of arrest and in police stations, rather than in pretrial detention facilities, and said that a growing number of confessions were made in police stations. According to human rights observers, those who suffered such abuse were routinely held for long periods in pretrial detention to give their injuries time to heal. Police often claimed that injuries were sustained during or before arrest. Police agents within the prison population also allegedly committed abuses in pretrial detention facilities. Also, guards frequently abused children in the pretrial detention facility that held street children.

To counter incidents of torture and abuse in pretrial detention facilities by police officials, an ombudsman instituted a rapid reaction group in January 2002 with

the support of the Organization for Security and Cooperation in Europe. This pilot project had the mandate to provide an immediate response to all claims of human rights violations during the most critical phase, the first seventy-two hours of a person's detention. The ombudsman reported that the rapid reaction group registered forty-seven cases of human rights violations in the first six months of 2003. The rapid reaction group essentially ceased to function following the appointment of the ombudsman to the Central Election Commission.

Outside the prison the situation is not any better. The government dismissed three police officers in a police station in Tbilisi for severely beating and threatening to rape a teenage boy in January 2002. The same month, police beat and mistreated a young man, causing extensive scarring and wounds, including the pulling out of four fingernails. The official report found that the injuries were sustained during arrest. The government took no disciplinary action and closed the case.

The April 2002 United Nations Human Rights Commission review of the country's compliance with the International Covenant on Civil and Political Rights cited systemic problems with the criminal justice and prison systems and continued widespread use of torture and arbitrary detention by police. In issuing recommendations for improving the country's treatment of detainees and prisoners, the committee requested that the government report on progress in addressing its specific concerns within twelve months rather than waiting for its third periodic report scheduled for 2006.

Local police and security officials are known to harass or deny protection to nontraditional religious minority groups, particularly members of Jehovah's Witnesses. The police only sporadically intervened to protect such minorities from attacks by Orthodox extremists. Police participation or facilitation of attacks are believed to have diminished somewhat; however, the MIA (including the police) and the Prosecutor General's Office generally failed to pursue criminal cases against Orthodox extremists for their attacks against religious minorities. On the few occasions in which there were investigations into such attacks, they proceeded slowly.

The Parliament's Committee on Human Rights and Ethnic Relations and local human rights groups independently investigate claims of abuse. There was a significant increase in the number of claims filed; however, many claimants failed to follow through after filing, allegedly because of fear. The committee noted that since the presidential election in 2000 claims shifted from requests for economic assistance to complaints about mistreatment and violations by the police and the prosecutor's office and the failure of the prosecutor's office to pursue criminal investigations of alleged violators.

Ethical standards for the police were put into force during 2002. Human rights groups welcomed the initiative but noted that a culture of corruption could undermine the ability of officers to observe the stipulations of the draft document. Police training on ethics, the rights of prisoners, standards of behavior for police, and information on how to report abuses of human rights were credited with improving police awareness of human rights. Following the resignation of Shevardnadze, the minister of internal affairs announced a comprehensive reform program to eradicate corruption and improve professionalism.

Such notes of optimism are tempered by the realities facing law enforcement and the society at large.

#### CRIME

	1999	2002
Total Registered Crime:	14,148	15,662
Premeditated Murder:	244	263
Rape:	35	52
Robbery:	286	399

Crime statistics should always be handled with great care; in the case of Georgia and other former Soviet states, they are relatively meaningless. Locked in an ideological battle with the West, Soviet reality urged the creation of fictitious figures across most sectors of the economy and society to portray a positive image to the outside world. The depiction of crime was one of the most important sectors for manipulation as the Soviet Union attempted to demonstrate the superiority of communism and its promise of the disappearance of crime. According to police officials, the practice of producing fraudulent statistics (*pripiska*) continues long after the demise of the Soviet Union. Latent crime has always been assumed to be rather high.

Compared to the instability of the early 1990s, the crime picture has appeared to have stabilized in the latter part of the decade. Given the near constant political tension and continuing poor economic condition of the country, though, the foundations of the society are not yet firm enough to preclude an increase in crime over time.

Everyday life is permeated by corruption all the way up to the highest levels in government. Owing in part to the legacy of the Soviet Union, corruption is systemic and little is done without some form of it playing a role.

Economic crime, such as embezzlement, is rife. At the beginning of August 2001 the International Federation of Red Cross and Red Crescent Societies discontinued aid programs in Georgia because of embezzlement of large amounts of money by the chairman of the Georgian Red Cross. In a typical example of

corruption, vital medication, which reaches Georgia with humanitarian aid, is usually sold by corrupt civil servants on the black market with the help of intermediaries.

As in most countries, theft of personal property is one of the most frequently occurring crimes. In the post-Soviet era more goods have become available, increasing the opportunities for theft.

Politically motivated murder, assassinations, kidnappings, blackmail, and violent settlement of disputes are not unusual. Organized crime continues to play a major role in the region. The system of close-knit family and clan-based relations makes it difficult to counter effectively such phenomena. Their activities are wide ranging and include narcotics trafficking, trafficking in people, embezzlement, extortion, and insinuating themselves into the political process.

It is believed that a considerable portion of crime goes unreported. People commonly believe that there is little police can do in response to a plea for assistance. In fact, it is generally believed that any contact with police should be kept to a minimum. Police are not well trained in responding to the needs of the citizenry and have a reputation for dealing harshly with complainants, either extorting money from them or accusing them of causing their own victimization in some way.

As a result of a threat posed by organized crime groups, highway bandits, and other groups, foreigners are at risk. Foreign businesspeople have been kidnapped and held for ransom in a number of cases. As across the region, it is common for drivers, particularly those driving foreign model vehicles, to be stopped in cities by the traffic police soliciting bribes or by highway bandits threatening and extorting drivers.

In recent years there have been many violent attacks directed against religious minorities in Georgia. The victims are primarily Jehovah's Witnesses, but also include Pentecostals, Baptists, and members of the Assembly of God. Incidents include the burning of literature, the destruction of private property, and the beating (sometimes severe) of believers.

**Narcotics.** Given its geographic location at the crossroads of Europe and Asia, Georgia could emerge as a major transit route. Local involvement in drug trafficking remains limited but is increasing and cigarette and alcohol smuggling are already major criminal activities. Even though the function of detection of illegal smuggling on the borders was transferred from Customs to the newly established Operational Investigative Unit under the Ministry of Tax and Revenue, this movement did little to reduce drug trafficking and other smuggling. Although the government is aware of the potential problems, counternarcotics remains a low-priority issue

for Georgian law enforcement agencies. Interdiction efforts are hampered by the fact that Georgia does not have effective control of all of its territory or of its borders.

Georgia is not a significant producer of narcotics or precursor chemicals; a small amount of marijuana is grown in the foothills of the Caucasus Mountains, largely for domestic consumption. Despite the small size of the economy and the rudimentary banking system, money laundering is becoming a problem. The proceeds from lucrative cigarette and alcohol smuggling are recycled through Georgia's poorly regulated banking system.

Georgia is also believed to be a secondary transit route for heroin smuggled from Afghanistan through Iran and then on to Europe. Afghan morphine and heroin base destined for Turkey is also presumed to transit Georgia. Narcotics trafficking routes through Georgia include an east-west route with narcotics moving from Turkmenistan and Kazakhstan by way of the Caspian Sea to the Azerbaijani capital, Baku. They are then shipped north via Russian land routes and enter Georgia. From Tbilisi, drugs are shipped to Turkey, Romania, and Ukraine.

Responsibility for counternarcotics efforts is shared by the MIA and the Security Ministry. The MIA has primary responsibility for combating cultivation and distribution of narcotics while the Security Ministry has primary responsibility for interdicting the flow of narcotics through Georgia. In practice, the two agencies have competed for influence and control, which has led to a lack of coordination between them. In addition, all the relevant law enforcement agencies in Georgia suffer from a lack of resources.

The Georgian government's estimates on the extent of narcotics cultivation are unreliable and do not include those areas of the country that are outside the central government's control. Nor does the Georgian government have reliable statistics on the volume of drugs transiting the country. In 1997 drug seizures were small in scale and did not increase significantly over previous years, reflecting the fact that Georgia is still only a secondary transit route. However, the central government lacks effective control over large parts of its territory and borders, including most of its maritime border.

With that said, the official figures regarding drug seizures and arrests rose by a modest amount from 2002 to 2003. The MIA reported that during the first half of 2003 the counternarcotics unit of the ministry uncovered 4,183 drug-related cases; criminal proceedings were initiated in 1,813 of them, which is 50 cases more than the previous year, and 2.8 kilograms of heroin was seized by the counternarcotics unit, which is 1.2 kilograms more than previous year. In addition, 7 kilograms of

opium and 25.6 kilograms of marijuana were discovered by the police during the same six months. Approximately 31.6 tons of cannabis were destroyed during an MIA special operation called Cannabis-2003. There is no other known narcotics crop or synthetic drug production in Georgia.

In 2003 the MIA began a serious campaign to reveal drug users within the ministry and the Special Internal Investigative Department was established. Twenty-four ministry employees were fired during the year. The National Antinarcotics Bureau investigated 736 drug-related cases. Criminal proceedings were initiated in 304 cases, which was 117 more than in 2002.

**Trafficking in Persons.** Trafficking in persons is rapidly becoming one of the major challenges to law enforcement all across the world. Georgia is not without its problems; the country is both a source and transit country for trafficked persons. Given the level of salaries, equipment, coordination, and morale of law enforcement, it is of little surprise that customs and border officials are believed to be involved in the trafficking of persons.

In 2002 the MIA created a seven-person unit to combat trafficking. In June 2003 the legislature passed amendments to the criminal code criminalizing trafficking in persons. The government initiated two cases under this article in the criminal code, but they had not been brought to trial by the end of the year. Other cases were initiated against some traffickers using fraud statutes. In January 2003 the government announced its Action Plan for Combating the Trafficking of Persons and government-wide meetings were held in June. Trafficking is punished by five to twelve years' imprisonment, but if the perpetrator commits the same offence several times and toward several persons, it is punishable from eight to twenty years' imprisonment.

Women are trafficked from Georgia to Turkey, Greece, Israel, and western Europe to work in bars, restaurants, or as domestic help. Many work in the adult entertainment industry or as prostitutes. It is also believed that Russian and Ukrainian women are trafficked through the country to Turkey, sometimes using fraudulently obtained passports. There are reports of Russian and Ukrainian women being sent to beach resorts in the summer months to work as prostitutes; however, the country is generally not a destination for trafficked persons. There are also some reports of trafficking in children. Men may be trafficked in higher numbers than women, working as laborers in southern Russia. Others travel to Greece as agricultural laborers. Frequently, trafficking victims refuse to return home because their opportunities abroad are still greater than back at home.

Jobs abroad offered through tourism firms or employment agencies often lure trafficked persons. Many of the women working in the adult entertainment sector as prostitutes are informed, or led to believe, that they would be employed as waitresses in bars and restaurants or as domestic help.

There are currently no government programs to help victims, although several nongovernmental organizations do function to assist trafficked victims. Assistance frequently comes in the form of hotlines offering psychological support. The Georgian government has initiated some antitrafficking training for police in the regions and created a working group with the nongovernmental organization community. The government also operates a hot line that is directly connected to the Ministry of Interior's Antitrafficking Unit. These officers have also received antitrafficking training, yet few victims call the police and report these crimes.

#### CORRECTIONAL SYSTEM

The Ministry of Justice is responsible for overall administration of the prison system; however, the law permits MIA personnel to continue to staff the facilities. The MIA maintains several of its own cells in various prisons. Legislation permits the MIA to conduct investigations among inmates without judicial approval to gather evidence for trials.

**Prison Conditions.** Prison conditions continue to be inhumane and life threatening. The April 2002 UN Human Rights Commission review of the country's compliance with the International Covenant on Civil and Political Rights cited systemic problems with the prison system and continued widespread use of torture and arbitrary detention by police. The frequency of torture in Georgian prisons is attributed to several factors, including the entrenched culture of impunity among law enforcement officials committing illegal actions, the low level of police training, and the overemphasis on confessions rather than evidence gathering. The number of tortures is believed to be higher than reported since victims often come to an unofficial agreement with the police after the event, including securing their release in exchange for nondisclosure of the event or become an informant of the police in return for freedom. Victims may also withdraw complaints lodged against police for fear of reprisals against them or their families for pursuing their complaint.

Prison facilities are unsanitary, overcrowded, and understaffed and are in desperate need of repair. Tbilisi facilities typically have 16 or more persons to a cell designed for 10 to 12 people. In other facilities it is not uncommon to find 40 inmates to a cell.

Men and women are held separately, and a new facility for women opened in August 2002. Juveniles are held separately in a specially constructed facility that opened in 2002; however, juveniles are frequently not separated from other inmates in MIA temporary detention facilities. Pretrial detainees are often kept with convicted prisoners because of overcrowding.

Most prison facilities lack proper ventilation, plumbing, lighting, waste disposal, or sanitary medical facilities. Regional penitentiaries and pretrial detention facilities are without electricity for months. It is worth mentioning that about \$2 is allocated per prisoner per day in Georgia while in, for example, the Czech Republic, that figure is ten times higher. In the United States, it is approximately \$40.

These conditions have spurred a spate of dramatic reactions of protest from inmates, ranging from attempted suicide and self-mutilation to rioting. There are also sporadic hunger strikes by prisoners. Hunger strikes and self-mutilation frequently involve sewing one's mouth closed. In February 2003 a prisoner went on a hunger strike and sewed his mouth shut to protest the investigation into his case by the State Prosecutor's Office. Although prison doctors removed the sutures the same day, the strike lasted a week. In July of the same year, two prisoners, who were arrested for mugging a taxi driver, protested the allegedly false charges through one day of self-mutilation. One mutilated himself with nails while the other sewed his own mouth shut. The prisoners contended that police had extorted money and gold from one of the prisoners. An independent investigation reportedly confirmed this.

In January 2003 rioting broke out when a special MIA team was brought into a Tbilisi prison to conduct a search for forbidden objects. Three police officers and up to thirty prisoners were injured in the fighting. Police confiscated two AKM submachine guns, five hand grenades, homemade bombs, several dozen knives, and other banned items including a large quantity drugs and many mobile phones. Mobile phones are increasingly used to coordinate plans to riot or escape or to organize crimes that are perpetrated outside the prison.

Violence in the prisons is exacerbated by the inordinate delays in payment of salaries to guards. The guard staff is demoralized by loss of promotion possibilities because of penitentiary reform efforts. Guards have little motivation to conduct themselves in the proper manner. Rape by guards and inmates is a common problem.

Added to the litany of problems experienced by the prison system is the widespread nature of tuberculosis and other diseases, both of which are common features throughout the region. According to the U.S. Department of State, since 1998 the International Committee of the

Red Cross (ICRC) has treated at least 2,200 inmates infected with tuberculosis. According to the ICRC, the incidence of tuberculosis is 200 times higher in detention facilities than in the general public.

Alternative noncustodial punishments, such as probation, fines, and social work, are rarely applied by the courts. A draft law on noncustodial punishments and probation, aimed at reducing prison numbers, was reported to be due for consideration by the Georgian authorities. Other initiatives, such as taking judges on visits to prisons so they could see conditions there for themselves, were instituted in an effort to encourage more use of existing noncustodial measures.

Other steps have been taken in recent years to alleviate some of the more pressing problems. For example, in some cases prison construction had been accelerated in an attempt to address overcrowding using the sale of scrap metal from prison facilities to finance the construction. Corrupt administrators were fired and inmates were released to reduce overcrowding.

#### Prison Statistics.

- Total Prison Population: 6,406
- Prison Population Rate: 148 (based on an estimated national population of 4.32 million in September 2003)
- Pretrial Detainees: 38.7%
- Female Prisoners: 1.7%
- Juvenile Prisoners: 1%
- Foreign Prisoners: 1.4%
- Number of Institutions: 17
- Official Capacity of Prison System: 10,195
- Occupancy Level: 62.8%

Recent prison population trend (year, prison population total, prison population rate per 100,000 of national population):

1995	8,048	(179)
1998	10,406	(248)
2001	7,688	(202)

SOURCE: International Centre for Prison Studies, 2005

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*Joseph D. Serio*

# Germany

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**Official country name:** Federal Republic of Germany

**Capital:** Berlin

**Geographic description:** Located in Central Europe and bordering on the Baltic and the North Seas

**Population:** 82,431,390 (est. 2005)

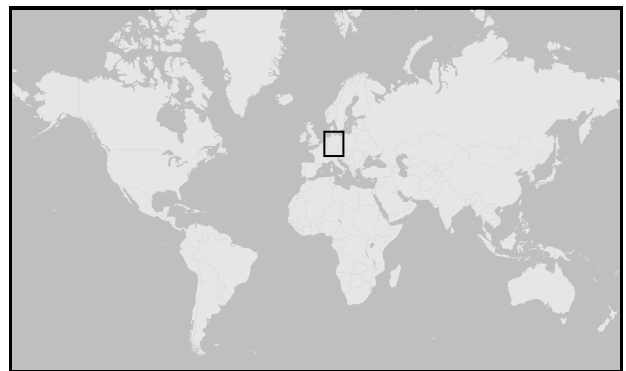


## LAW ENFORCEMENT

**History.** The first organized police forces in Germany date back to the early nineteenth century, when Napoléon Bonaparte's idea, to establish a Gendarmerie Nationale in France, was adopted by some German kingdoms. After World War II the German police was under the supervision of the military regional governments of the Allies. With the new German constitution of 1949 and the foundation of eleven states in the early 1950s in West Germany, these states got the power to establish their own police forces. In East Germany (under the Soviet government) a central police force was established.

The former People's Police (Volkspolizei) of the Democratic Republic was dissolved on unification, and its members (after checking their involvement in the former Stasi organization) have been integrated into the police force of the so-called new states. The Ministry for State Security, popularly known as Stasi, the offices of which had been stormed in popular uprisings and whose files had been removed into Western custody, was dissolved.

The police are part of the executive force. This is ruled in article 20(3) of the German constitution (legislation concerning separation of power). Each of



the (now after the reunification in 1990) sixteen German states has its own police law and its own police force (furthermore, there is a federal border police, the Bundeskriminalamt, as a federal investigation agency, and the federal customs). The police laws of the sixteen states deal with the prevention of crime, the preservation of public security and order, and the warding off of impending danger. Further police tasks arise out of the criminal procedure code, which deals with prosecution of crimes as well as laws arising out of or existing next to it. The criminal justice code applies to the whole Federal Republic. The authorities and officials of the police force must investigate crimes and take all measures necessary to prevent a crime from being covered. This principle of legality is the most unique regulation: the police as neither an institution nor the police officer himself is allowed to dismiss a case. This is possible only by the office of the public prosecutor, where every case has to be reported. According to the criminal justice code, the police are assistant public officials to the state



attorney's office. The public prosecutor is solely responsible for prosecution of crimes. However, individual measures (e.g., arrests, searches, and impoundments) can be authorized by the police if there is no time to contact a public prosecutor or a judge. The attorney of state also may give orders to the police. In most investigations (especially concerning minor and medium crime), however, the necessary measures are taken without the cooperation of the state attorney; the case is merely sent to the state attorney office, once the police investigations are completed. The state attorney makes the decision on whether or not to prosecute the case.

**Structure and Organization.** There is no nationwide German police force, and law enforcement remains a province reserved to the sixteen different states. Each state maintains its own force, where both patrol police (uniformed) and detectives (plainclothes) are working together in the same force. The uniformed or patrol police deal mainly with general public security functions, with traffic problems and accidents, and with minor crimes. Detectives or criminal investigation police are responsible for all other crimes. The total number of police officers on duty (patrol police, detectives, and border police) was 266,000 in 2002, resulting in one officer for 330 inhabitants. Considering the shift system, illness, training, administrative tasks in ministries, and so on, the "real" number is between one officer available for between 8,000 and 10,000 inhabitants at a given moment.

The Federal Crime Agency (Bundeskriminalamt; BKA) assists the federal and state units as a clearing agency regarding criminals and criminal actions. Federal officers investigate certain actions, however, notably those inimical to the security of the state or criminal actions that transcend the confines of any given state.

The German Border Guard (Bundesgrenzschutz), as the BKA under the Federal Ministry of Interior, is responsible for identification checks and policing the borders (especially at train stations, airports, and streets, crossing the border). Since some years, this institution is cooperating more and more with the state police forces, for example, in patrolling train stations and areas close to streets and shopping areas. What is called *Sicherheitspartnerschaft* (security partnership) is in the light of the German constitution a difficult undertaking, because the constitution separates the state administration (of which, the police are a part) forces from the federal administration (the federal police forces). A police officer of a given state is not allowed to cross the border to another (German) state. He or she has to call police force colleagues of the respective state; only in a case of emergency can he or she cross the boarder. Furthermore, he or she is not allowed to use firearms or to arrest an offender.

The responsibilities and powers of the BKA are regulated by law. The mandate is defined in the German constitution and in the BKA law. The headquarters of this federal agency are in Wiesbaden. The BKA is subordinate to the Federal Ministry of the Interior. As the central police agency in Germany, the BKA has the task of coordinating crime suppression at the national and international levels. All official communications between the German police and other countries are routed through the BKA. The BKA investigates outstanding cases of international crime as defined by law either on its own initiative or whenever a public prosecutor's office puts it in charge of such investigations because of the significance of the criminal offense in question. The BKA is also responsible for protecting the members of the constitutional organs of the federation. The BKA serves as the international criminal police force of the Federal Republic of Germany, which means that the BKA is responsible for investigations and searches involving many cases in the field of international organized crime. In 2002 a total of 4,509 people worked in the BKA.

Nearly, but not all unlawful (criminal) acts dealt with by the police, including attempts subject to punishment, are recorded in the police crime statistics. Drug offenses handled by the customs authorities are also included. Breaches of regulations and road traffic offenses are not covered. In addition, offenses committed outside the Federal Republic of Germany and offenses against the criminal laws of the individual German states are not included. Offenses by children, who cannot be held responsible under criminal law because of their age, and by mentally ill people, who also cannot be held responsible under criminal law, are included as well. The statistics are prepared by the BKA. The Police Crime Statistics Yearbooks since 1997 and the corresponding tables of time-series data starting in 1987 are published on the BKA homepage (<http://www.bka.de>). The data provided by the sixteen State Criminal Police Offices are presented in the form of tables and graphics along with commentaries. In 2002, 6,507,394 cases were recorded in the Federal Republic of Germany. The offense rate (number of cases per 100,000 inhabitants) for 2002 was 7,893. Although the number of theft cases has decreased continuously during the last years, theft still dominates the overall crime statistics with a share of about 47 percent.

On average, about half of all crimes are solved, but the rate of resolution varies substantially between individual areas of crime. The resolution rate for breaking into and stealing cars is about 10 percent, while for murder and manslaughter it is 95 percent.

The informational value of police crime statistics is limited by the fact that the police do not learn about all the criminal offenses that are committed. The extent to



*Officers of a special police force leave the Islamic Center in Munich, Germany, April 14, 2005. As part of nationwide efforts to crack down on terrorism, police conducted raids across the country in search of evidence of terrorist activities. AP IMAGES.*

which crime goes unreported depends on the type of offense, and this can vary over the course of time in response to a variety of factors (e.g., public willingness to report offenses and the intensity of crime detection efforts). Thus, the police crime statistics do not provide an exact reflection of crime, but one that is more or less accurate depending on the specific type of offense. There exists no nationwide and yearly victim survey in Germany.

The BKA criminal records include more than 4 million items of personal data on people who have committed serious offenses of supraregional significance. By this means, suspects can be identified quickly, innocent people cleared of suspicion, and links between crimes discovered. As of 2005, fingerprint sheets of more than 3,037,000 people were on file at the BKA. Based on these files, in 2001 the BKA was able to link fingerprints to specific people in approximately 38 percent of the cases handled by the identification service.

In the central photograph collection at the BKA, there are over 6 million photographs of more than 2,705,000 people. The photographs are requested by

both German and foreign police offices for a wide variety of purposes. In 2001 more than 51,000 photographs were sent to other offices, 22 percent of these to offices in foreign countries. Since 1998 there has been a central DNA analysis database at the BKA intended to assist in the quick and accurate identification of repeat offenders who have committed serious crimes. In 2002 more than 163,000 data records were included in the DNA analysis database, 11 percent of which were crime scene prints of offenders yet unidentified. In 2001 the clear-up rate was 16 percent, that is, about every sixth stored DNA sample helped to identify links between crimes or perpetrators.

The electronic police information system at the BKA (known as INPOL) is indispensable for searches and investigative work. The INPOL wanted-people database currently contains about 892,000 arrest requests, including 667,000 expulsion orders/deportations of foreigners as well as 187,000 circulations issued for the purpose of locating people. The INPOL property database includes approximately 8.7 million items that are the subject of searches because of possible links to crimes.

An additional computer-assisted information system designed to store and retrieve data on people and property is the Schengen Information System (SIS), which can be used for searches in the countries that are parties to the Convention Applying the Schengen Agreement (CAS). Establishment of the SIS is a significant compensatory measure following elimination of border controls at the internal borders of the CAS countries. Supplementary Information Request at the National Entry at the BKA is the national central office for information exchange relating to SIS searches. Within seconds, the search data can be accessed from more than 30,000 terminals located throughout the Schengen area. In early 2002 more than 10,541,00 wanted notices were included in the SIS. Of these, approximately 9,307,000 involved property searches and 1,234,000 involved searches for people. About one-third of all wanted notices are submitted by Germany.

**Salaries.** The police salary system is divided into three levels according to the service of the police (middle, high, and higher). Each rank has its own salary grade. The lowest rank receives salary according to 2,100 euros; the highest rank goes up to 5,400 euros (2004). Thus, ten salary grades are available. In addition, extra monthly payments are made for shift work. Whether or not an officer ascends from one rank to the next or changes from one level of service to the next depends on his or her performance and special training.

**Retirement Age.** The retirement age is sixty years for all police officers. Early retirement is possible only in case of illness. This results in up to more than forty years on duty, if an officer starts his or her career at the age of eighteen (in the past, not unusual; today, with higher school levels demanded, the age is between twenty and twenty-four). Part-time or fixed-time contracts are not possible (only part time for women).

**Hierarchy and Ranks.** Altogether, there are ten different ranks on three levels (middle, high, and higher). Approximately 50 percent of all police officers belong to the middle ranks, 45 percent to high ranks, and less than 5 percent to higher ranks.

**Police-Community Relations.** Community relations, press, and media are under the responsibility of a special police officer of each local police force.

#### **Special Police.**

**Riot Police.** In a state of national emergency the federal government may commandeer the services of various state police units, with the standby police reserve that is trained and equipped by each state for action during civil emergencies. This standby police reserve is also used by riot police in each state. Usually, police recruits have to join this police force for between one

and three years after their initial training and before they are submitted to a local police force.

**Education and Training.** Recruitment for new officers is organized by the state police schools that conduct the initial training; sometimes, assessment centers are used to select the qualified officers for further training and promotion, but usually the evaluation of the supervisors or senior officers is used for selection. Usually, it is not possible to join the police force after the age of twenty-six, and other criteria may apply (minimum height, maximum weight, body-mass factor, IQ-tests, fitness and medical-checks, and so on).

Police recruits are given usually two and a half years of training that consists of theoretical as well as practical components (dual system). The recruits gain knowledge and skills in law subjects, intervention training, psychology, political science, sport, self-defense, and shooting training as well as behavioral training (in the form of role playings). Once the training is completed, the recruit has acquired the necessary qualification for the middle ranks (constable). To change from the middle ranks to the high ranks requires an additional two and a half years of study at a police university or college. Once the police student (who gets paid for his or her study time) has successfully completed his or her studies he or she is qualified for the high ranks and receives the grade and diploma of a bachelor of science in public administration and police and is promoted to the rank of an superintendent (Kommissar).

To proceed to the higher ranks, another two years of studies at a police college in a state and the Police Management Academy in Münster-Hiltrup are necessary. This academy (to be converted into a formal police university in 2005 with a master's degree in police administration) is a central training institution for all the states.

The BKA trains its own officers. Officer candidates receive their training during a three-year course of study at the Federal College of Public Administration as a preparation for service. The course of studies is divided into a theoretical phase and a practical phase, each of which lasts eighteen months. The BKA also provides training for civil servants at the state and federal levels to qualify them as experts in the fields of forensic science and fingerprinting. Special police training courses, advanced training in scientific and technical fields, foreign-language courses, and task-oriented operational training complete the educational program. Furthermore, the BKA provides basic and advanced training for police officers from other countries.

**Uniforms and Weapons.** The German police use both the Walther P99 and the Heckler and Kock P2000. The

use of a firearm is permitted only if the general requirements for the use of immediate coercion have been met and using bodily force, devices aiding bodily force, or batons have been applied without success or it is obvious that their application will prove unsuccessful. Firearms may only be used against people, if the success of police measures cannot be achieved by using them against objects. A firearm may not be used if there is a high probability of endangering innocent people. If using a firearm is the only means to avert a direct threat to life, this does not apply. Firearms may only be used:

- Against a person to prevent or to interrupt the commission of an offense that according to the circumstances appears to be a crime punishable by law with at least one year imprisonment
- An offense that is to be committed or that is being committed by using or carrying along a firearm or explosives
- To apprehend a person trying to escape arrest or having his or her identity checked if this person is caught committing an act, which according to the circumstances appears to be a crime or an offense that is committed using or carrying along a firearm
- To prevent escape or to recapture a person who is being or was being detained as a result of being sentenced for committing a crime, in protective custody, because the person is suspected of having committed a crime, because of a judicial decision, or because he or she is suspected of having committed a crime, if indications are that this person will use a firearm or explosives

Consequently, the use of a gun by a police officer is a rare event in Germany.

**Transportation, Technology, and Communications.** There is no nationwide, homogeneous equipment because of the federal structure of the German police. This results in different patrol cars (from Mercedes, Audis, VWs, and BMAs, to foreign models like Renault or Fiat) and different equipment (firearms, pepper spray, batons, and so on).

The same is true for technology and communications. Usually, modern technology is provided either by the BKA or by a central state crime agency state (Landeskriminalamt—every state has one office). Radio and other communication is also inhomogeneous and recently under discussion (introduction of digitalized radios and communication with other European police forces).

**Surveillance and Intelligence Gathering.** Closed-circuit television, bugging operations, undercover operations,

and other techniques are under discussion in Germany because of data protection laws.

**Police Officers Killed in the Line of Duty.** Between zero and nine police officers are killed every year in the line of duty, mostly as a result of gunshots. Officers killed in traffic or other accidents are not included.

#### Police Statistics.

- Total Strength of the Police Force: 265,000
- Population per Police Officer: 311

#### HUMAN RIGHTS

Amnesty International has published three reports on misconduct by police officers in Germany, the latest in January 2004 (available at <http://web.amnesty.org/report2003/deu-summary-eng>). Cases of police misconduct, excessive use of force, or misuse of powers are investigated by special police departments, and each and every case has to go to the public prosecutor. Nevertheless, more than 90 percent of all cases are dropped by the prosecutor's office. Special commissions, ombudsman, and other systems or police complaints authorities as a means to handle citizen complaints and unlawful police violence are not available in Germany.

During the last years, the misuse of power by German police officers was mainly discussed because of a possible xenophobic background. The structural problem of police leadership was also discussed as a possible background of these unlawful acts against foreigners or members of subcultures, but also against journalists. There has been a trend to establish guidelines, ethical standards, and codes of ethic all over Europe during the last decade. It seems that nearly every police force has its own code of ethics. This might be a result of the discussions on police integrity and police accountability, which started in nearly every European country during the last years. Whether or not these guidelines or codes really have an effect is unknown.

#### CRIME

**Criminal Identification and Forensics.** This is under the responsibility of the detectives branch; for more serious cases, the central state crime agencies or the BKA is called in.

**Organized Crime.** The following definition of organized crime is used by the German police: "Organized crime is the planned commission of criminal offenses determined by the pursuit of profit and power which, individually or as a whole, are of considerable importance and involve more than two people, each with his/her own assigned

tasks, who collaborate for a prolonged or indefinite period a) by using commercial or business-like structures, b) by using force or other means of intimidation or c) by exerting influence on politics, the media, public administration, judicial authorities or the business sector.” This definition does not cover terrorist offenses. For a report by the BKA for 2002, data were included regarding 424 investigations. In 367 investigations, criterion (a) applied (“by using commercial or business-like structures”), in 210 investigations criterion (b) (“by using force or other means of intimidation”), and in 81 investigations criterion (c) applied (“by exerting influence on politics, the media, public administration, judicial authorities or the business sector”).

In 2002 verifiable cases of exerting influence on politics, the media, public administration, judicial authorities, and the business sector were recorded in eighty-one (19.2%) of the investigations. Thus, this organized crime criterion was met much less frequently than the other criteria in the organized crime definition. The threshold to reprehensible forms of influence is much lower than that for acts of corruption punishable under criminal law. A relatively small number of investigations (sixteen) established acts of corruption by or involving public officials or corruption in business dealings. A project implemented by the BKA in 2002 concerning the links between corruption and organized crime led to the assessment being made that crimes involving corruption are not an integral element of organized crime in Germany but seems to be one means used more or less professionally.

The total losses arising in the period under review amounted to 3.1 billion euros. As in previous years, the highest losses arose from economic crime and tax offenses. The profit made by criminal organizations is estimated at approximately 1.5 billion euros. The largest profits were achieved with crime in connection with the business world, with tax and customs offenses, and with drug smuggling and trafficking. In about every fourth investigation action was taken to ensure assets were confiscated. In these investigations cash, money held in bank accounts, real estate, and motor vehicles worth a total of about 31 million euros were provisionally seized. The largest assets were provisionally seized in investigations connected with drug smuggling and trafficking, crime in connection with the business world, and tax and customs offenses. Large assets were seized from suspects belonging to German and Turkish organized crime groups.

The number of suspects per investigation ranged from 3 to 337 people and averaged 20 people. Twenty percent of the groups comprised suspects of only one nationality. In the remaining investigations the groups had members from as many as fifteen nationalities; in most cases, two or three nationalities were represented.

**Crime Statistics.** More than half of all preliminary investigation proceedings against known suspects are dropped by the public prosecutor because of lack of sufficient evidence or because of reasons of discretionary prosecution. More than 25 percent are passed on to the courts by means of a charge/application for penal orders. The remaining cases are settled in other ways, for example, by passing them on to another public prosecutor or by referring them for private prosecution. The number of charges and/or applications for penal orders and the number of discontinuances at the prosecutor’s discretion are almost the same. Among proceedings settled by pressing charges or through an application for a penal order there was a shift of emphasis toward the more efficient option of summary proceedings without trial. A conviction substantiated in a hearing before a deciding court has become the exception. Of all people sanctioned, 50 percent are currently sanctioned informally by dropping the case with or without conditions, and this occurs despite sufficient evidence. The large scope for variation in assessment granted by these norms leads to considerable regional differences. With a share of more than 80 percent, fines are by far the most frequent form of punishment. Most convictions are now dealt with in written summary proceedings without trial. The suspended sentence of imprisonment is the second most commonly applied sanction under general criminal law. Approximately 80 percent were sentenced to pay a fine, 14 percent their sentence was suspended, and 6 percent were given an unconditional prison sentence, which normally leads to the offender being actually imprisoned. The suspended sentence and/or conditional sentence has developed into a criminal sanction in its own right. On average, more than two-thirds of all custodial sentences are unconditionally suspended on probation.

Youth court law (YCL) and general criminal law (Penal Code) provide for two different systems of legal consequences: YCL provides for better opportunities for a differentiated, educational reaction than general criminal law, to prevent recidivism. YCL applies to all juveniles, that is, people from fourteen to less than eighteen years of age, without exception. The youth court, which also has jurisdiction of so-called young adults, that is, people from eighteen to less than twenty-one years of age, must decide whether to administer YCL or the general (adult) Penal Code.

In 2002, 893,005 people were sentenced by penal courts, and 719,751 were convicted to fines or prison sentences (121,990 women). Compared to other European countries, the Federal Republic of Germany sentences an above-average number of people to imprisonment.

## CORRECTIONAL SYSTEM

The German correctional system is—as the police system—under the responsibility of the states. The Federal Ministry of Justice is responsible only for the statistics of the penitentiary system. Each state is responsible for its own correctional system and deals with all people subject to the criminal justice system, and/or sentenced to a penitentiary. Within the states, the assignment to a correctional system depends on where the crime was committed, the length of sentence, and special needs of the prisoner. Once a convicted offender enters the penitentiary system after a court decision, during a given period (usually between three weeks and three months) the special department of the prison is responsible for all the necessary tests to find out what kind of treatment might be necessary and/or what kind of job during the prison term might be useful for the prisoner. The death penalty is abolished by constitution, so the harshest sentence possible is life without possibility of parole—but even then inmates rarely spend their entire life in prison. Maximum sentences (without life) are up to fifteen years. There are no indeterminate sentences in Germany.

The placement of a convicted person under probationary supervision and his or her allocation to a probation officer as a probationer or client, represents, according to the law, nothing more than a special form of instruction, which is aimed at preventing the convicted person from committing further offenses. Besides the primary suspension of custody, contained directly in the sentence, a so-called conditional discharge from imprisonment is possible as a secondary suspension of custody, which means that a prison sentence or youth imprisonment is suspended after the offender has served part of the sentence.

**Prison Conditions.** The execution of prison sentences, including imprisonment, juvenile imprisonment, preventive detention, detention pending trial, and other forms of detention (e.g., detention pending deportation), currently takes place in 237 independent correctional institutions. The number of women in the prison system is relatively small (just over 4 percent of all prisoners and detainees). Since the mid-1990s, more and more prisons reported overcrowding because of longer prison sentences. As a result, prison cells, which were designed for one inmate, are used for two, and those designed for two are used for three inmates.

Corrective treatment during imprisonment includes not only such measures as alphabetization, basic school education, academic, adult, vocational, and further education but also practical elements for daily life such as social training. In special cases therapy in its narrower sense may also be considered. The Prison Act includes many individual regulations aimed at securing the release

of prisoners as early as possible and preparing their integration or reintegration into society. However, because of overcrowding and an increasing number of inmates not able to speak the German language, there is a shift away from socialization to keeping inmates in a safe place.

**Prison Statistics.** In 2003 approximately 62,594 convicted criminals were inmates in 237 general penal institutions, of whom 2,775 were women and 822 under eighteen years of age. The prison population rate was 96 per 100,000. Some 4,000 were imprisoned for failure to pay a fine. Approximately 6,500 were in reformatory detention outside the prison system, of whom some 4,000 were inmates of psychiatric hospitals. Approximately 20,000 were in detention pending trial. The official capacity of the prison system was 79,378 and the occupancy level was 99.9 percent.

The development of sanctioning practices within criminal law relating to young offenders is characterized by a shift away from formal sanctions toward informal reactions that avoid conviction (diversion) and a shift away from custodial toward noncustodial sanctions. In general, criminal law is increasingly characterized by the application of informal and noncustodial formal sanctions. With a share of more than 80 percent, fines are by far the most frequent form of punishment.

Since the beginning of the 1990s, the absolute number of offenders sentenced to immediate imprisonment or youth custody has increased significantly. The number of offenders sentenced to unconditional imprisonment in 1998 was approximately 27 percent higher than in 1990, in the case of unconditional youth custodies this was as high as 45 percent.

At the end of December 1999, approximately 6,200 people were in reformatory detention outside the prison system, of whom 3,900 were inmates of psychiatric hospitals, 1,700 were in special institutions, and some 600 were detained in one form or another under a preliminary detention order issued by the investigating judge or the trial court. Among the other types of deprivation of liberty, detention pending trial has particular qualitative and quantitative significance. In March 2000 approximately 18,000 were in detention pending trial.

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**Thomas Feltes**

# Ghana

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**Official country name:** Republic of Ghana

**Capital:** Accra

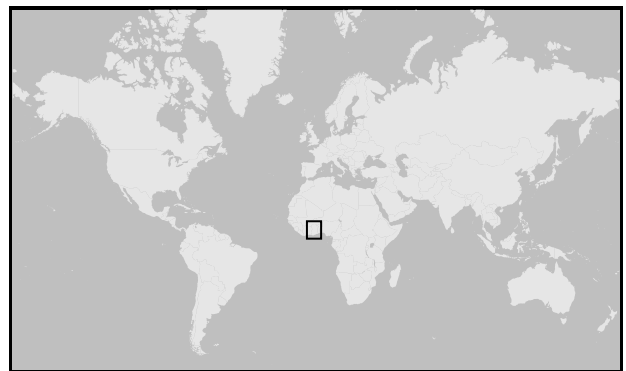
**Geographic description:** West African country on the Gulf of Guinea.

**Population:** 21,029,853 (est. 2005)



## LAW ENFORCEMENT

**History.** The origins of the police forces of the Gold Coast (as Ghana was known in colonial times) lie in efforts by a committee of merchants to protect trading depots and routes. In 1830 colonial merchants hired a number of men as guards and escorts. Following the signing of a treaty between the British and the local chiefs the Gold Coast Militia and Police (GCMP) was established in 1844. It numbered about 120 men. The force was disbanded in 1860 and superseded by a corps of about ninety men, known as the Queen's Messengers. The paramilitary duties of GCMP were assumed by the regular military units. During the Ashanti Wars, the Queen's Messengers were combined with the Hausa Constabulary, who were imported from Lagos, into the Gold Coast Armed Police Force. At the end of the wars, in 1876, the British converted this armed force into the Gold Coast Constabulary, which existed until 1901. In that year the constabulary was split into two. The paramilitary functions were transferred to the Gold Coast regiment and the police functions were vested in the Gold Coast Police Force. The British established a protectorate over northern territories in 1901 for which a Northern Territories Constabulary was created in 1907.



The constabulary was absorbed into the Gold Coast Police Force shortly after World War I; it was a unified force that existed basically unchanged until Ghana gained independence in March 1957.

During the 1950s the British instituted various reforms in the police administration to modernize, enlarge, centralize, control, and better equip the force. The main effort, though, focused on the Africanization of the force. Ghanaians had been superior police officers during the early colonial period, yet, around 1900 and 1910, the British began to restrict their access to higher positions in all branches of the administration. This race-based discrimination against qualified Ghanaians was one the main thrusts of the nationalist agitation. In 1951, 64 out of 80 superior police officers were expatriates; by 1958 only 11 expatriates remained out of 128 superior officers. In 1958 President Kwame Nkrumah appointed the first Ghanaian commissioner of police, E. R. T. Madjitey. By the early 1960s the only



expatriates still with the force were a few technical advisers and instructors. In other ways, the force was modernized and transformed. A woman's branch was formed in 1952, a police reserve was established in 1956, and Ghana joined Interpol in 1958.

The regime of President Nkrumah was a turbulent period for the Ghana Police Force. There was mutual dislike between the president and the police top brass. This distrust deepened after an unsuccessful assassination attempt on the president's life by a police constable. The police force was disarmed; the commissioner and nine senior police officers were sacked; eight others were detained; the Border Guards unit was detached from the Police Force and placed under the military; and the size of the force was reduced from 13,247 in 1964 to 10,709 in 1965.

The plot to overthrow Nkrumah was first hatched by two senior police officials, who managed to recruit a number of conspirators in the police and army. When the coup was successful and Nkrumah was overthrown in February 1966, the police rounded up Nkrumah's party leaders and placed them in protective custody. Police involvement in a coup against a duly elected civilian administration was a first for Africa, and it has not been repeated since in any African country except for the 1981 coup in the Gambia, which had no military. Various police officers were named as regional and district administrators by the immediate post-Nkrumah administration and they were more readily accepted by the public than their military counterparts. The size of the police force rose to 17,692 in 1966, to 19,895 in 1968. The Border Guards unit was restored to police control, though it was once again taken away and made an autonomous unit in 1972.

Resources and equipment of the police were increased. A 1968 study mission, under the auspices of the Office of Public Safety of the U.S. Agency for International Development, found the communications, transport, and forensic resources of the police force in bad shape. It found that higher police officials were devoting more time to their administrative duties than to crime fighting and law enforcement. On the basis of the report, the U.S. government provided transport and communications supplies and training for specialists in record management.

**Structure and Organization.** From its inception until the adoption of the republican constitution of 1960 the police were considered as part of the civil service of the colonial, and later, independent state. The 1960 constitution declared the police to be a separate public service and it renamed the Ghana Police Force the Ghana Police Service under the control of the president and the Public

Service Commission. It established a Police Council to advise on administrative and disciplinary procedures in the force. In 1974 the National Redemption Council passed the Police Force Act (Act 350) amending the Police Act of 1970 by decree to make the Police Service an autonomous public service, responsible for its own development and accountability. The Ghana Police Service was placed, along with immigration, prisons, and the national fire service, under the jurisdiction of the Ministry of Internal Affairs.

Under Act 350 the police is charged with "prevention and detection of crime, the apprehension of offenders, the maintenance of public order, and the safety of persons and property." The police are also responsible for the licensing of motor vehicles, the issuing of driver licenses, the control of motor traffic, the licensing of firearms, the issuing of permits for ammunition, the inspection of weights and measures, and the licensing of selected trades, such as goldsmiths and domestic servants.

The Ghana Police Service is organized into ten regional commands and several groups and branches associated with the national headquarters. The service is under the operational control of the inspector general (a title created in 1966). The Police Council, first established in the 1969 constitution, advises the inspector general on all matters pertaining to personnel and policy. The inspector general reports directly to the minister of internal affairs and through him to the president.

Regional commands coincide with the administrative divisions of the country with the addition of a regional command for Tema Harbor, the country's main port. Each region is commanded by a deputy or assistant commissioner and is divided into divisions, districts, stations, and posts. There are 52 districts and 558 stations and posts.

Police powers and functions are delimited by the constitution and by administrative regulations and statutes protecting human rights. Police are trained to regard themselves as servants. They are required to inform suspects of their rights before being arrested. The use of firearms and force is allowed only in self-defense.

The Ghana Police Force is divided into two branches: Escort Police and General Police. The Escort Police, accounting for half the force in strength, is engaged in patrol duties. The General Police deal with routine police responsibilities, such as station, court and clerical duties, traffic control, and technical work. The two groups receive different training.

Functionally, the Ghana Police Service is divided into five groups: General Administration, Criminal Investigations Department, Special Branch, Police Hospital, and National Ambulance Service.

**General Administration.** The General Administration is responsible for administrative matters regarding personnel, welfare, operations, planning and development, and public relations. It is divided into the following administrative units:

- The Paymaster General and Controller's Office dealing with pay, finances, and audit
- The Quartermaster General deals with supplies and stores
- Recruitment and Training controls the Police Depot (which handles recruitment) and the Police College
- The Licensing Unit deals with both the licensing of motor vehicles and driving permits as professional licensing
- The Armored Car Section, stationed in Accra, established in 1958 to serve as a mobile reserve force in cases of serious civil disorders
- The Mounted Squadron, stationed in Accra and Tamale, is used for crowd control, town patrol, and ceremonial escorts
- The Force Mechanical Engineer Unit is split into a works division, responsible for minor building projects and repairs on existing police buildings, and a mechanical division, responsible for the maintenance and repair of all police vehicles; its main workshop is at Accra, but there are local units at all regional centers
- The Communications Unit is charged with the planning, installation, and maintenance of all police stations and is also responsible for telecommunications, computers, and internal radio communications; most of the equipment used is of U.S. origin
- The Women's Corps was established in 1952 with twelve recruits; it deals mainly with matters affecting women, children, and juvenile delinquents, but it also does occasional probation work and traffic duties
- The Motor Traffic Unit controls the highway patrol squad and runs the police driving school

**Criminal Investigations Department.** The Criminal Investigations Department (CID) is responsible for the investigation of all serious crimes. It runs the Criminal Records Office and Fingerprint Bureau and the Forensic Science Laboratory, founded in 1959. It also prosecutes criminal cases on court. Members of the CID are stationed at all regional command levels. The national headquarters, located in Accra, has eleven sections:

- Registry of Correspondence
- Criminal Records Office and Fingerprints Bureau

- Crime Branch
- Forensic Science Laboratory
- Fraud Squad
- Flying Squad
- Central Firearms Registry
- Crime Statistics
- Legal Section
- Interpol National Office
- Detective Training School

**Special Branch.** The Special Branch is concerned with national security and does counterinsurgency and counterterrorism work. It also provides protection for VIPs.

**Police Hospital.** The Police Hospital was established in 1975 to look after the medical needs of police officers.

**Other Police Units.** The Police Band attached to the Accra headquarters entertains at police and other ceremonial functions. Elements of a small harbor police unit, equipped with motor launches, are stationed at Tema and Takoradi. The railway police was established in 1948. Its detachments are stationed at Accra, Tema, Takoradi, Cape Coast, Winneba, and other important towns.

**Education and Training.** Recruitment to the Ghana Police Service is at two levels: rank and file and commissioned officers. All recruits must be between eighteen and thirty-four years of age, five feet eight inches tall (women must be at least five feet four inches), be physically fit and pass a medical examination, and have no criminal record. Applicants for the Escort Police must have a minimum facility in spoken English and applicants for the General Police must possess a Middle School Leaving Certificate, while applicants for the commissioned officer corps must possess a degree from a recognized university. Almost all the General Police are recruited in the south, whereas most Escort Police come from the north.

Entry into the commissioned officer corps is also by promotion from the inspectorate level. Such recruits must be recommended by their superiors and pass a written examination and oral interview.

Recruits for the General Police are trained at the Police Training Center at Accra. Escort Police are trained at a subdepot at the coastal town of Elmina near the Cape Coast. Escort Police are trained at regional depots as well. Recruits receive a nine-month course of instruction in physical training, drill, unarmed combat, baton use, first aid, and firearms training. Escort Police receive additional instruction in escort and patrol duties. General Police receive additional training in criminal law and

procedures, methods of investigation, current affairs, and social sciences.

The Ghana Police College, founded in 1959 at Accra, gives a nine-month officer cadet course for new recruits to the officer ranks and two- to six-week refresher courses in general and technical subjects. The courses teach criminal law and procedure, laws of evidence, public administration, finance, police standing orders, practical police work, and general and social science. There is a heavy emphasis on physical fitness. On successful completion of the course, cadets are sworn in and promoted to assistant superintendent.

#### **Police Statistics.**

- Total Police Personnel: 32,651
- Population per Police Officer: 644

#### **HUMAN RIGHTS**

In recent years the Ghana Police Service has come under severe criticism following incidents of police brutality, corruption, and negligence. Public confidence in the police is low and mobs often attack police stations to protest police inaction, delay in prosecuting suspects, rumors of collaboration with criminals, and plea bargains that let the suspects off the hook. The Ghana Governance and Corruption Survey completed in 2001 found that the police were among “the least trusted, the least effective, and most corrupt” government agency. Police corruption was a serious problem. A survey conducted in 2001 by the Center for Democratic Government showed that 67 percent of the respondents said they had paid bribes to the police.

#### **CRIME**

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

- Murder: 2.2
- Assault: 418.9
- Burglary: 1.5

#### **CORRECTIONAL SYSTEMS**

The structure of the penal and correctional system was established during the colonial era and few modifications have been made since then. The criminal law administered by all courts is completely statutory and based on the criminal code, which itself is based on colonial legislation founded on English law.

Two of the three broad categories of offenses cited in the code deal with offenses against the person. The third category defines a wide list of offenses against public order, health, and morality. Some of the offenses are

peculiarly African: drumming with intent to provoke disorder, smuggling of cocoa, and trial by ordeal. Besides the provisions of the criminal code there are a number of statutes and enactments that have the force of law. Under the Criminal Procedure Code of 1960 habeas corpus is allowed and defendants are entitled to trial by jury if they so choose. There are five degrees of punishments: death sentence, life imprisonment for first degree felonies, ten years’ imprisonment for second degree felonies, and three levels of lesser jail sentences for misdemeanors.

The corrections system is divided into adult and juvenile. The penal system proper is governed by the Prisons Ordinance, which lays down basic rules for prison operation and treatment of prisoners. The 1969 constitution established a Prison Service whose director is appointed by the president and is responsible to the minister of the interior. Prison polices are laid down by the Prison Services Board, consisting of a member of the Public Services Commission as chairman, a Prison Service director, a medical officer of the Ghana Medical Association, a representative of the attorney general, the principal secretary of the Ministry of Social Affairs, and three others appointed by the president, one of whom must be a woman and the other two religious functionaries. The Prison Services Board is required to review the state of the nation’s prisons every two years and to hear complaints of the mistreatment of prisoners.

Prison Service is a career service. Most of the prisons are seriously understaffed and overcrowded. Service standards require one staff member for every three prisoners, but ratios of one to eight are not uncommon. However, the quality and competence of prison officers and guards, called warders, have steadily improved over the years. Most of them are recruited from the more literate Ewe and Ga ethnic groups. The service runs a school and depot at Maamobi, near Accra, for the purpose of training prison warders. The facility also offers a six-month training course for senior staff members, special courses for matrons, and preparatory courses for promotion examinations.

No new prisons have been built in recent years and many of the older ones are more than 100 years old—colonial forts converted into prisons with few or no modern facilities. Of the twenty-seven prisons controlled by the Prison Service, six central prisons are located in Accra. They are Ussher Fort, James Fort, Secondi, Kumasi, Tamale, and Nsawam. They house not only hardened criminals but also local detainees and petty offenders. Ussher Fort is the top maximum-security prison. Two central prisons for women—at Ekuasi and Sekondi—handle all offenders whose sentences exceed

three months. For short-term confinement of local offenders and persons under remand, the central prisons are supplemented by fifteen small local prisons, six of which have annexes for women. Two open prison camps house convicts who have demonstrated good behavior. However, since independence, James Camp, near Accra, and Ankaful, near Cape Coast, are the only facilities now suffering from overcrowding. Both have industrial workshops and farms where prisoners can work.

Within the correctional system, remand homes, probation homes, and industrial schools are operated by the Ministry of Labor and Social Welfare. Remand homes where juveniles are held in custody by court order are located in Accra, Sekondi, Cape Coast, and Kumasi. There are three probation homes: for boys in Accra and Jacobu Ashanti and for girls in Kumasi.

**Prison Conditions.** Prison conditions are substandard with poor ventilation, sanitation, and food. Only Maamobi reformatory has sports facilities and only Ankaful has adequate medical facilities. The prisoner's daily food allowance is less than \$0.60 a day, so prisoners

have to rely on family or outside groups for food and medicines. Bedding is available for only 30 percent of the inmates. Overcrowding contributes to a high incidence of communicable diseases, and medical facilities are inadequate. In 2002, 134 prisoners died in the country's prisons, including 9 from malnutrition.

**Prison Statistics.**

- Total Prison Population: 11,379
- Prison Population Rate per 100,000: 54
- Pretrial Detainees: 26.4%
- Female Prisoners: 2%
- Juvenile Prisoners: 1.3%
- Number of Prisons: 42
- Official Capacity of the Prison System: 7,554
- Occupancy Level: 145.4%

*George Thomas Kurian*

# Greece

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**Official country name:** Hellenic Republic

**Capital:** Athens

**Geographic description:** The southeastern end of the Balkans and Europe

**Population:** 10,668,354 (est. 2005)

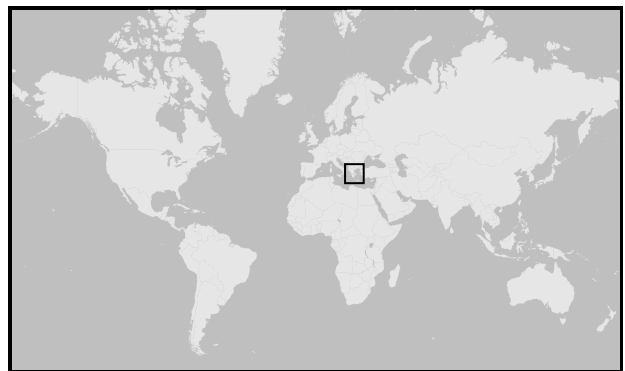


## LAW ENFORCEMENT

**History.** The police institution in Greece dates from the ancient times as does the history and the language of the country. From the ancient Greek words *polis* and *politeia* derives the Latin *politia* and the terms used in different languages *police*, *polizei*, and so on. Distinguished representatives of the ancient Greek intelligentsia had observed the importance of public order. The great philosopher Aristotle had written that “a town is impossible to function without the necessary Authorities and it is impossible to exist when there is no order.”

The Athenian orator Demosthenes noted that “there is nothing more beautiful for human kind than order” and the dramaturge Sophocles taught from the theater stage “there is nothing worse than anarchy.” The information on the police institution in ancient Greece comes from the works of historians, philosophers, and poets as well as from inscriptions found after excavations in various archaeological sites.

In Athens there were a number of administrative agents entrusted with police duties. Reference is made to market inspection police, police agronomists, metronomes, wheat guards, trade intendants, gynaeconomes, road builders, wall constructors, fountain intendants, and



post guards. Police duties were also exercised by the mayors, the generals, the polemarch, the chairman of the People’s Assembly, and the first of the nine archons, the so-called eponymos.

All citizens, even the most famous ones, had the possibility to participate in all these police tasks. It is known that Themistocles had been a fountain intendant and Demosthenes a wheat intendant. The basic characteristics of the Athenian police institution were its social character and the inexistence of a secret police—natural characteristics of the city where democracy was born and flourished. According to inscriptions, the police organization in the other Greek cities of the mainland and the insular area, of the Middle East and of southern Italy, was similar to the Athenian.

The Greek police institutions remained intact during the first two centuries of the Roman conquest, when the Greek cities were still maintaining certain independence. The Greek systems of government collapsed under the

rule of the emperor Karakallas. This is the period of the beginning of the general implementation of the Roman police institutions that were not different from those of the Greeks.

During the years of the Byzantine Empire these institutions form progressively their own Greek character, the basic points of which are maintained during the entire period of the Turkish domination in Greece and in the Balkans, as a system of local self-government under military control. Its members have participated actively to the national revolution of 1821.

With the creation of the new independent Greek state (1830) after the war for independence, a dual police system was established, having at the same time a Gendarmerie at a general level and a Municipal Police at a local level. This system with different organizational variations as to the Municipal Police was in effect until 1906, when the Gendarmerie undertook the surveillance of the entire country.

In 1920 the dual police system came back into effect with the maintenance of the Gendarmerie and the creation of the City Police. Between 1921 and 1925 the new Police Corps gradually established itself in the cities of Athens, Piraeus, Patras, and Corfu. This police system was in effect until 1984, when the Gendarmerie and the City Police were amalgamated into one corps, under the name Hellenic Police.

*Character, Administration, and Mission.* The Hellenic Police consists in a special armed force with its own laws and regulations, which vary from the provisions governing the civil personnel. It has a military qualification and discipline. The emblem of the Hellenic Police is a composition of signs portraying the official state emblem, an olive tree branch and the classic pair of scales, both ancient Greek symbols of peace and justice. The competence of the Hellenic Police extends to the entire state. The only sectors it does not survey are those that fall within the competence of the Port Police and the Customs Authorities. With these two authorities the police maintain a close cooperation within all service echelons.

From an administrative point of view the Hellenic Police is responsible to the Ministry of Public Order. The history and the meaning of the term *public order* is the same as that of the term formulated with particular emphasis, as mentioned earlier, by the prominent representatives of the ancient Greek intelligentsia: Aristotle, Demosthenes, and Sophocles. The Fire Department also belongs to the Ministry of Public Order.

In the context of the Resolutions of the Ministers Cabinet and the other government organizations, the Ministry of Public Order is responsible for laying down the general policy concerning public order and the

security of the country. The minister of public order supervises all the services of the ministry and instructs, coordinates, and surveys their operation. The chief of the Hellenic Police is responsible for its command and is directly responsible to the minister for the exercise of his duties.

The principal missions of the Hellenic Police are to safeguard and maintain public order, to ensure the civil defense of the country, and to contribute in the safeguard of the national defense in cooperation with the armed forces. Besides these principal missions the police have other specific duties: the maintenance of order in courts, the transfer of prisoners, the external guarding of prisons, the trial of minor offenses or violations, the conduct of preliminary investigations under the supervision of the Office of the Public Prosecutor, the issue of police provisions setting penalties for violations, the participation, with other state organizations, in matters concerning road traffic, public health, the protection of the environment, protection of juveniles, crime prevention, and so on.

**Structure and Organization.** The organization of the Ministry of Public Order has a decentralizing character and includes two categories of services: central and regional.

Central services are the offices of the minister, the assistant minister, and the secretary general of the ministry and the headquarters of the chief of the Hellenic Police and of the two lieutenant generals. Central services also form the branches of Police Security and Order and Administrative Support, and Financial-Technical and Informatics as well as the offices of the Chief of the Exchequer, the Audit Department, the Legal Adviser of the Administration, the Ordered Expenses Officers, and the Statistics Office of the National Statistics Service of Greece.

Regional services are the General Police Directorates of Attica and Thessalonica, 3 general police inspectorates, 12 police inspectorates, 51 police departments of prefectures and the services belonging to the latter, namely the police stations, security stations, traffic stations, market inspection stations, and aliens sections, and police posts.

The services that cover rural areas exercise general police duties. The branches form the organizational framework of the function, competence, and activities of the Ministry of Public Order and there is a fair distribution of the work to the various competent and specialized services and personnel. When it is deemed necessary, the branches cover each other's work through coordination by the ministry and the chief of the Hellenic Police.

The Branch of Police Security and Order consists of the departments of General Policing, Traffic, Public Security, State Security, Aliens, and International Police Cooperation.

The Branch of Administrative Support consists of the departments of Police Personnel, Civil Personnel, Studies, Computer Information, Training, Financial Matters, Technical Matters, and Public Relations. Administrative support is also offered by six self-sufficient services, which are directly responsible to the minister of public order: the departments of Health, Exchequer and Audit, Financial Inspection, Financial Management, Management of Materials, and Technical Applications of South Greece. Seven other self-sufficient services are directly responsible to the chief of police: the Directorate for the Confrontation of Special Violent Crimes, for the Security of Olympic Games, for Internal Affairs, for the Security of the President of the Republic, for the Security of the President and the Members of the Government, for Criminological Researches, and of Aerial Means.

The General Police Directorates of Attica and Thessalonica consist of the Department of Police, Traffic, Security, Police Operations, Direct Action, and Market Inspection and of the subordinate services, namely the subdirections, Sections, Police Stations, and Police Posts charged with the specific competence, or in the cases of services covering rural areas.

The decentralization of the Police Departments of the Prefectures is ensured with the three general police inspectorates, which have their seat in Athens, Patras, and Thessalonica, and the twelve police inspectorates, which cover the same number of large districts of the mainland and the insular area. The police departments in each prefecture form the basis of the local command organization of the police services. To make this organization more successful, there are two police departments providing their services exceptionally in two large prefectures. The work of the Police Departments of the Prefectures is coordinated and supervised directly by twelve police inspectors under the supervision of three general police inspectors.

At the headquarters of the General Police Directorate of Thessalonica and of the Police Departments of the Prefectures, there is a Prefectural Police Committee formed by the prefect, the police director, a representative of the local association of municipalities and communities, a magistrate, and a representative of the fire department when it concerns fire protection.

The task of the committee is to make decisions on urgent problems affecting the socioeconomic life and public order and security in the prefecture, as well as to propose to the Ministry of Public Order measures for the

better organization and operation of the services in the prefectures. To this aim, the committee accepts and examines reports from all legal persons or other recognized collective legal organizations of the prefecture.

The decentralization of the services of the Hellenic Police is promoting the competence through a transfer of the chief and the heads of the branches, to the heads of large regional services and the transfer of the competence of the latter to their subordinates in command.

Since 1999 a special Directorate of Internal Affairs was created to combat every kind of corruption.

There are also:

- A special antiterrorist repressive unit
- A section for the neutralization of explosives
- A service of aerial means with a certain number of helicopters
- A unit of police dogs specialized in the detection of drugs and explosives

During these last years a certain number of legislative and administrative initiatives led to the creation of new police services, for example, the institution of proximity policing with the so-called policeman of the neighborhood, the participation of police officers in the local councils for crime prevention, and the creation of the Council of Strategic and Crisis Management and of the Council for the Coordination and Strategy of Public Order.

**Public Order.** The general policing of the country belongs to the competence of the branch of police Security and Order. The head of the branch is a lieutenant general. Through the five staff departments belonging to it, the branch directs, controls, and coordinates the policing of the entire country, which is undertaken by the regional-operational police services. Each staff member is responsible for matters under his or her competence on a staff level and coordinates at the same time the action of the regional services.

The Public Order sector deals with matters concerning the maintenance of order at public gatherings and meetings or at places to which the public has access. In cooperation with other competent services this sector enforces the law concerning public health and hygiene, the operation of public centers, city planning, labor, market inspection, and so on. The police services are mainly busy with the taking of measures in various public social manifestations and in particular athletic events that surpass 40,000 spectators.

The services are also engaged in the operation control of public institutions and services and in the enforcement of the market inspection legislation concerning the



*Police and protesters clash outside of the Ano Liossia landfill, north of central Athens on June 21, 2005. Demonstrators attempted to push their way past riot police at a rally protesting the disposal of partially treated sewage at the landfill. Officers fired tear gas at the demonstrators, injuring at least eight people. AP IMAGES.*

quality of food supplies, the prosecution of adulteration, and the conduct of sample controls on all items necessary to life. Among the essential duties of the Police Order units are the protection of public benefit organizations and services, the guarding of vulnerable targets of criminal acts, the security of money delivery, the transfer of prisoners, and the maintenance of order in court sessions. The Police Order units are also responsible for the enforcement of the legislation on tourism concerning the operation of tourist enterprises, their activities, and the transfer and service of tourists in the country.

The responsibility for the planning, organization, administration, and control of the relevant work of the regional Police Order units belongs to the General Policing Department of the Ministry of Public Order, which consists in three sections: Elaboration of Other Measures, Market Inspection, and Operations.

**Traffic Police.** The Traffic Police sector is, among other things, responsible for ensuring an easy, smooth, rapid, economical, and safe road circulation of pedestrians and vehicles. The traffic services of the Hellenic Police are assigned with the task of controlling and regulating road traffic and of investigating road accidents that occur in the road and railroad network of the entire country.

For certain violations of the Road Traffic Regulations and other relevant provisions, stricter penalties are imposed on the offender, apart from the administrative or penal fines, namely the suspension of the driving license and the vehicle registration papers as well as the removal of the number plates of the vehicle.

The Police Traffic services use the following for their work: patrol vehicles, cranes, motorcycles, special vehicles adapted in such a way to be used for investigation, and other common passenger vehicles with conventional



number plates. Special technical plans are also used for the control of speed, noise, gases, driving under the influence of alcohol, and so on. In Athens a closed television circuit is used for traffic control. In cases of heavy traffic helicopters are used for the coordination of the Road Traffic units.

The policing of the national roads is carried out by organized mobile units operating in the framework of the General Police Departments and the Prefectural Police Departments. Besides the control of the circulation and the investigation of accidents these units also cooperate with the competent state services to help eliminate the various situations that render circulation impossible or dangerous and with the detection and restoration of damages to the road or road signs.

The planning, organization, supervision, and control of the work of the Regional Services are undertaken by the Police Traffic Department of the Ministry of Public Order.

**State Security.** The State Security Department as a central staff service directs, controls, and coordinates the work of the regional services of the police on state security matters. The principal duty of the police is the protection of the state and of the democratic system of the country, pursuant to the constitution and the legislation, against any undermining act in cooperation with other competent services. The protection of life, of the physical integrity of the citizens, of normal smooth living conditions, of individual rights, of security in general, and of the social tranquillity is a task that belongs to the police. As a consequence, the police are called to eliminate all damages against these fundamental social properties. Such a danger could be the international terrorism. Given Greece's geographic position, terrorism, as an international problem, affects the country. The Hellenic Police is making a great effort to suppress terrorism. It has in its service experienced police officers that have been subjected to social training. It adopts strict security measures at the international airports; it controls the entry and exit points of the country, surveys suspected persons, and cooperates with all competent services of the country and of other countries. The international cooperation is indispensable for the elimination of terrorism and for putting an end to the cruel terrorist activities against innocent and unsuspecting persons.

**Public Security.** In general, the Public Security sector includes matters relating to the prevention and the suppression of crime in its traditional and modern form. In particular, the Public Security Service provides for the prevention and suppression of common crime, as well as of organized crime; controls the trafficking in human beings and the illicit traffic of drugs and antiquities; implements the provisions concerning

casinos, gambling and morals, and the provisions concerning the protection of currency and exchange; surveys and controls areas frequented by suspect offenders of common crime; and searches for wanted persons or persons who have disappeared and for stolen goods. It uses scientific and technical methods for the investigation of crimes in cooperation with international police organizations and police forces of other countries.

To be able to complete its mission, the Public Security Service is divided into staff and operation sections, which cover the entire country. The staff work consists in the organization, planning, and coordination of regional services, which have as its main task the prevention and suppression of crime. In the completion of its mission, it is assisted by the National Criminological Research Service, by modern scientific and technological means, and by expert personnel it has at its disposal. The measures taken by the police authorities for the prevention and suppression of crime are considered satisfactory, without ignoring of course the existence of certain defects resulting from the permanently changing modus operandi of the criminals and from the existence of a great number of illegal immigrants during the 1990s.

**Aliens Directorate.** The great number of foreigners that came in Greece—legally or illegally—after 1990 led to an upgrade of the former Service for Aliens to the status of a directorate. It comprises four departments: Immigration and Administrative Measures, Citizenship, Political Asylum, and Guardianship of the Borders.

**International Police Cooperation.** This sector maintains relations and cooperation with the respective police services of other countries, as well as with international and European police organizations. In the framework of this cooperation, the Hellenic Police exchanges information, experience, and knowledge with the police forces of other countries. Decisions, enactments, and conclusions of international meetings and conferences on matters of police interest are also observed.

The Hellenic Police ensures the communication of its services and of the judicial and other state authorities with the general secretariat of the International Criminal Police Organization (Interpol) and the National Central Offices of Member States in view of the prevention and the effectiveness of the prosecution and suppression of crime; as well as with Europol and with the competent services of the Schengen Agreement and so on.

The coordination of the Hellenic Police with Interpol has two basic aims: (1) transmitting and receiving information on wanted criminals, their extradition, and the transfer to Greece of nationals who have committed a crime and who are extradited by foreign countries and (2) exchange of information concerning wanted persons who have disappeared or articles that have been stolen or lost.

Since 1981 Greece has been a member of the European Union (then European Communities). The Hellenic Police is informed on the regulations, directives, and resolutions issued by the organs of the European Union that fall into its competence. At the same time, the police force is informed on any changes in the community legislation on police matters and does what is necessary for the harmonization of the Greek legislation with the community legislation.

A special cooperation was developed between the Hellenic Police and the police forces of the other member states of the European Union. Meetings are organized regularly for expert police officers and at a ministerial level, and solutions accepted by all are found to the various problems. This cooperation came about for the successful confrontation of public order and security problems that arose from the abolition of the intercommunity borders and the free circulation of persons, goods, services, and funds, after 1992, as provided by the Single European Act of 1986.

*Administrative and Technical Support.* The administrative support is one of the two branches of the Ministry of Public Order. Its task is to provide the means, the services, and the personnel necessary for the achievement of its mission and to conduct the relevant procedures.

The branch consists in central and regional services dealing with matters concerning the personnel training, studies in planning, organization, police tactics, legal matters, documentation, computers, financial and technical matters, and public relations. The basic objective pursuit of the branch is to combine the scientific knowledge and experience of those participating in it, both police and civil personnel with the final aim of achieving a permanent qualitative and quantitative improvement of the police task in all aspects.

To achieve this aim, the administrative support is enforced by the rationally chosen technical supply of the necessary means. For this purpose, there is a close collaboration between the competent central and regional services responsible for planning and organizational matters, police tactics, personnel, training, computers, supplies, material management, technical means, telecommunications, vehicles, and equipment and building facilities.

The responsibility for the maintenance and the control of the efficiency of the technical means belongs to the Direction and Subdirection of Technical Applications of South and North Greece, as the two large technical units are called, in Athens and Thessalonica, respectively. These units also provide direct technical assistance to the central and regional services within their competence.

An important work of administrative support at the level of the Ministry of Public Order is offered by the Computers Department. The Hellenic Police was one of the first public services to introduce the computerized system in various police services. It possesses sophisticated equipment and expert police and civil personnel who have scientific knowledge on the electronic processing of information.

The applications developed cover to a great extent both the administrative and economic area and the police area. The Computer Department has four sections: Administration and Technical Matters, Analysis and Planning, Computer Operation and Control System, and Data Input. All these sections advance their work within the framework of a special program for the development of the computer system in various police applications.

From a general point of view the entire philosophy of the technical support has as a main axis the modernization in view of providing essential services to society and of protecting it from groups of organized crime, who, as it is well known, use means and methods of modern technology.

*Personnel.* The personnel of the Ministry of Public Order (in what concerns the Hellenic Police) are distinguished into police and civil personnel. There is also a fundamental distinction into main police forces, special guardians, and guardians of the borders.

There are 41,325 men and 4,500 women serving in the main police forces, 4,080 men and 500 women as guardians of the borders, and 2,250 men as special guardians. Twenty-two women head departments and services; since 2002 the Hellenic Police appointed its first woman major general.

Within the main police force the rank series are:

*Senior Executive Officers:*

- Police Lieutenant General
- Police Major General
- Police Brigadier General

*Higher Officers:*

- Police Colonel
- Police Lieutenant Colonel
- Police Major

*Lower Ranks:*

- Police Captain
- Police Lieutenant
- Police Second Lieutenant

- Police Warrant Officer
- Police Sergeant
- Police Constable

One of the three lieutenant generals is the chief of the Hellenic Police and the other two are supervisors of the branches and are qualified as assistant chiefs. Two of the eight major generals are directors of the General Directorates of Attica and Thessalonica, three are general police inspectors, and three are supervisors of the central services. Twelve of the twenty brigadier generals are police inspectors. The remaining are supervisors of central and important regional services.

The police personnel are distinguished into two categories: specific and civil duties. The personnel of specific duties consists of officers in higher and lower ranks as well as lieutenants, sergeants, and constables, medical officers, chemists, technicians, typographers, musicians, and so on.

The civil personnel consist of employees with a university or a secondary education, posted in the following branches: administrative and economic, statistics, health, technical matters, computer information and engineering, translators and interpreters, librarians, chemists, and graphic arts.

There are also posts for special advisers, professional assistants, and special computer assistants as well as auxiliary personnel. The greater number of the civil personnel serves in the central and larger regional services. Several employees with university degrees are supervisors of departments and sections of the Administrative Support branch, exercise like commissioned officers in preliminary investigation, or function as public prosecutors at the trials of minor penal offenses or violations.

The organization of the Ministry of Public Order provides everything necessary for the professional progress, training, and specialization of the personnel as well as for the exercise of service duties under the best possible conditions for their security, their convenience, and the development of their personality. The organization also provides for the assignment of obligatory service to police lieutenants and constables who graduate from school. The duration of this service is ten and eight years, respectively. However, it offers the right to those who wish to leave the police, if after having served two-thirds of the time and if they estimate that their performance in the service would prove tedious for their professional career or would hinder the development of their personality.

In his or her spare time, the police officer may participate in any kind of cultural activities. A significant number of police officers successfully participate in such activities. The promotion of the police personnel is done

on the basis of their qualifications and aptitudes; competent police councils are the ones to decide. The salaries are unified and equivalent to those of the officers of the Greek armed forces.

Furthermore, several police officers distinguish themselves in poetry and literature in general, in historic research, in journalism, in writing books of a scientific nature, in music, and in fine arts. Many pieces of these police officers are published in the bimonthly police journal, which has a circulation of 60,000. The Hellenic Police issues two other journals. One is of religious content and the other deals with matters of international police cooperation and friendship. The same subjects are also dealt with in a newspaper issued by the General Police Directorate of Thessalonica.

**Education and Training.** Education and training are carried out in the Police Academy, which consists of the following schools: Constable School, Officers School, School for Further Training and Postgraduate Studies, and School of National Security.

The teaching staff of the Police Academy, apart from being police officers, includes scientists belonging to the teaching and research personnel of the universities and the highest educational institutions of the country and military, as well as employees from all sectors of the public administration and the public organizations, independent Greek and foreign scientists, expert technicians, and foreign-language teachers.

In all training, special attention is given to the teaching of human rights and police ethics, which is considered important when enforcing the law.

*Constable School.* The candidates for this school, men and women between eighteen and twenty-six years old, must be secondary school or equivalent school graduates and must pass the Pan-Hellenic examinations for entry into the different faculties and schools of Greek universities; they also have to pass special oral and written tests, which establish their mental and psychological condition, and must be physically fit and have good health.

The duration of the training lasts for two and a half years and includes basic police, law, and sociological and psychological studies, as well as training in weapon techniques, shooting, physical education, and self-defense. The graduates of this school are subjected to practical training in various big police departments before they are assigned to service.

*Officer's School.* This school is equivalent to the universities of the country. Fifty percent of the future officers, men and women up to thirty-five years old, are drawn from constables, sergeants, and warrant officers who pass written examinations. The rest come

from the general Pan-Hellenic examinations for entry into universities.

The duration of their studies and training at this school is four years. The candidates of the first group, who are already members of the police, are admitted directly to the second year. The training is professional and includes police, law, and sociological and psychological courses, as well as systematic foreign-language studies. The training also includes lectures by experts on matters of general interest, educational visits, and excursions.

**School for Further Training and Postgraduate Studies.** This school for the advanced training of officers has different sections designed to retrain, specialize, and reeducate Greek police officers of all ranks, as well as members of the civil personnel who are university graduates. Depending on the nature of advanced training, specialization, or reeducation, various courses are offered of a duration varying from one month to one year:

- The section designed to retrain warrant officers is of one-year duration, after which the officers are promoted to police lieutenants.
- The section for the professional training of police captains lasts for four months. The successful completion of these courses is a necessary requirement for their promotion to the rank of police major.
- There are also several advanced courses on scientific criminological studies, traffic matters, statistics, computers, police security matters, public order, combat of illegal trafficking, combat of illicit dealing in antiquities, drugs, environment protection, protection of national currency, public and state security, police operations, market inspection, tourism, and so on.
- There is also a section designed to offer a special training and education to officers, warrant officers, sergeants, constables, and civilians who belong to the teaching or training staff of the Police Academy and of the Schools of Fire Service.

**School of National Security.** This school was created in 1997. It offers to high-ranking officers of the Hellenic Police, the Fire Department, the Port Police, the army, and civil personnel of other ministries lecture subjects related to strategy and policy of national security. The attendance is of one-year duration.

Police personnel are also trained in the science of war, national defense, organization, management, and so on. This training takes place in special schools of the armed forces, public services, and organizations.

The police personnel may also follow training programs organized abroad and the expenses are either paid by those participating or by their service. Those studying in universities or other higher educational institutions are always facilitated, especially during the examination periods, by receiving a student's leave of absence.

Police officers who are university graduates and who have served five years in the police and are not over forty years old are entitled to a three-year leave of absence for further studies in the country or abroad.

#### Police Statistics.

- Total Strength of Police Force: 51,000
- Population per Police Officer: 209
- Percentage of Women: 11%

#### CRIME

**Crime Prevention and Penal Training of Juveniles.** The main services of the Ministry of Justice relating to the prevention and control of juvenile crime are:

**The Juvenile Protection Societies.** These societies are legal persons of public law, under the supervision of the Ministry of Justice. They function in the seat of each court of first instance and their aim is the prevention of juvenile crime; they support juveniles who display antisocial behavior or who are in danger of becoming perpetrators or victims of criminal acts because of inappropriate or absent family environment or for other unfavorable social conditions or reasons. Specially trained people undertake the child's care, along with the child's parents, and support the child from a psychological, moral, and social aspect. A seven-member administrative council manages each society; its members offer voluntary and unpaid services. Its resources come from a subsidy of the Ministry of Justice, donations, and bequests.

Where the necessary resources exist, the societies establish shelters, which offer hospitality and comprehensive support under family conditions to the children they protect, when parents are not fit for their upbringing or are unable to provide for their children. Children accommodated at shelters of these societies are offered, besides psychological support, education, professional training, medical care, recreation, and so on.

**The Probation Services for Juveniles.** These are regional services of the Ministry of Justice that operate in the seat of each court of first instance and are supervised by the judge for juveniles of the district. They constitute the primary noninstitutional service for juveniles' treatment who have committed criminal acts or who are in danger of becoming perpetrators or victims of criminal acts.

Probation officers for juveniles, who work with these juveniles on whom the reformatory measures of supervision have been imposed, staff them. They aid significantly the judge for juveniles judging the relevant cases. They also work with minors who are in danger of violating the law because of inappropriate or absent family environment or for other unfavorable social conditions, and provide comprehensive support to them and their families.

*The Juvenile Training Establishments.* The work of correctional treatment of young people of adolescent and postadolescent age (thirteen through twenty-one years old), who have committed a punishable act and are provisionally detained or serve penal reformation or other freedom-depriving sentence, is assigned to the Special Juvenile Detention Facilities. These are regional services of the Ministry of Justice where these young persons are detained, pending trial or sentencing. Young people over seventeen years old may be transferred to adult detention facilities. Young prisoners can remain in the special juvenile detention facilities after they complete their twenty-first year of age, for the purpose of completing the studies or vocational programs they attend. There are six special facilities and sections for juvenile detention in operation.

In case the juvenile court subjects the minor to the reformatory measure of placement to an education facility, this can be the Volos Education Institution for Male Minors, which is a regional service of the Ministry of Justice, or another suitable municipal, community, or private facility in the case of boys and in the case of girls in all the above except the Volos Institution. This institution hosts minors who display disobedient behavior or who have difficulties with social adaptation. It provides training, social support, education, and professional formation. Juveniles who live in a social environment of people who perpetrated criminal acts may enter this institution. During their stay at the institution juveniles study, participate in educational and professional orientation programs, and take part in entertainment, cultural, or athletic activities. They also have the opportunity to use experimental leave or leave for familial, educational, or health reasons. Administrative officers, social workers, psychologists, and trained staff work at the institution. It hosts up to twenty-five juveniles from Greece or other countries. The minor admitted to the Volos Education Institution for Male Minors is released when the imposed reformatory measure or restrictive condition of placement is lifted or when the age specified by law is attained.

#### CORRECTIONAL SYSTEM

The organization of the Greek system of corrections is based on general principles drawn from the constitution,

international conventions, laws and presidential decrees, as well as legislative acts authorized by them, using as legal basis the effective Code of Corrections.

The general principles are concerned with the rules of the execution of the sentences of the competent penal courts and the treatment of prisoners. Inviolable principles in the application of these rules constitute the treatment of prisoners equally and legally, the respect for their rights, and their legal protection. All the organs exercising the correctional policy are described in the Code of Corrections: the Central Scientific Prison Council, the Central Council for the Transfer of Prisoners, and the council of every prison. The code also determines the different categories of prisons and prisoners, the living conditions in prison and transfer, the application of different programs and the use of the prisoners' free time, their work, the beneficial calculation of days of prison sentence, and their communication with the social environment. Furthermore, the code describes the alternative ways of serving sentences, the measures taken for the correct operation of the prisons, the procedure for transferring prisoners, the ways of terminating sentences, the postpenitentiary care, and the supervision of the code's applications and its enforcement. The General Direction of Correctional Policy of the Ministry of Justice and the departments under it monitor the organization and operation of the correctional system.

The Greek prison system includes thirty operating detention institutions: closed prisons, judicial prisons, special adult detention establishments and rural prisons, therapeutic establishments, and special juvenile establishments. All these establishments are run by the Ministry of Justice.

During the last few years the Ministry of Justice ordered the construction of seventeen new prisons. They were in operation by the end of 2005. This is an effort to answer the important problem of prison overcrowding and inadequate prison conditions. Recent figures indicate there are more than 8,000 men and women (adults and minors) in Greek prisons that have a maximum capacity of a little more than 5,000. Taking the total number of releases from prison into account, up to 18 percent more prisoners of those admitted annually remain in prison. However, the rates of prisoners in Greece continue to remain relatively low in comparison with other European countries. This has not been achieved by alternative sentences, but with the conversion of imprisonment into fines.

The main lines of the organization of each one of these establishments include a director, a special work service, a health service, an administration or secretariat, a number of correctional officers (guards) supervised by a

chief correctional officer, and the necessary technicians and other staff.

Certain institutions are staffed with additional specialized personnel. The public prosecutor for the execution of sentences supervises the execution of sanctions, the protection of the rights of the detainees, and in general the immediate supervision of the prison.

**Prison Conditions.** Persons in custody are those serving freedom-depriving sentences, those under articles 69 and 71 of the penal code, those who have been arrested and are waiting for trial, those in execution of a civil court judgment, and those who have not paid a pecuniary penalty.

The treatment of persons in custody, for the time they live in the detention facilities, is governed by the rules of execution of freedom-depriving penalties and security measures, mainly in accordance with the applicable Code of Corrections.

For each person in custody, a full record and personnel card is kept at the respective detention facility. Nobody can take cognizance of such information. Only the competent officials of the correctional service, the person in custody, his or her legal representative, or a third party having a legitimate interest may know this information. In case of request by a third party, this must be authorized by the competent supervising prosecutor.

Consular authorities are informed of the placement of nationals in detention facilities and when they request pertinent information, it is provided to them, if the persons in custody consent to such request in writing.

**Medical Care.** The persons in custody do not bear or share in the cost of their medical, medicinal, or hospital care, given that all health care of these persons is provided free of charge and is of a level commensurate with that of the general population. They are charged only if they request a doctor of their choice.

**Work.** In every detention facility there are work positions for prisoners such as cleaning, bakery, kitchen, laundry, food stores, and so on, as well as farm-cattle-breeding work in agricultural prisons.

Such work is undertaken for three months and is renewable on a justified decision of the five-member prisoners work board. The board, which is presided by the competent supervising prosecutor, considers all applications for work submitted by persons in custody and decides on their approval or dismissal and on the allocation and supervision, working hours, and work conditions for persons in custody.

Persons in custody may also work for their own account and on an order by the state or private entity, at their place of detention or other place of detention

or other suitable place of the detention facility, on consultation between the employer and the prison council and provided the facility safety or smooth operation is not impeded thereby.

The work of a prisoner outside the detention facility may be organized if an agreement is reached between the employer (public or private entity) and the competent division of the Ministry of Justice and is implemented under the supervision of the management of the detention facility. In such a case a permit of quasi-free living is required, as well as the consent of the prisoners work board.

In principle, persons in custody working inside the detention facility for the operating requirements of such facility and in authorized work positions, depending on how heavy and how specialized such a work is, have the benefit of mitigation of their sentence on account of their days of work toward serving their sentence.

Besides such benefit, persons in custody working in various productive sectors—mainly in agricultural prisons and/or other detention facilities—such as in the bakeries, receive a token payment depending on the type of the work provided, from the special Ministry of Justice Account Funds for Work by Prisoners and the payment is deposited at the personal account of each prisoner, at the accounts office of the facility. Prisoners working for their own account within the detention facility and for the account of third parties are remunerated in conformance with the agreements signed. For work provided outside the detention facility to enterprises of the public or private sector, the remuneration is determined, on a per case basis, under a decision of the minister of justice, with due consideration to the applicable law on workers in general.

Prisoners working within the detention facility, depending on how heavy and dangerous such work is, for example, working for building construction crews, mechanical workshops, and so on, are insured against accidents; the relevant contributions to the Social Security Institution are borne by the Ministry of Justice.

For prisoners working outside the detention facility, with private units or enterprises, insurance coverage against accidents is provided and the Social Security Institution's contributions are borne by the prisoner-worker and the employer.

**Visits.** In principle, relatives up to the fourth degree may visit a person in custody at least once weekly while observing the visiting hours of each facility. Third parties, associations, or representatives of social or other bodies that the prison council estimates shall not have an adverse influence on the person in custody may visit the prisoner on the authorization of the prison council.

**Communication.** Every person in custody may freely communicate over the payphone located at a public area of the detention facility, which is only visually inspected, using a timecard bought at the detention facility, at hours specified by the prison council. Furthermore, every person in custody may send wherever and receive from anyone, without restriction, letters or telegrams, through the facility, the contents of which are not inspected. However, for security reasons or to avoid committing particularly serious crimes, the contents of every form of communication may be inspected under the safeguards specified by law.

**Leave.** The prison disciplinary board headed by the supervising prosecutor may grant persons in custody, on their request and under certain conditions, leaves of absence from the detention facility, the duration of which is counted as served time.

A main prerequisite for the granting of a regular leave, of a duration of one to five days, is that the convict has served one-fifth of his or her sentence without any workdays calculated therein and that his or her detention has lasted for at least three months, or in any manner, the two-fifths of his or her sentence, in which case the leave is increased up to eight days. In the case of a life sentence, detention must have lasted for at least eight years.

Furthermore, a main prerequisite for the granting of a regular leave, besides other elements considered by the competent board (such as the risk of committing new crimes, the risk of escape, and so on), is that no penal proceedings are pending against the convict for a punishable act of a felony degree. No leave is granted before at least two months have passed from the commencement or the dismissal of the previous leave and for a total duration of no more than forty days per year for each person in custody. A person who unjustifiably violates the terms of his or her leave is not entitled to another regular leave until one year has passed. An educational leave may be granted by the disciplinary board, under certain terms and conditions, depending on the level and the program of the school of attendance. Such leave may be continuous for attendance purposes or per exam session. Such leave may be revoked.

Finally, persons in custody may be granted, under a decision of the competent supervising prosecutor, special leave of absence for no more than twenty-four hours, under police escort or not, for fulfilling family, professional, and other extraordinary and unforeseeable needs. Such special leave may also be granted by the director of the facility, on promptly informing the supervising prosecutor, only (1) for the funeral of a spouse or a relative up to the second degree and (2) for a visit to a spouse or a relative up to the second degree for highly urgent conditions of their health.

**Discipline.** Persons in custody who have received disciplinary punishment may appeal against the decisions of the prison disciplinary board within a strict time limit of five days, only to the Judges Board of Misdemeanors of the place where the sentence is served and such board hears the appeal and renders an irrevocable decision.

In case the prison disciplinary board punishes a prisoner with confinement to a detention cell, the institution of an appeal does not suspend the execution of the decision, unless otherwise decided by the disciplinary board.

**Education and Vocational Training of Persons in Custody.** The persons in custody may participate in a program of vocational training inside or outside the facility or in a program of sport or other group activity inside the detention facility. In all education or training programs the qualifications awarded are equivalent with the corresponding ones awarded by education schools or centers of the same level without it being mentioned or implied that they were obtained in a detention facility.

The education of prisoners aims at their getting or completing education of all levels as well as their vocational training. The persons in custody may attend, if they so wish, any education units operating within the detention facilities or secondary and tertiary education establishments or vocational training institutes outside the detention facilities, making use of educational leaves. They may also enroll in a junior or senior high school in the area where the detention facility is located, being admitted as "privately instructed" and sit for the year-end and graduation examinations for obtaining the relevant diploma of study.

**Transfer of Prisoners.** If a person in custody wishes, for various reasons, to be transferred to another detention facility, he or she has to sign a simple application and submit it to the director of the facility, indicating the reasons and the facility or alternatively the facilities where he or she wishes to be transferred. The final decision on such a transfer is made by the Central Committee of Transfers after due consideration of all necessary information. No counsel is required for this procedure. No appeal or legal remedy against the decision of the Central Committee of Transfers is provided. In case the Central Committee of Transfers dismisses the request, a new request for transfer may be submitted after three months, except in case of special or important reasons.

Alien prisoners can be transferred to their country to serve the remainder of their term, provided the following are met:

- Their country has signed a convict transfer agreement with Greece or has acceded to the current Convict Transfer Convention of the Council of Europe

- They must be nationals of the country they request to be transferred
- The sentencing judgment must be irrevocable or they must have waived all legal remedies (appeals and so on)
- The sentence they shall continue serving in their country, after their transfer, should not be greater than the one imposed in Greece
- The remainder of their term in Greece should not be less than six months
- Their country should consent to such transfer

The procedure followed, if it is established that these conditions are met, is as follows: the prisoner has to fill and file a special application form obtained from the secretariat of the detention facility, then the secretariat compiles from the applicant's record all penal and other necessary information and forwards the whole documentation to the competent division of the Ministry of Justice. After being checked, it is transmitted along with the relevant application to the corresponding ministry of the prisoner's country, through the Ministry of Foreign Affairs, after being translated into the language of the receiving country. The judicial authorities of the foreign country are requested to advise the Greek Ministry of Justice on the acceptance of the application and the sentence to be imposed there under the applicable penal provisions of this country. The answer of the foreign country is communicated to the prisoner and, if he or she agrees to such a transfer, an approving decision is sent. The transfer is carried out on consultation between the police authorities of the two countries. The same procedure is followed also for Greek prisoners in a foreign country.

**Special Therapeutics Centers.** If a person in custody has a problem of dependency on toxic and narcotic substances and needs treatment or psychological support, help is available provided that he or she is truly willing to be helped. He or she may discuss the with the social worker of his or her detention facility; the social worker informs him or her on the action to be taken. In this field Greece has established independent detoxification centers for detained drug addicts.

The Center of Avlonas/Thiva has the ability to hold 250 drug-addicted persons; the Center of Kassandra/Chalkidiki can hold 360 drug-addicted persons. The program of these centers is dry, voluntary, multiphase, and takes about two years to complete. Its aims are:

- Physiological and psychological recovery from the drug dependency
- To abstain from breaking the law

- To train and educate
- To prevent relapse and to socially rehabilitate participants

For the implementation of the program, the Ministry of Justice has hired the necessary scientific staff for the safe and efficient operation of these special therapeutic centers.

**Service of a Sentence in Parts.** Service of a sentence in parts may be requested, through applying to the Judges Board of Misdemeanors of the place where the sentence is served, only by convicts who serve a sentence converted into money. The board renders a decision on the recommendation of the prison disciplinary board and hearing of the convict, and if affirmative, the decision specifies the terms of sentence serving and the obligations of the convict that, if not fulfilled, lead to the revocation of such decision. Those convicts that serve their sentence in parts are entitled to request special leave only; however, the right to a conditional release is maintained.

**Community Service.** Convicts who have the right to serve their sentence in parts may, in lieu of that, request by applying to the Judges Board of Misdemeanors, to provide community service in municipalities or other entities that have accepted it.

**Suspension of Sentence.** The law provides for a mandatory or discretionary suspension of a sentence, with or without supervision. The general condition of all suspended sentences is that the convicted person does not commit a new offense during the period of suspension (three to five years). Otherwise, the suspension is revoked and he or she shall serve the suspended sentence cumulatively with the new one.

- If an offender who has not been previously punished with a custodial sentence not exceeding one month is now punished with a sentence not exceeding two years of imprisonment, the court shall order the suspension of sentence for a definite period (three to five years), unless the court decides that the execution of the custodial sentence is absolutely necessary for individual deterrence (mandatory suspension without supervision).
- In cases where an offender is now punished with a sentence amounting to more than two years and less than three years of imprisonment, the court may order the suspension of sentence for the same definite period (three to five years). In this case the court considers, inter alia, the circumstances under which the offence was committed, the motives of the offender, the offender's previous life and character, and the necessity of the custodial sentences for purposes of individual deterrence (discretionary



suspension without supervision). In this case the court may set as a condition the prior payment of the judicial expenses and indemnity and compensation to the victim.

- A discretionary suspension with supervision is possible if the requirement of the previously mentioned articles 99 and 100 of the Greek penal code are fulfilled and the offender is now punished with more than three years and less than five years of imprisonment. In this case the court may order the suspension of sentence on certain conditions and under the supervision and care of a probation officer for the same definite period (three to five years).
- In the case of an alien convicted person when a supplementary sentence of expulsion from the country is pronounced, the court may order the suspension of the custodial sentence for an indefinite period and his or her immediate expulsion.

There is no possibility for a court to suspend a sentence only in part.

**Conditional Release.** Prisoners can be conditionally released if the conditions specified in articles 105 to 110A of the Greek penal code are met. The convicted persons are released if they have served two-fifths of their prison sentence for a misdemeanor, three-fifths for a felony, and twenty years if they are serving a life sentence.

The application for the conditional release of a person from custody is filed by the director of the detention facility one month before the completion of the time specified in article 105 of the penal code. The application is addressed to the prosecuting attorney of the court of misdemeanors of the place where the sentence is served, along with the other supporting documents (schedule of calculation of days in custody, report by the Social Service, and so on). The prosecuting attorney recommends on the granting or dismissal of the application to the Judges Board of Misdemeanors, which renders a final decision thereon.

**After Release Care and Support.** In cooperation with the Ministry of Labor and Social Security via the Greek Manpower Employment Organization, the Ministry of Justice applies subsidy programs for new work places of independent professionals for released individuals or juvenile offenders or juveniles who are in

a dangerous social environment. The individuals entering into these programs must have served at least a six-month consecutive sentence. Released individuals whose violation was drug related are not eligible for these programs.

The released persons concern also programs of the Greek Manpower Employment Organization of free subsidization for the establishment of a small enterprise. For social support or other assistance the released persons may apply to the Society for the Protection of Persons Released from Custody, which comes under the services of the head of the region in which the place of domicile of these persons is located.

#### Prison Statistics.

- Total Prison Population: 8,760
- Prison Population Rate per 100,000: 82
- Pretrial Detainees: 28.2%
- Female Prisoners: 5.9%
- Juvenile Prisoners: 6.9%
- Number of Prisons: 28
- Official Capacity of the Prison System: 5,584
- Occupancy Level: 156.9%

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*James Farsedakis*

# Grenada

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**Official country name:** Grenada

**Capital:** Saint George's

**Geographic description:** A Caribbean island between the Caribbean Sea and the Atlantic Ocean

**Population:** 89,502 (est. 2005)



## LAW ENFORCEMENT

**Structure and Organization.** The Royal Grenada Police was established in 1873 as the militia and later evolved into the Grenada Constabulary. There are three police divisions on the island: Central, Western (with headquarters at Saint George's), and Eastern (with headquarters at Grenville). There are a number of operational units at the headquarters, including the Criminal Investigation Unit.

**Education and Training.** Most personnel are trained at the Barbados Training Center.

**Uniforms and Weapons.** The police uniform consists of blue serge trousers and a cotton shirt worn with a dark blue peaked cap.

### Police Statistics.

- Total Police Personnel: 444
- Population per Police Officer: 201



## CRIME

**Crime Statistics.** Offenses reported to the police per 100,000 population: 8,543. Of which:

- Murder: 7.8
- Assault: 98.9
- Burglary: 582.2

## CORRECTIONAL SYSTEM

Grenada has only one prison at Richmond Hill in Saint George's. It is administered by the superintendent of prisons, who is attached to the Prime Minister's Office.

**Prison Conditions.** Prison conditions meet international standards. The government permits visits of prisons by independent human rights observers.

*Grenada*

**Prison Statistics.** The official capacity of the Richmond Hill Prison is 115, but the total prison population is 297, 258 percent of capacity. The incarceration rate is 333 per 100,000 population. Of the total prison population,

15.2 percent are pretrial detainees, 3 percent are female, and 3.4 percent are juvenile.

*George Thomas Kurian*

# Guatemala

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**Official country name:** Republic of Guatemala

**Capital:** Guatemala City

**Geographic description:** A country in Middle America bordering the Caribbean Sea on the east and the North Pacific Ocean on the west

**Population:** 14,655,189 (est. 2005)

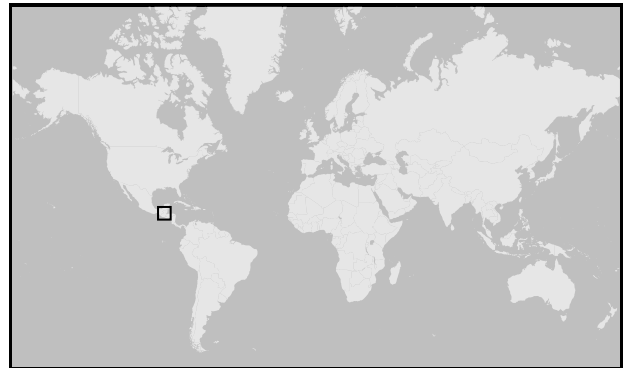


## LAW ENFORCEMENT

**History.** Historically, the police establishment was a quasi-military force whose chief and other supervisory personnel, the National Police, the Border Patrol, and the Judicial Police, were under the jurisdiction of the minister of government. The civilian police were stationed in the capital and a few other towns. All rural communities relied on the army or a locally appointed constabulary to maintain law and order.

**Structure and Organization.** The National Police Force is the primary law enforcement agency. The Border Patrol is in charge of the collection of tariffs, taxes, and other revenues on behalf of the Treasury Department. The Judicial Police (distinct from the enforcement arm of the courts) performs police investigation and intelligence gathering. All three agencies are under the Ministry of Government.

Although all three agencies have national jurisdiction in theory, the National Police and the Judicial Police operate almost exclusively in Guatemala City. Largely by default, the army performs civilian law enforcement and internal security functions in rural areas. A special



unit of the army, the Mobile Military Police, combats rural insurgency and banditry in rural areas without civilian police protection.

Some 6,200 small communities of 200 or more people (of which 4,000 are organized farms) have no organized police force. The local mayor, usually the justice of the peace, selects one or more individuals from the community to serve one or more years as local unpaid constables. They do not have the title of policeman but are recognized as lawmen.

Law enforcement has been modernized since the end of the civil war in 1996. The programs include a Central Complaints Division, a central crime laboratory, a fingerprinting system, model precincts, and rural mobile patrols.

The director general of the National Police, generally a senior active duty officer on loan from the Defense Department, reports directly to the minister of government. The police command structure is composed of a small staff in charge of operational divisions in the central



**Guatemala City police stand guard along a route that Pope John Paul II will travel as he visits the city, July 29, 2002.** The pope arrived in the country to officially recognize the sainthood of Brother Pedro, a seventeenth-century missionary often called “the St. Francis of the Americas,” during a special mass celebration. AP IMAGES.

headquarters and five regional zones. Control and authority are so highly centralized that even routine matters have to be approved by the director general.

The National Police has about two-thirds of its strength in the national capital, with the remainder deployed largely in the twenty-one departmental capitals under four zonal commands. The remaining outlying police units are assigned to departmental stations and substations in fewer than 100 other population centers. There are, however, fourteen mobile detachments that could readily be dispatched to trouble spots.

The major uniformed operational elements under central control in the capital and environs are the precinct enclave, a variety of patrol units (foot, motorcycle, jeep, and patrol car), and a Traffic Department with the combined functions of a Traffic Division and a Department of Motor Vehicles. Responsibility for accident investigation rests with another section of the uniformed police force.

In 1965 an investigative division was established within the National Police with a group of U.S.-trained police graduates. The Division of Administration and Services incorporates all the logistics and personnel support elements, such as the maintenance of buildings, supplies and vehicles, communication network, licensing, and detention centers.

*Hierarchies and Ranks.* The principal ranks are:

- Director General
- Deputy Director General
- Inspector General
- Corps Commander
- Deputy Corps Commander
- Section Commander
- Deputy Section Commander
- Inspector

- Subinspector
- Agent

#### Special Police.

**Judicial Police.** The Judicial Police is the principal intelligence gathering and investigative group. Almost all its personnel are stationed in Guatemala City, with only occasional assignments in outlying provinces. Members of the Judicial Police are more highly skilled and better paid than those of the National Police. In order of size, the three operational divisions of the Judicial Police are the Internal Division, the Transient Division, and the International Division.

**Border Patrol.** The Border Patrol was initially established in 1954 as a semimilitary uniformed and armed law enforcement body operating under the Ministry of the Treasury. Later, its operational control passed on to the Ministry of Government. The Border Patrol chief is headquartered in Guatemala City.

Patrol units of varying strength are assigned to each of the twenty-two departmental capitals and to most coastal or border departments. One or more additional units are located at strategic sites. Departmental chiefs are subject to the intermediate zonal command of the National Police but report directly to the Border Patrol chief. Nearly two-thirds of Border Patrol personnel are assigned to field units.

The Border Patrol has a wide range of prescribed duties, most of them relating to revenue and customs collection. It prevents smuggling, apprehends violators, and seizes contraband; enforces immigration and passport laws; prevents illegal manufacture and sale of alcoholic beverages; monitors ports of entry, customs warehouses, and authorized distilleries; enforces tariff laws and laws against counterfeiting and narcotics; and controls exports. In addition, Border Patrol members have gained additional responsibilities in counterterrorism and countersubversion activities, especially through subversion and infiltration. The Border Police is a mobile force with appropriate transportation and communication capabilities.

Currency and banking offenses are dealt with by the Special Investigative Section of the Bank of Guatemala.

**Education and Training.** Considerable emphasis is placed on increasing police effectiveness through training. The Police Academy in the capital is a small instructional unit that offers short training courses. Senior-grade personnel attend training courses in the United States, Panama, and Puerto Rico.

**Uniforms and Weapons.** Police officers wear dark blue trousers with a sky-blue stripe on the legs, a matching tunic, and a sky-blue shirt. The belt and tie are black and the soft, peaked cap is dark blue.

#### Police Statistics.

- Total Police Personnel: 19,364
- Population per Police Officer: 757

#### HUMAN RIGHTS

Even though the government generally respects human rights, extrajudicial killings by security forces are common.

Although there is a Presidential Commission on Human Rights, officials cover up or obstruct investigation of human rights abuses. Clandestine armed groups collude with security forces in social cleansing operations in which gang members, local delinquents, and former convicts are murdered. Arbitrary arrest and long pretrial detention pose serious threats to human rights. Most human rights violations are the result of the failure of the state to punish police officers who break the law. Transfer is the most common disciplinary action against errant officers.

#### CRIME

**Crime Statistics.** Offenses reported to the police per 100,000 population: 510. Of which:

- Murder: 27.4
- Assault: 77.1
- Burglary: 27.9
- Automobile Theft: 58.1

#### CORRECTIONAL SYSTEM

The director of prisons under the Ministry of Government is responsible for prisons and parole. The major penitentiaries for men are located on the outskirts of Guatemala City and in the departments of Quetzaltenango and Escuintla. The major penitentiary for women is Santa Teresa in Guatemala City. In addition, there are nineteen prisons for men and twenty for women in other departments, and a central house of correction for juveniles.

Local jails come under the jurisdiction of the police or the justice of the peace in towns and larger villages. Outlying Indian communities and many of the plantations maintain their own detention centers. Generally, convicted prisoners are kept separately from pretrial detainees. Women prisoners, who numbered 433 in 2001, are kept separately from men.

In 2000 a new maximum security facility opened. Also, a project to improve prison infrastructure was initiated involving improvements to fences and walls to prevent escapes.

**Prison Conditions.** Prison conditions are harsh but not life threatening. Corruption, much of it drug-related, is widespread. Overcrowding is not a major problem, although the major prison at Guatemala City is at

## *Guatemala*

75 percent more than its designed capacity. Jailbreaks are a matter of great concern because of the easy access of inmates to pistols, knives, and cell phones.

**Prison Statistics.** The average prison population at any given time is about 7,000, although the prisons are designed to hold only two-thirds of that number.

- Total Prison Population: 8,307
- Prison Population Rate per 100,000: 68

- Pretrial Detainees: 58%
- Female Prisoners: 5.3%
- Juvenile Prisoners: 6.2%
- Official Capacity of the Prison System: 7,233
- Occupancy Level: 112.9%

*George Thomas Kurian*

# Guinea

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**Official country name:** Republic of Guinea

**Capital:** Conakry

**Geographic description:** In West Africa, bordering on Côte d'Ivoire, Sierra Leone, Liberia, Mali, Senegal, and Guinea-Bissau

**Population:** 9,467,866 (est. 2005)

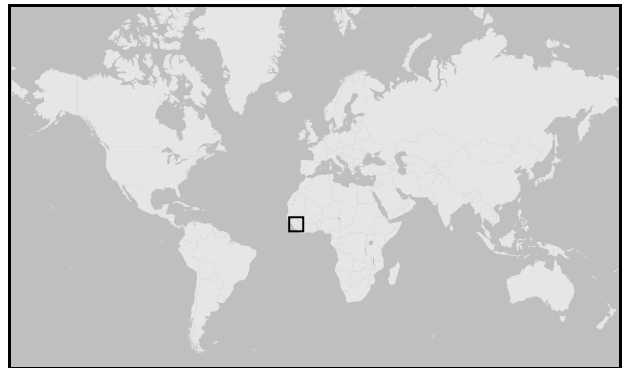


## LAW ENFORCEMENT

**History.** Guinea was under French colonial rule until 1958. The French established a law enforcement force modeled on that of France. It had three major components: the Sûreté Nationale (national police), the Gendarmerie (rural police), and the Republican Guard. After independence, the new state adopted these institutions without change.

**Structure and Organization.** Internal security is one of the responsibilities of the Ministry of the Interior. Operational control of these forces rests with the General Directorate of Security Services (GDSS). It has six bureaus: Criminal Investigation, State Security, Economic Law Enforcement, Traffic Management, Public Safety, and Technical Services. The directorate is headed by a director assisted by a deputy.

As the governor of each administrative region is responsible for the maintenance of peace and order in his area, there is a dual responsibility for law enforcement. These responsibilities are not clearly demarcated, but the GDSS is concerned primarily with overall command and administration and control of security matters of national interest, whereas the local and regional administrations are



concerned with the distribution of security forces in their areas and their deployment during local disturbances.

Sûreté Nationale is the designation given to the civil police forces in all towns and cities. The GDSS controls the recruitment, training, and administration of the force, but operational control is vested in the governors of the administrative regions to which it is assigned. Each governor has attached to his staff a chief of police. The Sûreté Nationale is subdivided into precincts or town quarter detachments and these, in turn, into police posts. It sometimes functions in a political capacity against the opposition. A special section is charged with monitoring the activities of foreigners in the country, including their entry and exit. Sûreté Nationale detachments work at seaports and airports and at border crossing points.

The ranks in the Sûreté Nationale are:

- Police Commissioner
- Deputy Commissioner



- Inspector of Police
- Senior Sergeant Major
- Sergeant Minor
- Sergeant
- Corporal
- Private

The Gendarmerie is a paramilitary force that enforces law and maintains public order in rural areas where 80 percent of the population lives. The main force is divided into brigades, at least one of which is assigned to each administrative region. A brigade consists of six to thirty-six gendarmes and is ordinarily commanded by a lieutenant who is appointed by presidential decree. Besides the regular brigades assigned to administrative regions, some additional units—designated as Gendarmerie frontier brigades—are distributed along the border. The primary mission of the frontier brigades is to assist the Customs Service in its efforts to prevent smuggling and illegal border crossings. The Customs Service itself is a separate organization under the Ministry of Finance with some law enforcement units of its own.

Conakry has at least three Gendarmerie brigades—the port, the airport, and city brigades. Another Gendarmerie unit is the mobile detachment under the direct control of the Gendarmerie commander. There are also two so-called criminal brigades, one for the Fouta Djallon area and one for Conakry. They are authorized to make criminal investigations, collect fines, take depositions, and make special reports.

The system of grades and ranks in the Gendarmerie corresponds to that of the army. There are six lower ranks:

- Senior Sergeant Major
- Sergeant Major
- Sergeant
- Corporal
- Private First Class
- Private

The Garde Républicaine is a paramilitary organization that reinforces the Gendarmerie in the administrative divisions. In Conakry it guards the presidential palace and provides the band and motorcycle escort used for official welcoming ceremonies for visiting dignitaries. One company guards the political prison at Camp Alpha Yaya, near the Conakry Airport.

**Education and Training.** All police personnel are trained at the National Police School at Kankan.

#### Police Statistics.

- Total Police Personnel: 6,820
- Population per Police Officer: 1,388

#### HUMAN RIGHTS

Even though the government's human rights record is poor, it continues to respond to international critics. Most of the abuses are committed by members of the security forces. Members of the Presidential Guard, in particular, are responsible only to the president and commit abuses with impunity. They use torture and force to extract confessions. Many citizens view the security forces as corrupt, ineffective, and dangerous. They extort money from citizens at the many roadblocks, especially near border towns.

#### CRIME

**Crime Statistics.** Offenses reported to the police per 100,000 population: 18.4. Of which:

- Murder: 0.5
- Assault: 0.7
- Burglary: 0.7
- Automobile Theft: 0.1

#### CORRECTIONAL SYSTEM

The prison system was organized soon after independence, taking over the facilities built by the French. The general responsibility for the prison service was vested in the Ministry of Justice from 1958 to 1972, when it was transferred to the Ministry of the Interior and Security.

There are three kinds of penal facilities: the Camayeene Central Prison in Conakry, local prisons of which there is at least one in each administrative region, and undefined lockups maintained at the district level. There are thirty-four prisons in the country. Political prisoners are sent to security force installations for confinement. There are three such camps in the Conakry area: Camp Mamdou Boiro, Camp Almamy Samory, and Camp Alpha Yaya. Heads of penal facilities are generally former police commissioners.

**Prison Conditions.** There is widespread use of penal labor, a practice inherited from colonial times. Prison conditions are inhumane. Most inmates rely on supplemental assistance from friends and relatives to stay alive. Guards often demand bribes in exchange for food. There are reports of deaths because of malnutrition and unsanitary conditions. Because some cells are so small, some prisoners are forced to sleep on their knees. Some inmates are

routinely beaten and subjected to other forms of abuse. Female prisoners are subject to harassment and sexual assault by guards.

**Prison Statistics.**

- Total Prison Population: 3,070
- Prison Population Rate per 100,000: 37

- Pretrial Detainees: 51.3%
- Female Prisoners: 2%
- Juvenile Prisoners: 4.8%
- Number of Prisons: 34

*George Thomas Kurian*

# Guinea-Bissau

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**Official country name:** Republic of Guinea-Bissau

**Capital:** Bissau

**Geographic description:** A West African country bordering the Atlantic Ocean, including the Bijagós Peninsula

**Population:** 1,416,027 (est. 2005)



## LAW ENFORCEMENT

**Structure and Organization.** The national law enforcement agency is the Policia de Seguranca Publica under the Ministry of the Interior. The police are poorly trained and funded and have to rely on the military for most law and order missions. The headquarters of the force is in Bissau, and there are police stations in all major urban centers. Many rural areas lack a police presence.

## CRIME

**Crime Statistics.** Offenses reported to the police per 100,000 population: 129. Of which:

- Murder: 0.5
- Assault: 8.7
- Burglary: 4
- Automobile Theft: 0.2



## CORRECTIONAL SYSTEM

Prisons are administered by the Judicial and Penitentiary Service of the Ministry of Justice. The country does not have formal prisons. Most prisoners are detained in makeshift detention facilities on military bases in Bissau and other cities.

**Prison Conditions.** Many prisoners are placed in incommunicado detention. The places of detention lack running water, medical facilities, and adequate sanitation. Men, women, and juveniles are held in separate facilities, and pretrial detainees are housed with convicted felons.

*George Thomas Kurian*

# Guyana

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**Official country name:** Cooperative Republic of Guyana

**Capital:** Georgetown

**Geographic description:** A country in northern South America bordering the North Atlantic Ocean

**Population:** 765,283 (est. 2005)

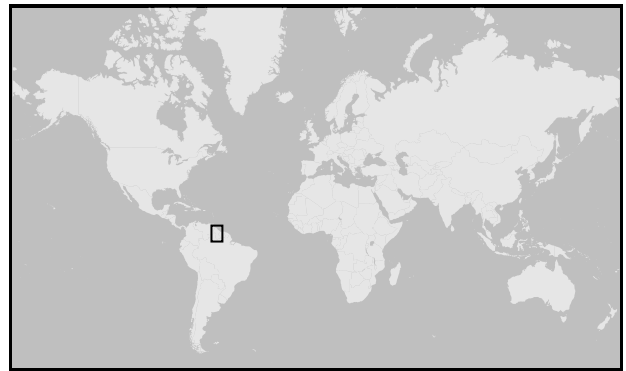


## LAW ENFORCEMENT

**History.** The Guyana Police Force was established under Police Ordinance 10 of 1891 and has been continued under Chapter 77 of the Guyana Police Ordinance since independence in 1966. The name of the force was changed to Guyana Police Service in 1967.

**Structure and Organization.** The Guyana Police Service (GPS) is an armed semimilitary unit administered by a commissioner who reports to the minister of home affairs. The GPS consists of the regular police with the supernumerary, rural, and special constables. Among its areas of control are traffic control, national security, passports and immigration, registration of aliens, and firearms control. It includes a mounted branch trained for riot control. Members of the force are normally unarmed. The Fire Department, which was a part of the GPS until 1957, is now a separate organization.

Guyana is divided into seven police divisions commanded by senior officers based at their divisional headquarters except for the F Division, which is at the force headquarters in Georgetown. Police ranks are:



- Police Commissioner
- Senior Superintendent
- Superintendent
- Deputy Superintendent
- Chief Inspector
- Police Inspector
- Sergeant
- Corporal
- Constable

The two main administrative divisions are Line Operations and Staff Services. Line Operations is responsible for operational functions, while Staff Services is responsible for supply, personnel, data communications, transport, and other material. The Staff Services are carried out mainly at GPS headquarters and Line Operations mainly in the territorial divisions. Line Operations duties



***Brad Hogg of the Australian cricket team arrives at the Cheddi Jagan International Airport under police protection, April 2, 2003. Australia went on to beat the West Indies team in their first test match on April 10. AP IMAGES.***

include patrol and beat, traffic regulation and control, and criminal investigation. Staff Services duties encompass budgeting, planning and administration, police records system, purchasing, transportation, and the forensic science laboratory. In the territorial divisions, Staff Services function under Line Operations supervision while in the headquarters Line Operations functions are directly controlled and supervised by Lines Operations agencies.

**Education and Training.** The GPS runs the Police Training School in Georgetown for officers. Its graduates enter the service as sergeants.

**Uniforms and Weapons.** The working uniform consists of dark blue trousers and a short-sleeved, open-neck shirt, with a dark blue cap. Senior officers wear a khaki tunic with short sleeves and an open neck, with matching trousers and a dark blue cap.

**Police Statistics.**

- Total Police Personnel: 3,669
- Population per Police Officer: 208

**HUMAN RIGHTS**

The government generally respects the human rights of its citizens, but serious problems remain, such as extrajudicial killings and abuse of suspects. The United Nations Human Rights Commission has charged the government with being lax in investigating police abuses. The Police Complaints Authority is an independent body composed of five members who investigate complaints against police officers. The authority received sixty-nine complaints in 2000 and thirty-two in 2001. The Office of Professional Responsibility also investigates complaints against the police. Charges against police officers are heard in lower magistrate courts, where other police officers serve as prosecutors.

**CRIME**

**Crime Statistics.** Offenses reported to the police per 100,000 population: 1,277. Of which:

- Murder: 19.1
- Assault: 246

- Burglary: 365.8
- Automobile Theft: 32.2

### CORRECTIONAL SYSTEM

The Department of Prisons and Probation is under the portfolio of the minister of home affairs. The department is administered by a director who controls the main prisons at Georgetown, Mazaruni, and New Amsterdam. First offenders sentenced to short terms are sent to New Amsterdam, while those serving longer terms are held at Sibley Hall, Mazaruni. Repeat offenders serving more than three months are imprisoned at Mazaruni or Georgetown. Georgetown has a maximum security prison with facilities for training. Additional facilities include the prison at Lethem, a reformatory for young offenders, a junior school for delinquent boys, and a remand home and probation hostel in Georgetown for probational juveniles. The Ruimveldt police station is the only juvenile holding facility.

Responsibility of the care of prisoners is that of the Department of Prisons and Probation, under the supervision of a chief probation officer. The department is also responsible for the administration of two juvenile schools: the Essiquibo Boys' School and the Belfield Girls' School.

**Prison Conditions.** Prison and jail conditions are poor, especially in police holding cells. Georgetown Camp Street Prison, the country's largest, is extremely overcrowded. It is designed to hold 500 inmates but

has a population of 800. In 2001 members of a United Kingdom Prison Reform Team found major problems in prison conditions, including infringement of basic human rights. Inmates generally protest police brutality and long delays in trials. Sanitary and medical conditions in holding facilities are worse than in the prisons. Such jails are bare, overcrowded, and damp. Few have beds, washbasins, furniture, or utensils. Meals are normally unavailable and inmates depend on friends or relatives to bring them food. Cells rarely have sanitary facilities. In Brickdam lockup in Georgetown, prisoners sleep on a thin pallet on concrete floors.

Conditions are somewhat better in women's prisons, especially those in New Amsterdam. They have vocational and educational courses and counseling by psychiatrists.

### Prison Statistics.

- Total Prison Population: 1,295
- Prison Population Rate per 100,000: 169
- Pretrial Detainees: 36.1%
- Female Prisoners: 3.8%
- Juvenile Prisoners: 0.5%
- Number of Prisons: 5
- Official Capacity of the Prison System: 1,250
- Occupancy Level: 103.6%

*George Thomas Kurian*

# Haiti

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**Official country name:** Republic of Haiti

**Capital:** Port-au-Prince

**Geographic description:** Occupies the western half of the island of Hispaniola, the second-largest island in the Caribbean

**Population:** 8,121,622 (est. 2005)



## LAW ENFORCEMENT

**History.** Historically, the police department was a relatively weak and poorly organized agency overshadowed by the military. Under dictator François (Papa Doc) Duvalier, many normal police duties were carried out by his personal police force, the Tonton Macoutes, dreaded, unpaid thugs virtually licensed to terrorize, kill, and extort the general population. After Duvalier's death in 1971, the Tonton Macoutes were renamed the National Security Volunteers by Duvalier's son and successor, Jean-Claude (Baby Doc) Duvalier and continued to terrorize the country. Following the U.S. invasion of Haiti in 1995, a formal police force was established under American auspices as the Haitian National Police (HNP).

**Structure and Organization.** The director general controls the Judicial Police, the Coast Guard, the Prison System, the inspector general, and the HNP. The Judicial Police controls the Antinarcotics unit, and the Palace and Presidential Guard is under the president's direct command. The bulk of the HNP is composed of the Administrative Police. Other specialized HNP units are:



- Crisis-Response SWAT team
- Crowd Control
- Forensics
- Special Investigations (which investigates high-profile political killings)
- Special Weapons
- Tactics

Allegations of corruption, incompetence, and narcotics trafficking affect all levels of the HNP. Some members of local government councils exercise arrest authority without legal sanction.

**Education and Training.** New cadets for the HNP are chosen on the basis of political and personal favoritism. Police officers attend a six-month training course at the Police Academy, which was built by the United States.



*Haitian police leave a makeshift military compound in Port-au-Prince, February 10, 2005. The police attempted to arrest former soldiers, among them Remissainthe Ravix, who were accused of killing four police officers. Much of Haiti's violence was attributed to the 2004 coup that forced president Jean-Bertrand Aristide from office. AP IMAGES.*

#### Police Statistics.

- Total Police Personnel: between 2,500 and 3,500
- Population per Police Officer: 400

#### HUMAN RIGHTS

Haiti has had a poor human rights record even before President Jean-Bertrand Aristide was elected in 1990, but it worsened under him. There are constant reports of extrajudicial killings by members of the HNP. Members of the opposition and their spouses are routinely arrested. Police officers use excessive force in making arrests or controlling demonstrations. Local officials also arrest their opponents arbitrarily and are rarely punished. Police frequently beat suspects, and torture and other forms of abuse are pervasive. Beating with fists, sticks, and belts is the most common form of abuse. Other forms of mistreatment include burning with cigarettes, choking, hooding, *kalot marassa* (severe boxing of the ears leading to ear damage), and electric shock. Police

officers implicated in these abuses are never prosecuted. They are generally dismissed and then rehired.

#### CRIME

**Crime Statistics.** Offenses reported to the police per 100,000 population: 701.

#### CORRECTIONAL SYSTEM

The Penal Code of Haiti was first promulgated in 1835 and amended nine times between 1846 and 1935. It recognizes three categories of offenses: felonies, misdemeanors, and police contravention, and defines four forms of penalties: death, life imprisonment with forced labor, imprisonment for a stated number of years with forced labor, and simple imprisonment. Death sentences are executed by a firing squad in a public area.

Prisons and penitentiaries are under the administration of Penitentiary Administration Management. There are two penitentiaries: Fort Dimanche and the National



## *Haiti*

Penitentiary, both in Port-au-Prince. Prisons are in the cities of Les Cayes, Hinche, Gonaïves, Cap Haitien, and Port-de-Paix. Fort National Prison in Port-au-Prince is the prison facility expressly for women and juveniles. Prison labor is for state use only, and prisoner-made goods are available to public agencies.

**Prison Conditions.** Prison conditions are harsh. Prisoners in the Casernes Dessalines—former army barracks and now detention centers—are kept in degrading circumstances, stripped to their underwear in cells without windows or lights and with only buckets for toilets. Prisoners are sometimes punished by withholding medical treatment. Convicts are not separated from pretrial detainees, neither are the violent separated from the nonviolent. There are also frequent prison riots to protest abuse by prison guards.

An average of five prisoners die each month due to various causes, including malnutrition.

### **Prison Statistics.**

- Total Prison Population: 3,519 (1,899 in the National Penitentiary)
- Prison Population Rate per 100,000: 44
- Pretrial Detainees: 83.5%
- Female Prisoners: 3.3%
- Official Capacity of the Prison System: 2,000
- Occupancy Level: 184.7%

*George Thomas Kurian*

# Honduras

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**Official country name:** Republic of Honduras

**Capital:** Tegucigalpa

**Geographic description:** Country in Central America, bordering the Caribbean Sea between Guatemala and Nicaragua and bordering the North Pacific Ocean between El Salvador and Nicaragua

**Population:** 6,975,204 (est. 2005)



## LAW ENFORCEMENT

**History.** Until 1963, the Honduran police force was known as the Civil Guard. After a military coup in that year, the name was changed to Special Security Corps. It later became the Public Security Force, which, in 1997, became the National Preventive Police and was placed under civilian control.

**Structure and Organization.** Technically, the National Preventive Police commander, an army officer, is the minister of security, but day-to-day operations are under the immediate control of a director general. Most police personnel are drawn from the army. The director general is assisted by a staff consisting of subdirector general, an inspector general, a legal adviser, and a public relations department. Administrative and logistics sections, a finance office, telecommunications service, and a medical service complete the headquarters. Police handle public security, counter-narcotics, and border patrol duties. Police are supported by the military upon presidential authority, and the military participates in joint patrols with police in an attempt to control the high levels of criminal and gang activity.



The police forces are underfunded, undertrained, understaffed, and corrupt. They are ineffective in controlling gang violence, kidnapping, and other forms of crime.

**Education and Training.** The National Preventive Police training school in Tegucigalpa conducts a variety of courses for both recruits and career officers. Subjects taught include police communications, patrol, investigation, first aid, control of civil disturbances, infantry instruction, civil procedure, the criminal code, interrogation, and control of contraband. From time to time, senior officers are sent to the United States for further study.

## Police Statistics.

- Total Police Personnel: 6,308
- Population per Police Officer: 1,105



*Honduran police officers pay their respects to slain officer Simon Ávila at the Academia Nacional de Policía in Tegucigalpa, July 25, 2005. Ávila was one of five Honduran police officers killed in one weekend during confrontations with gang members in the capital city. AP IMAGES.*

## HUMAN RIGHTS

The government generally respects the human rights of its citizens. However, members of the security forces are accused of committing extrajudicial killings in collusion with private and vigilante groups. Security-force personnel beat and otherwise abuse detainees. In many instances where security personnel are charged with violations before civilian courts, there are no convictions.

The police force, which includes the Preventive Police and the General Directorate of Criminal Investigation (DGIC) is subject to investigation by the Internal Affairs Office regarding public complaints of police behavior. The Internal Affairs Office reports to the minister of security. Both the Preventive Police and the DGIC have an Office of Professional Responsibility, which conducts internal reviews of police misconduct, such as off-duty criminal conduct and ethics violations. The Ministry of Security has suspended or dismissed numerous agents and officers for corruption and abuse of authority.

## CRIME

Because of the high rate of gang violence, intimidation of people in poor neighborhoods, and kidnapping of many well-known and wealthy people, a well-founded perception has arisen that corrupt security personnel are involved.

**Crime Statistics.** Offenses reported to the police per 100,000 population: 392. Of which:

- Murder: 154
- Assault: 44.4
- Burglary: 4.3
- Automobile Theft: 25.8

## CORRECTIONAL SYSTEM

The prison system is under the control of the Ministry of the Interior and is administered by the General Directorate of Penitentiaries headed by a director general. Retired military officers work as guards in some areas,

and some Preventive Police also are used as guards. The central penitentiary is in Tegucigalpa; other major ones are at San Pedro Sula, Tela, and Choluteca. In 2002 the government opened a model 1,500-bed prison farm at Sula Valley. The government operates juvenile detention centers in Tamara, El Carmen, and El Hatillo.

**Prison Conditions.** The Law of the Rehabilitation of the Delinquent establishes regulations for prison conditions, including minimum conditions for sanitation and security. Prisoners suffer from overcrowding and malnutrition and are subject to other forms of abuse, including rape. Pretrial detainees are not separated from convicted felons. Prison escapes, through bribery and other means, remain frequent. Prison gang-related violence often results in multiple deaths. The mentally ill and those with tuberculosis and AIDS are housed with the general prison population. Only wealthy prisoners have private cells, decent food, and conjugal visits. The prison budget allows only \$0.40 per day for food and medicine for each prisoner. Most prisoners have to rely on friends and relatives for their daily necessities. Women are incarcerated in separate facilities but do not have conjugal visit privileges.

The 1996 Unsentenced Prisoner Law mandates the release from prison of any detainee whose case has not

come to trial and whose time in detention exceeds the maximum prison sentence for the crime of which he or she is accused. However, judicial inefficiency and corruption and lack of resources clog the criminal justice system with pretrial detainees, and prisoners await trial for an average of 22 months—some more than five years. Under the Criminal Procedure Code, convicted persons older than 60 accused of nonfelony crimes, the terminally ill, and pregnant or lactating women may serve their sentences under house arrest.

**Prison Statistics.**

- Total Prison Population: 11,236
- Prison Population Rate per 100,000: 158
- Pretrial Detainees: 78.6%
- Female Prisoners: 5.2%
- Number of Prisons: 24
- Official Capacity of Prison System: 9,080
- Occupancy Level: 123.7%

*George Thomas Kurian*

# Hungary

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**Official country name:** Republic of Hungary

**Capital:** Budapest

**Geographic description:** Landlocked country in the Carpathian Basin in central Europe, northwest of Romania and east of Austria.

**Population:** 10,006,835 (est. 2005)



## LAW ENFORCEMENT

**History.** Hungary's modern criminal law system is founded on ancient Roman-Germanic law and heavily influenced by European law of the Middle Ages. Its modern system is based on developments that began when its first criminal law code and criminal proceedings code was passed between 1896 and 1897. These changes were minor; however, after World War II and the formation of the party-state in 1948, socialist law was adopted, which strongly impacted the criminal justice system. During that period, Hungary implemented two different criminal law codes and three criminal proceedings codes, which created significant change within the legal system (Pusztai 1995).

As with most criminal justice systems in the prior Soviet Eastern bloc, Hungary's criminal justice system was politically controlled and, as such, was regulated by the impulses of the party leader at the time rather than by the laws of the country. In association with efforts toward creating a democracy that began in the late 1980s was the establishment of a fully independent judicial system. A new criminal law code was drafted



in 1990, which was subsequently modified considerably to conform with the European Human Rights Convention.

**Structure and Organization.** The Ministry of the Interior is responsible for all public administration, safety, order, and internal security. As such, it controls all armed security organizations, namely:

- The Hungarian National Police (HNP)
- The Security Police
- The Border Guard

The ministry is also responsible for other operations, such fire prevention and passport control.

**Principal Agencies and Divisions.** Hungary's centralized state police force is a hierarchical system, the highest-ranking agency being the HNP, which is headed by the chief police commissioner who holds the rank of police general. The HNP control several divisions, the

two primary law enforcement divisions being Directorate General for Criminal Investigations and the Directorate General for Public Security. It also controls special units and regional organizations. The Directorate General for Criminal Investigations is responsible for the:

- Organized Crime Directorate
- Criminal Logistics Directorate
- International Law Enforcement Cooperation Center
- Analysis and Coordination Directorate
- Forensics and Research Institute
- Financial Investigation Directorate

The Directorate General for Public Security is responsible for the:

- Traffic Enforcement Department
- General Police Duties Department
- Police Administration Department
- Airport Security Service

Special units and regional organizations are the:

- Rapid Response Unit
- Republican Guards
- Budapest Metropolitan Police Headquarters (22 district police stations)
- County Police Headquarters (19, with 131 town police stations)

**Salaries.** The free-market economy has caused policing to become less attractive as a profession, with subsequent high attrition rates and difficulty retaining qualified employees, as many younger and more educated police officers are attracted to the higher wages offered in the private sector. In 1995, in an effort to encourage applicants, NPA employees received a 24-percent pay increase, bringing their salary to 40,000 Hungarian forints—approximately US\$296.00—per month (Szabo 1996).

**Police-Community Relations.** Since democratization in Hungary, civilians have come to expect the freedom to exercise their human rights with little interference from the police, and limitations on police authority has reshaped police community relations. This is particularly evident in the problematic and often confrontational association with ethnic minorities, particularly the Roma, an ethnic minority with a long history in Hungary and which experienced discrimination and segregation both before and during Communist rule. However, there remain serious problems in police treatment of ethnic minorities. According to the Project on Ethnic Relations 2000, There is a need to:

develop and implement an adequate civilian complaint process as well as policies and procedures related to police use of force... the credibility of police organizations are police fairness and integrity. The primary mechanisms through which police agencies reflect these issues are in procedures, policies, and practices they follow when addressing police misconduct, corruption, and criminality... the Hungarian National police appear to be unconcerned, otherwise distracted, or generally naive about the probable rate and nature of police corruption, misconduct, and criminality within their organization... The current policies related to police misconduct, corruption, and criminality convey a message that almost provides tacit approval for such behavior.

**Traffic Police.** Traffic police enforce traffic laws. When ticketed for traffic violations, offenders usually receive a postal check (money order) indicating the fine amount. This ticket can be paid for at any Hungarian post office. In some disputed cases, police confiscate the offender's passport, issuing in its place a receipt with an "invitation letter" for the offender to appear at a police station within two days to resolve the dispute. Once the dispute is resolved, the passport is returned.

Because Hungary has a policy of zero tolerance for driving under the influence of alcohol, traffic police conduct routine roadside checks at which Breathalyzer tests are given. Offenders receive jail time and/or fines and anywhere from one to five years in prison if damages or injuries occur. Police in Budapest and other areas follow the practice of widespread vehicle checkpoints to verify vehicle registration and other documentation. Also, it is against the law to use a cell phone while driving, and traffic police enforce this law.

**Education and Training.** A prospective police officer must have two years of secondary school, and to attain a higher rank, three years of college training is necessary (Pusztai 1995).

In 1995 the International Law Enforcement Academy (ILEA), an eight-week training program, was established in Budapest. The ILEA is operated by several law enforcement agencies from the United States, with whom Hungary encourages a growing partnership, especially in fighting organized crime. ILEA is a by-product of this partnership in which scores of Hungarian police officers have received training. Many Hungarian police have participated in shorter, specialized courses to learn techniques for fighting specialized crime. Because Hungarian and Ukrainian police students both attend the academy, a close working relationship has developed along the borders of the two countries, and together, they have



*Police officers arrive at the Arkad shopping mall as patrons are evacuated after bomb alerts in Budapest, Hungary, July 7, 2005. Two Budapest malls were evacuated and a third was searched following morning explosions in London, which killed 52 people. AP IMAGES.*

arrested several organized crime members (U.S. Department of Justice 1998).

**Uniforms and Weapons.** Uniforms are similar in style to the military but differ in color and vary depending on the type of duty. On-duty officers are equipped with a baton, gun, and radio, and special duty officers usually have bulletproof vests, combat helmets, and machine guns as well (Pusztai 1995).

**Transportation, Technology, and Communication.** There are approximately nine police officers to every automobile (Pusztai 1995). Before the change in the Hungarian political system in 1989, all cars were white and blue—either white with a blue stripe or blue with a white stripe. On the stripe was painted the word *Rendörseg* (Hungarian for “police”). After 1989, vehicles were increasingly painted just one color, typically white, again with the word *Rendörseg* written on the side and a colored police coat-of-arms painted on the hood. The police also operate a special river patrol

that includes a small fleet of Bayliner boats, which are painted white, and a fleet of helicopters, which are painted blue. Any deviation from these color patterns requires special permission from state officials.

Police have access to a computer-aided dispatch system as well as radio communications (Pusztai 1995).

**Police Statistics.** In 1990 police organizations employed 45,399 individuals:

- 29,727 Uniformed Officers
- 25,672 Plainclothes Officers
- 34,140 Men
- 11,259 Women

As of 1993, 24,000 uniformed police were employed in the traffic and public security forces and approximately 8,000 persons, such as detectives, criminal technicians, and investigators, were working in the criminal police forces (Pusztai 1995).

## HUMAN RIGHTS

While prohibited by Hungarian law, police brutality is a significant human rights problem. Detainees at police stations are often held in substandard conditions, mistreatment is common, and some detainees—particularly Roma, foreign prisoners, and minors—suffer physical and psychological violence and harassment.

Hungary has a history of blatant discrimination against the Roma population, with official statements in 1998 fostering stereotyping and prejudice against “Gypsies.” For example, in February 2001 approximately eighty police officers raided a Romani settlement during a wake and indiscriminately assaulted mourners and other people whose houses were searched and ransacked. According to one report, eight people detained during the raid were held for four hours without being questioned or charged with any crime. Police claimed their motive was to apprehend several suspects. However, civilians believed the raid was intended to intimidate László Vidák, a Romani man who had filed a complaint alleging that police officers had beaten him during interrogation almost two years earlier. One officer whom he accused of ill-treating him participated in the raid, during which Vidák was again said to have been severely beaten and required four days in hospital.

There have been reports that non-Afghan refugees and asylum seekers were transferred from the Debrecen refugee reception center to other centers while all Afghan refugees and asylum seekers were transferred from other centers to Debrecen. There, the Afghans were guarded by armed border guards and experienced restricted freedom of movement, a restriction that broke national and international human rights laws.

The HNP now provide human rights training to police officers as an integral part of the Police Secondary School and Police College curriculum. This training is, however, insufficient in that it seriously lacks the type of sociocultural diversity training that would promote improved police and minority relations and reduce discriminatory and brutal police and minority encounters.

## CRIME

**Organized Crime.** In 1999 the government announced that a central coordination unit would be established to combat organized crime through the compilation, exchange, and dissemination of information critical for an effective crackdown on Mafia-style activities. The unit would comprise representatives of the HNP, the Customs and Excise Board, the Crime-Fighting Directorate, and the Fiscal and Monetary Monitoring Office (“Hungary Human Rights Report” 2004). This action reflected that fact that white-collar crime was a serious growth industry both in terms of number of offenses and monetary

amounts involved. The criminal statute specifically targets forty-one categories of white-collar crime, including:

- Credit fraud
- Carrying out foreign trade operations without a proper license
- Breach of commercial secrecy
- Computer fraud
- Money laundering
- Counterfeiting
- Tax and social security fraud
- Bribery

**Crime Statistics.** Offenses reported to the police in 2001 were 465,694: Of which (per 100,000 population):

- Homicide: 2.5
- Violent Crime: 305.1
- Robbery: 32.86
- Motor Vehicle Theft: 122.7
- Drug Trafficking: 8.49

## CORRECTIONAL SYSTEM

**Prison Conditions.** Although prisons are overcrowded, they meet international standards. Men and women are housed separately, juveniles are housed separately from adults, and pretrial detainees held separately from convicted criminals. Education and vocational training is available although prisoners are not required to attend classes. They are, however, required to work. Remissions are not allowed although time off for good behavior is granted after serving a prescribed portion of the prison term. Prisoners are permitted to receive visitors once a month and as a reward for good behavior may be permitted to leave the prison for weekends or other specified periods. Prisoners are provided with individual and group therapy and medical care (Pusztai 1995).

### Prison Statistics.

- Total Prison Population: 16,419
- Prison Population Rate per 100,000 General Population: 163
- Pretrial Detainees: 24.6%
- Female Prisoners: 5.8%
- Juvenile Prisoners: 2.7%
- Foreign Prisoners: 4.2%
- Number of Prisons (including two hospitals): 35
- Official Capacity of Prison System: 11,400
- Occupancy Level: 145.1%



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**Kaine A. Jones**  
**Mekisha Smith**  
**Robert D. Hanser**  
**Nathan R. Moran**  
**Roe Roberts**  
**Gabriel Thrasher**

# Iceland

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**Official country name:** Republic of Iceland

**Capital:** Reykjavík

**Geographic description:** Island in northern Europe, northwest of the United Kingdom, between the North Atlantic and the Greenland Sea

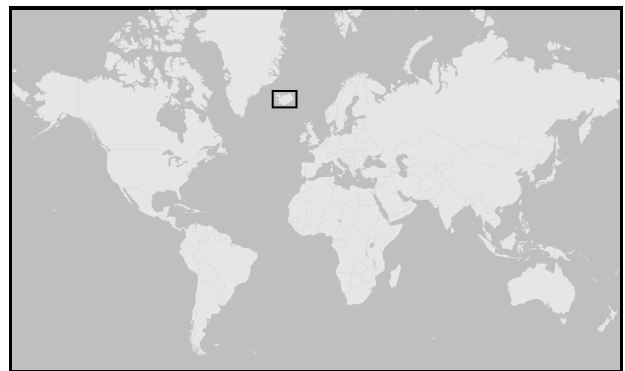
**Population:** 296,737 (est. 2005)



## LAW ENFORCEMENT

**History.** The first appearance of a sheriff or law enforcer was in 1264 under King Hakon the Old of Norway, to whom Iceland submitted as a vassal state. The Old Covenant makes provision for both sheriffs (*sýslumenn* or *Valsmenn*) and lawmen (*lögmenn*). The number, jurisdiction, and terms of office of the sheriffs varied at first. At the beginning, they seem to have been appointed by the king himself, but later, this task was assigned to the official known as captain of Iceland, or *hírostjorar*. Sheriffs were expected to arrest thieves and violent criminals with the help of farmers, collect fines, investigate crimes, question witnesses, sit on the courts of justice, detain criminals until their cases were heard, monitor trade, prevent illegal private enterprises, and monitor the passage of foreign ships through Icelandic waters.

A formal law enforcement system developed between 1751 and 1758 following imposition of a property tax by royal decree, which financed the building of a prison and keeping prisoners in detention. The first prison opened in 1764. In the same period, an industrial company called *Innrétingar* engaged caretakers to protect its factory. Later, their title was changed to watchmen, and



they were forerunners of the modern police. Their functions included raising the alarm in the event of a fire, watching out for unusual activities, and singing biblical verses to mark the hours. For their work, the night watchmen were equipped with an hourglass, a lantern, and a club with a spiked head. In 1791 the municipality of Reykjavík hired its first watchmen.

However, some of the night watchmen proved to be drunk and disorderly. Crime was rarely reported or punished, and theft was on the increase. To remedy the situation, two formal policemen were appointed in 1803, both Danish. In 1809 local parish directors were vested with police functions. During the next century, many towns engaged paid policemen: Akureyri in 1820, Ísafjörður in 1901, Hafnarfjörður in 1908, Siglufjörður in 1915, and Vestmannaeyjar in 1915. In 1880 the first legislation appeared relating to police work, followed by the Police By-Laws Act of 1891, which required all major population centers to appoint police officers.

Meanwhile in Reykjavík, the police establishment grew steadily in numbers and powers. The regular municipal force was increased to 3 in 1855, cut down to 2 in 1874, and expanded again to 3 in 1905. After 1860 the force was supplemented by night watchmen. The force increased to 9 men in 1918, 15 in 1829, 28 in 1930, 41 in 1933, and 60 in 1937. In 1923, the Reykjavík police station began functioning around the clock.

The first prison built in 1764 was discontinued. Penal practice reverted to flogging rather than incarceration as the major form of punishment. However, the Criminal Code of 1869 reestablished imprisonment as the principal punishment. A new prison was completed in 1873 in Skólavörðustígur.

In 1891 Reykjavík expanded the police jurisdiction to cover traffic. This was updated in 1914 through the passage of a Traffic Act. The act stipulated a maximum speed of 10 miles per hour in built-up areas. Violators were required to pay a fine of 100 *krónur* for each violation.

The Icelandic policeman's lot was not an easy one because of frequent rowdy behavior on the streets. Some of these incidents were caused by foreign sailors, and police were frequently assaulted with impunity. The police also had few resources. In Vestmannaeyjar, police had to lock up prisoners in their own bedrooms. Because of the lack of paddy wagons for carrying prisoners, police sometimes had to carry them on their shoulders.

In 1929 the Reykjavík Police was separated from customs, and the department was placed in charge of a commissioner of police. The first commissioner was Hermann Jónasson, who later became prime minister. He laid the foundations of the modern police system. He was instrumental in the passage of the Police Act in 1933, which provided the statutory basis for police financing. The act included provisions on the functions, rights, and duties of the police. It also authorized the minister of justice to call out the reserves in times of national emergency. The first steps were also taken in establishing a Criminal Investigation Department. Subsequent revisions of the act in 1940 and 1972 gave the minister of justice the power to transfer police in any jurisdiction in the island, gave police civil-service status, and laid down a clear chain of command from the commissioner down.

Under legislation passed in 1977, the State Criminal Investigation Police (SCIP) took over the task of criminal investigation that had previously been under the control of the Reykjavík Criminal Court and the commissioner of police. The director of SCIP worked in tandem with the director of public prosecutions. SCIP was abolished in 1997, and its functions were returned to the National

Commissioner of Icelandic Police (NCIP) and local police commissioners.

**Structure and Organization.** The legislative basis of the police force is the parliamentary acts of 1992 and 1997. They strengthened the authority of the NCIP and set clear rules regarding police functions, rights, and obligations. Under the NCIP are a number of specialized centers:

- Civil Protection Section
- Telecommunications Center
- Vehicle Fleet Coordinator
- Computer Department
- Special Task Force (operates a SWAT team and handles riot control)
- Alcohol Monitoring Department

The Police Act of 1997 also reflected changes introduced by the 1996 Code of Criminal Procedure. Since then, police commissioners handle prosecution of most criminal cases. At the headquarters, the chain of command runs from the minister of justice to the national commissioner, the deputy national commissioner, local commissioners in each district, the deputy commissioner in Reykjavík, the director of the Police College, deputy local commissioners, and constables. Ranks are as follows:

- Commissioner of Police
- Deputy Commissioner of Police
- Assistant Commissioner of Police
- Chief Superintendent
- Assistant Chief Superintendent
- Station Superintendent
- Division Superintendent
- Chief Inspector
- Inspector
- Sergeant
- Constable

For police purposes, Iceland is divided into districts that correspond to administrative districts. District commissioners also serve as commissioners of police, except in Reykjavík where there is a separate commissioner of police. Even when attached to a district, police wield powers in all parts of the island, and may exercise those powers in districts other than their own. Prosecutors are attached to each commissioner's office. The number of police at each level is determined by the minister of justice. Nationwide, there are 693 police officers in twenty-five police districts. Each police district corresponds to the administrative divisions of the country. Each district is

headed by a police commissioner. Criminal investigation of serious crimes is generally carried out at the headquarters although some major districts have their own investigative units. The director of public prosecutions oversees all investigations. The Special Task Force is an elite unit trained for dangerous interventions, hostage negotiations, and riot control.

The Reykjavík Police Department is unique in that two out of every five Icelanders live in the capital. Thus, the department has more sections than other towns. These sections are:

- Drug squad
- Forensic department
- Prevention and education department
- Traffic department
- Narcotics surveillance unit
- General department

Only in Reykjavík are there policewomen, and their number is small.

The NCIP and the Reykjavík police operate forensic departments and maintain laboratories where fingerprints, photograph archives, and a DNA database are housed. One task of the NCIP is to gather and process data on crimes and offenders for the benefit of criminological institutes and experts. Statistical data are published annually.

**Police-Community Relations.** In Reykjavík, special “community police” based in neighborhood police stations are responsible for studying the special needs of the community and establishing close working relations with the people there. They do this by visiting schools and distributing educational materials and taking part in local residents’ associations. They also work with professional social workers and parents in resolving problems relating to youth.

In the international community, Iceland plays an active role in many law enforcement programs, such as Interpol, Europol, and PTN. Since 2001 Iceland has been involved with fourteen other European states in the Schengen Agreement, under which identification checks were abolished at common borders while border control was tightened to combat illegal immigration and international crime. At the core of the agreement is a central database on criminals and their stolen items and documents. Each member state has a domestic central office, known as Sirene, where data are collected, evaluated, and circulated to other states. Icelandic police have also been called upon to serve as United Nations’ peacekeepers in Palestine, Bosnia, and Kosovo.

**Education and Training.** The principal institution for law enforcement education is the National Police College in Reykjavík. To qualify for admission, applicants must be citizens, aged between twenty and thirty-five, in good mental and physical health, have completed at least two years of postsecondary education, have good language skills and a driver’s license, be able to swim, and have a clean criminal record. They must also pass a special entrance examination. Students remain in the college for three years where they study law, police skills, Icelandic psychology, and ethics. They also undergo rigorous physical and practical training.

**Uniforms and Weapons.** Police uniform consists of black trousers and black jacket with brass buttons and insignia, white peaked caps, white shorts for inspectors and higher, and light blue shirts for lower ranks. Ranks are indicated by brass numbers for sergeants and constables and brass plates, stars, and small police badges for the higher ranks. Officers are armed with only a small baton or nightstick. They are permitted to use firearms or tear gas only in dangerous situations.

#### Police Statistics.

- Total Police Personnel: 693
- Population per Police Officer: 428

#### HUMAN RIGHTS

The government and the police generally respected the human rights of citizens, and the judiciary provided a firewall against human rights abuses.

#### CRIME

**Crime Statistics.** Offenses reported to the police per 100,000 population: 31,332. Of which:

- Murder: 0.7
- Burglary: 15.8
- Assault: 920.3

#### CORRECTIONAL SYSTEM

Prison sentences were legalized in Iceland only in the seventeenth century, prior to which offenders were whipped, branded, or executed. Hardened criminals were sent to Denmark where they served hard labor. Because transportation of criminals was expensive, a prison was built between 1865 and 1871 that was used for fifty years before being converted into the office of the prime minister. In 1874, another prison was built in Ísafjörður, which burned down in 1925. In the twentieth century, three more prisons were built, making the total number of current prisons five. Two are in the capital and three in the country. The largest, the Litla-Hraun, about 40 miles

## *Iceland*

southeast of Reykjavík and founded in 1929, is a state-of-the-art facility. In 1963 a farm, Kviabryggja, in western Iceland was converted into a prison, and in 1989 a former juvenile delinquency institution in Kópavogur was converted into a small prison for both men and women. On an average 240 persons finish their incarceration a year. The prison occupancy rate and the detention rate in Iceland is the lowest among western European countries.

**Prison Conditions.** Prison conditions generally meet international standards. Many inmates are reported to be heavy drug users, but there are no social services to help inmates overcome their drug addiction. In 2001 the Council of Europe charged that the authorities excessively used solitary confinement as a punishment. Because there are few women prisoners, men and women are sometimes held together in one facility. The vast majority of juvenile offenders is given probation or suspended sentences or

required to attend treatment programs. In the rare instances where juveniles are incarcerated, they are placed with adults.

### *Prison Statistics.*

- Total Prison Population: 117
- Prison Population Rate per 100,000: 39
- Pretrial Detainees: 7.8%
- Female Prisoners: 6.1%
- Juvenile Prisoners: 0.0%
- Number of Prisons: 5
- Official Capacity of the Prison System: 137
- Occupancy Level: 83.9%

*George Thomas Kurian*

# India

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**Official country name:** Republic of India (Bharat)

**Capital:** New Delhi

**Geographic description:** The largest country in the Indian subcontinent, stretching north to south from the Himalayas to the Indian Ocean, west to east from the Arabian Sea to the Bay of Bengal

**Population:** 1,080,264,388 (est. 2005)



## LAW ENFORCEMENT

**History.** The modern Indian police force is the successor of the imperial police force of British India that had its origins in the police force set up by Sir Charles Napier in Sind in 1843, soon after the annexation of that province. He patterned his organization after the Royal Irish Constabulary. In contrast, other provinces of British India adopted the model of either the London Metropolitan Police Force or the older, indigenous, Mughal system. The Sind model was extended to Bombay (now Mumbai) in 1853 and Madras (now Chennai) in 1859. The Police Commission of 1860 recommended its adoption all over the country, and its principal features were codified in the Police Act of 1861. Under this act, policing was a civil function exercised by state governments, and the state police force was organized hierarchically on military lines under an inspector general of police who was responsible for the internal police administration and accountable to the state government. When India became independent in 1947, the new republic inherited the system from the British and did not make any radical change in its structure.



**Structure and Organization.** The Union Government of India—the government’s official name—encompasses twenty-eight states and seven union territories. All India Services, India’s highest civil administrative services, consists of the Indian Administrative Service, which modeled itself after the elite, preindependence Indian Civil Service; the Indian Police Service, which belongs to individual states and consists of high-ranking police officers, inspectors, and constables; and the Indian Forest Service. Police organization and operations are, in part under central (Union Government) control and in part under local (state and territorial) control. Prevention and detection of crime, apprehension of criminals, and maintenance of law and order are primarily the responsibility of states and territories. The Union Government also has two other police forces: the Central Bureau of Investigation (CBI), and the Central Police Reserve (CRP), which is used for guard duty, action against subversion, and to assist states during

emergencies such as civil disorder or natural calamities. The CRP is headed by a director general, with headquarters and main garrison in New Delhi. Other national-level agencies include the Defense Security Corps, a number of police schools, and the Constables Advanced Training Center and Women's Police Training Center, both in Ambala. The Central Industrial Security Force is authorized to protect state industrial undertakings. Union Government control of all police services is part of what was known during the British Raj as the "steel frame" of Indian administration, but it is a perennial irritant in Union-state relations.

Officers of the IPS are recruited competitively by the Union Public Service Commission and, except for those on headquarters staff duties, are assigned to the states, where the senior positions in state police services are under the operational direction of state governments. Lower grades are staffed by state police services. Although state forces operate separately, they are still governed by the Police Act of 1861 and are highly similar in organization and mode of operation. They are further characterized by functional division between unarmed and separately quartered and armed contingents. The former perform routine daily precinct duties while the latter are reserved for emergency situations where physical force may be required.

The police service is not the first preference among the aspirants for civil service. At the lower levels of subinspector of police and constable, however, a percentage of aspirants come by choice, drawn by the glamour of a uniform and the authority that comes with it. Although there is provision for direct entry at all three levels, 30% of the higher-level positions are reserved for those who rise from the lower cadres. Police candidates must be physically fit and at least five feet tall. Selection is on the basis of an interview following a physical test at the district level by the superintendent of police. Security clearance is necessary before appointment. There is also a hiring quota. This ensures a reasonably balanced communal and regional representation. The higher cadre of police service officers selected by the Union Public Service Commission is subject to a two-tier civil services competitive examination, conducted nationwide, followed by an interview. Also at this level, there is a marginal concession on age, a lower cutoff point as regards marks, and a reservation of 15% for scheduled castes and 7.5% for scheduled tribes (India's socially underprivileged and less-well-educated people). In recent years, women have been admitted to all ranks of the police organization, including the IPS.

**Principal Agencies and Divisions.** The Ministry of Home Affairs is the principal ministry concerned with law enforcement and the maintenance of peace and

order. Generally, the minister of home affairs ranks next to the prime minister in influence. As well as the IPS, CBI, and CRP, all police schools and laboratories, prisons and reformatories, as well as the Railway Police are organized under and responsible to the Ministry of Home Affairs in New Delhi. The ministry has seven attached agency offices and eleven principal subordinate offices, including the Police Division. Among the agencies are the Central Bureau of Intelligence—as distinct from the Central Bureau of Investigation—which provides the prime minister and cabinet with national security intelligence. This bureau also has operational control over the Central Fingerprint Bureau, the Central Detective Training School, and the Central Forensic Science Laboratory, all located in Kolkata. It is headed by an inspector general.

**Police at Work.** The normal working hours of the ordinary constable, either on patrol or other duty, consists of eight hours a day. Subinspectors and those above have no such limitation and may be expected to work as long as required. A typical police officer's work schedule includes some parade ground work, investigative duties, visits to homes or other places in pursuit of suspects, and appearances in court. Senior officers have additional duties, such as interviews, inspections, and special assignments. They are not expected to take vacations except for one month during a year. Although most police carry only a *lathi*—a bamboo staff sometimes weighted or tipped with iron—the use of force is justified under three sets of circumstances. The first is self-defense, the second is to prevent a suspect from escaping custody or apprehension, and the third is to disperse an assembly that has gathered in contravention of a judicial order. Police officers who use excessive force or have acted illegally are liable for prosecution as well as disciplinary action by the department.

**Local Police.** The primary responsibility for the maintenance of law and order rests with the states, and almost all police—with the exception of those in union territories—are in the state police services. What is remarkable about the state police forces is the continuity of traditions. For local government and police purposes, states are divided into districts, which are divided into subdistricts. Just as the inspector general answers to the minister of home affairs, the superintendent of police in each district answers to the district collector, the head of district civil administration, so called because, under the British, he was responsible for the collection of revenues. Thus, the principle of civilian control of the police force is reinforced at every level. The major cities of Mumbai, Chennai, Hyderabad, New Delhi, and Kolkata have separate municipal forces headed by commissioners who have the rank of inspector general.

The fundamental principles of police organization in India have remained fixed since 1861. One feature common to all state police forces is the division into unarmed and armed contingents. The former man the police stations, conduct investigations, respond to complaints, perform traffic duties, and patrol the streets, usually armed only with the lathi. Armed police, on the other hand, are garrisoned in cantonments—permanent military stations built under the British Raj. As a reserve strike force, they act only on orders from their chain of command but do not perform routine police functions. Variations occur among the states in the kinds of armament, communications, and training.

The top-four police grades are inspector general, deputy inspector general, superintendent, and assistant superintendent. All are IPS grades. In the state police services, the top grade is that of deputy superintendent, followed by inspector, subinspector, and assistant subinspector. These grades are filled by nongazetted officers who are analogous to noncommissioned officers in the army. Below them are the majority of police, in the grades of head constable and constable.

The domain of the state inspector general is divided for command and coordination into police ranges—each of three to five districts—each headed by a deputy inspector general. The first tier, the district police headquarters commanded by a superintendent, is the fulcrum of operations. The superintendent's responsibilities include police storehouses and armory and the district jail. The second tier consists of district police subdivisions, circles, and individual stations headed, respectively, by assistant or deputy superintendents, inspectors, and subinspectors. A station is typically manned by a subinspector, at least one head constable, and seven constables. It is at this level that most civilians have contact with the police. The two lowest grades make up about 94% of all police.

### Special Police.

*Auxiliary Police Forces.* In addition to the national and state police services, there are three categories of auxiliary police forces:

- Railway Police
- Rural Police
- Volunteer Police

The Indian Railways is among the most extensive in the world and is plagued by a high volume of crime. This presents a special jurisdictional conflict between local authorities and railway officials. To cope with this problem, two forces have been developed: The Railway Police, a special branch of the state police; and the Railway Protection Force, engaged solely in the protection of railway property. Rural Police are village watchmen, usually

called *chowkidars*, who assist the village head in patrolling villages and reporting crimes. They are paid partly by the state and partly by the community. Volunteer Police are a variety of home guard who receive minimal training and a stipend only when called up for training or duty. They also assist in relieving the pressure on police during sporting events and religious festivals.

*Traffic Police.* Traffic police are found in cities and towns. Although human traffic is high, motor vehicle traffic has, in recent decades, approached the degree of congestion found in Western countries. Standing in the hot Indian sun, when temperatures are in the high 100 degrees Fahrenheit, is a particularly onerous duty for traffic police. Speed restrictions are universally ignored, and there are few highways where radar surveillance is used to deter speeding. In most cities, traffic police are under a special deputy commissioner of police. Traffic police wear white, which makes them stand out in the crowd. Parking meters are rare, and in any case, few Indians obey parking regulations.

*Riot Police.* One of the main challenges to the Indian police forces is the conduct of elections and public demonstrations. Although the country is the largest democracy in the world, there is considerable political and religious violence that often gets out of control. India does not have a riot police as such, but the Reserve Police perform this role. The local police are authorized to use gas, lathi charge, and firearms. If these are not effective, then the Central Reserve Police are brought in. In rare cases, the army is brought in as well. The Reserve Police use steel helmets, bamboo shields, and sticks, but do not wear bulletproof vests because of the cost. Where students are involved, the police show greater restraint than when dealing with professional agitators. With the threat of terrorism, police also have begun to use more sophisticated methods, such as bomb-disposal squads and bomb-sniffing dogs. India has had fewer incidents of terrorism than other countries although it has a large and restive Muslim population.

**Education and Training.** There are three levels of entry into the police force. The first is as constable, for which at least a secondary-school education is required. For the second level of entry, the qualification is a degree in any discipline. Candidates have to sit for a written examination held by the state public service commission, and later for an interview. For scheduled castes and scheduled tribes, marginal concessions are given in respect to educational qualifications and age.

IPS officers are trained in the Sardar Vallabhai Patel National Police Academy at Hyderabad. The language of instruction is English, as foreign students also attend the academy. But all Indian officers have to learn Hindi. The





*Haryana police guard a government hospital in Gurgaon, India, where injured workers of a Honda subsidiary plant are being treated, July 25, 2005. Hundreds of workers clashed with police during a protest over the dismissal of four workers at the Gurgaon factory in northern India. AP IMAGES.*

one-year course for new entrants to the service covers police science, law criminology, police-community relations, and management, as well as parade-ground drills, use of arms, a physical fitness program, equestrian exercises, and martial arts. The institute also offers training for superintendents of police with six to eight years' service for a period of ten weeks. This course deals with administrative, criminological, and managerial problems at expert theoretical and practical levels. The academy conducts a two-week, top-management program for deputy inspectors.

Apart from the National Police Academy, there are police training colleges in most states for training of subinspectors. This one-year training covers roughly the same subjects, with more emphasis on investigation and

day-to-day management of police precincts. There is no horse riding and less management input, and more importance is given to local traditions, laws, and languages. Each state has one or more police training schools for constables. Here, they are instructed in foot drills, arms drills, use of arms, law, elements of investigations, and community relations.

Besides these direct-line institutions, there are central detective training schools in Kolkata, Hyderabad, and Chandigarh for police investigators. The Internal Security Academy at Mount Abu, Rajasthan, conducts coordinated courses for higher-level administrators in handling problems relating to terrorism and homeland defense. In addition, the Institute of Criminology and Forensic Science, New Delhi, conducts integrated training courses in criminology and forensic science for various agencies within the criminal justice system. An advanced six-week course in criminology, which this institution conducts, brings together senior police officers, district judges, senior prosecutors, prison superintendents, senior probation officers, and even officers of the armed forces to discuss trends and problems in the administration of criminal justice in light of criminological concepts and correctional practices. In addition, all central police organizations have their own training institutions where at the lower levels, the language of instruction is generally Hindi or one of the other thirteen regional languages and at the higher levels, English. All trainees are required to be proficient in Hindi and their own mother tongue. Once they complete the institutional training, entrants go through a period of on-the-job training during which competent seniors guide, supervise, and report on candidates before they are assigned to their stations.

Although the level of education and training among the elite officers of the IPS is high, the constable at the bottom of the police hierarchy is likely to have had very little education. Pay is low, hours long, chances of promotion slight, and public acceptability poor. Working conditions are often poor and dangerous. Petty corruption is rampant. Police are feared and not trusted. There is little honor in the work; the only honors they can aspire to are the President's Police and Fire Services Medal and the Police Medal for Distinguished Services.

**Uniforms and Weapons.** There are minor differences in the uniforms worn in the different states, but the uniforms worn by officers of the IPS are the same. The working dress consists of a khaki peaked cap, beret, or khaki pagri; khaki shirt with Sam Browne or web belt; or khaki bush shirt and slacks with a cloth belt; or khaki jacket (which is worn over a khaki shirt with a dark blue sailor knot tie). All higher officers of the IPS wear badges of rank. The inspector general wears a crossed sword and

baton and one star. His immediate subordinates wear the state emblem and one, two, or three stars. Inspectors wear three five-pointed stars and a ribbon, and their subordinates wear two stars or one, according to rank.

Regular police do not carry weapons. Armed police may carry heavy-caliber machine guns and rifles.

**Transportation, Technology, and Communication.** In the past, Indian police generally used horses or bullock carts for patrol duties. Since independence, animals have been replaced by motor vehicles, especially jeeps. In rural areas, the constables' ride on bicycles or use buses. The number of patrol vehicles is not adequate given the extent of the jurisdiction and the size of the population. Armed reserve units have trucks or vans in common. Response time, therefore, is slow. Even with sirens, police vehicles find it difficult to navigate through Indian roads crowded with cows, human beings, rickshaws, scooters, cars, and trucks. Helicopters and planes are rare.

Although lacking in the sophistication of transport vehicles, India has made great strides in the use of computers and radio telecommunications. Most police stations are connected through a VHF network. All criminal intelligence is stored in computers and processed online.

#### Police Statistics.

- Total Police Personnel: 1,299,000
- Population per Police Officer: 831

#### HUMAN RIGHTS

Although the quality of performance of the Indian police forces has improved in recent years, observers have noted that they command little respect among the public. As far back as 1902, a commission appointed by Lord Curzon, then viceroy of India, reported that the "police are generally regarded as corrupt and have utterly failed to gain the confidence and cooperation of the people." This still holds true. There is widespread corruption at the lower levels, which the public have almost come to accept. The corruption stems partly from the fact that police are poorly paid and expected to supplement their income as best as they can. Before independence, police were regarded as agents of oppression. Since independence, they are free of this stigma but remain objects of considerable hostility as officials who can be bought and sold and who mistreat the poor while allowing the rich to go free. While police generally respect human rights, there are persistent abuses generated by social and political dynamics. The most significant of these are:

- Extrajudicial killings
- Faked-encounter killings
- Custodial deaths through torture

- Excessive use of force by security forces combating insurgencies
- Torture
- Rape
- Arbitrary arrests
- Incommunicado detention
- Prolonged pretrial detention without charge
- Harassment
- Detention of human rights monitors
- Acquiescence in religiously motivated violence against Muslims and Christians

The Armed Forces Special Powers Act and the Disturbed Areas Act give police extraordinary powers of arrest and detention, which are used with impunity. The rape of women in custody is widely reported, and police officers have been implicated in the widespread trafficking in women.

Human rights' training is provided at the National Police Academy. Following the training program, there is usually some decrease in the police use of physical force, and complaints of police harassment and abuse generally decline. The Home Ministry reported that complaints lodged against the police declined in 2002 to 28,765 from 29,964 in 2001 and 32,123 in 2000.

#### CRIME

Criminal investigation is the function of the Criminal Investigation Department (CID), which functions as an auxiliary attached to most police departments. India is reputed to have invented the modern fingerprinting system, and every state has a forensic laboratory with the capacity to handle DNA evidence. There are two central forensic laboratories under the Ministry of Home Affairs, and some states have mobile laboratories, making these facilities available in rural areas. While polygraphs are not popular, forensic evidence is admissible in courts under the Indian Evidence Act, and the Identification of Prisoners Act of 1920 authorizes the photographing of prisoners soon after arrest. Identification parades are a major procedural ritual and are usually held at the local police station. CIDs are responsible for interrogation and identification, and they maintain kennels of police dogs.

Under the constitution, criminal jurisdiction belongs concurrently to the union territories and the states. The prevailing laws on crime and punishment are substantially embodied in two principal statutes: the Indian Penal Code and the Code of Criminal Procedure. These acts have precedence over any state legislation and cannot be altered or amended by the states. The Indian

## India

Penal Code was drafted by an English jurist in 1837 but did not come into force until 1862. Based mainly on English criminal law, the code has 23 chapters. There are six principal categories of punishment:

- Death
- Life imprisonment
- Rigorous imprisonment with hard labor
- Simple imprisonment
- Forfeiture of property
- Fine

Because of the federal division of powers under the constitution, some offenses have become exclusively union matters, some rest exclusively with the states, and others are joint. For example, legislation pertaining to the production and sale of alcoholic beverages is a state matter while the regulation of weapons, ammunition, and explosives is a federal matter governed by the Arms Act of 1959. States are responsible for public order, but preventive detention powers are shared by the Union Government and the states under the National Preventive Detention Act.

The penal machinery supporting the Indian Penal Code is the Code of Criminal Procedure of 1898. Most of the code rules are still in effect although many have been amended since independence. Many of them impinge on the constitutional guarantees of fundamental rights guaranteed by the constitution. For example, arrests and house searches require a warrant but may be carried out without one under urgent circumstances. Searches must usually take place in the presence of respectable witnesses and the owner of the premises. Vagrants and habitual offenders may be arrested without specific cause. Persons arrested without warrant must be brought before a magistrate without delay and, at the latest, within twenty-four hours. Release on bail is permitted. Warrants of any court are good throughout the land. People who conceal themselves to avoid the service of a warrant may be hailed into court through a public proclamation and their property attached.

Preventive action plays an important role in the judicial process. Peace bonds are used to prevent unlawful assembly and in the case of habitual criminals, seditionists, and vagrants. Police must file with the competent investigative officials written reports of offenses known to them. There are two principal kinds of trials: warrant cases, in which punishment can range from imprisonment for one year to death, and summons cases, which are tried before magistrates without formal charge.

**Crime Statistics.** Offenses reported to the police per 100,000 population: 594. Of which:

- Murder: 4.6
- Burglary: 15.6

## CORRECTIONAL SYSTEM

The constitution provides that the correction and custody of criminals are state functions. Central state prisons or jails can accommodate as many as one thousand inmates each whereas smaller district jails house fewer than one hundred. The prison system, managed under the Prisons Act of 1894 and the Prisoners Act of 1900, varies from state to state. The highest state official in jail administration is the inspector general of prisons, or in the absence of such an officer, the inspector general of police. At the district level, the superintendent of police is responsible for prisons. There are twenty model prisons scattered through eleven states. These prisons have no walls, yet the rate of escape from them is reportedly lower than that from maximum-security prisons.

**Prison Conditions.** Prison conditions are substandard. Most prisons are severely overcrowded because new prisons are not being built whereas crime is exploding, especially in urban areas. For example, the divisional jail in Bihar with a capacity of 55 inmates held 753. New Delhi's Tihar Jail held four times as many prisoners as capacity. Provision of medical care and food is woefully inadequate, and prisoners go on hunger strikes to protest these conditions. Normal daily prison rations consist of lentils and rice and nothing more. More than 1,157 deaths have been reported in judicial custody by the National Human Rights Commission. Many of these deaths are attributed to tuberculosis and HIV/AIDS. However, some deaths occur within hours or days of initial detention and are clearly due to torture. Custodial abuse is deeply rooted in police practices. Women are housed separately from men and juveniles are detained in rehabilitative facilities.

## Prison Statistics.

- Total Prison Population: 334,862
- Prison Population Rate per 100,000: 31
- Pretrial Detainees: 69.2%
- Female Prisoners: 3.2%
- Foreign Prisoners: 7.5%
- Number of Establishments: 1,135 (10 central prisons, 269 district prisons, 677 subprisons, 25 open prisons, 13 women's prisons, 12 Borstal schools, 9 juvenile camps, 25 special prisons)
- Official Capacity of the Prison System: 229,874
- Occupancy Level: 140.2%

*George Thomas Kurian*

# Indonesia

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**Official country name:** Republic of Indonesia

**Capital:** Jakarta

**Geographic description:** Island chain along the equator in Southeast Asia, including some 3,000 islands, from small reefs to areas the size of France. Five large islands account for most of the area: Sumatra, Java, Kalimantan, Sulawesi, and Papua (formerly Irian Jaya)

**Population:** 241,973,879 (est. 2005)



## LAW ENFORCEMENT

**History.** While under Dutch rule (from the seventeenth century until Japanese occupation in 1942), the principal police force was the Dutch Allgemeene Politie, which functioned as a federal police force. In Java and Sumatra, the police were administered by the Recomba. Other states had their own police forces. Following independence from Japan in 1945, in 1946 the Mobile Brigade was formed to disarm the remnants of the Japanese soldiery. In 1947 all these forces were unified into a national police system, now called the Indonesian National Police (POLRI).

**Structure and Organization.** A number of state organs, with overlapping jurisdictions and operations, are charged with law enforcement and security in Indonesia. These include the national police, ordinary and special military units, the Kommando Operasi Pemulihan dan Ketertiban, (KOPKAMTIB), and the State Intelligence Coordinating Agency. The national police and KOPKAMTIB, however, are the predominant law enforcement agencies.

POLRI is directed and controlled by the central government and is headquartered in Jakarta. Under the Armed Forces' Reorganization Act of 1969, POLRI was incorporated as the fourth branch of the Armed Forces of the Republic of Indonesia (Angkatan Bersenjata Republik Indonesia [ABRI]) but was removed from ABRI's authority in 1999 although it remains under the jurisdiction of the minister of defense. POLRI is estimated to have grown from 140,000 in 1980 to 188,582 in 2002. In the aftermath of the 1965 aborted Communist coup, when POLRI was found to have been heavily infiltrated by members of the Indonesian Communist Party, the police suffered a decline in influence that has persisted to this day.

POLRI's headquarters includes four main staff sections: Intelligence, Personnel, Logistics, and Plans. The commander of the police has the title of chief, as distinct from the other three military services, whose heads are called chiefs of staff. Structurally, the police

are organized into seventeen districts (POLDA), reduced from twenty-one in early 1974; and four regional groupings consisting of Sumatra, Java and Madura, Kalimantan, and Sulawesi. Districts are subdivided at the Kabupaten, or regency level, each of which has three subdivisions. The primary police unit is the block, which may be a single street or section of a *kampung* (village).

Each district, with its headquarters in a provincial capital, has police units assigned to it, their strength and composition varying according the size of the population, area, and other characteristics. These units are organized as city police forces or rural police forces. Although they work in conjunction with the local government, they are operationally under the command of the district police commander, who reports directly to the national police headquarters.

POLRI headquarters are divided into four echelons:

- Top (the chief)
- Staff (assistant chief and inspectorate)
- Service (the secretariat and communications)
- Executive (identification, personnel, stores, traffic, finance, intelligence, firearms, health, law, provost, research and development, and crime laboratory)

Office ranks and enlisted grades were standardized for all police units after 1969. Thus, police ranks and grades were made identical at all levels to those of the other branches of the military although designations differ in some respects, no class of warrant officers exists, and corporals are ranked in the private rather than the noncommissioned officer class. Each rank is distinguished by a different badge:

- General: four stars under a crest
- Lieutenant General: three stars under a crest
- Major General: two stars under a crest
- Brigadier General: one star under a crest
- Colonel: three eagles
- Lieutenant Colonel: two eagles
- Major: one eagle
- Captain: three bars
- First Lieutenant: two bars
- Second Lieutenant: one bar
- Assistant Lieutenant I: two wavy bars
- Assistant Lieutenant II: one wavy bar
- Sergeant General: four gold chevrons
- Chief Sergeant: three gold chevrons

- Sergeant I: two gold chevrons
- Sergeant II: one gold chevron
- Corporal I: two brown chevrons
- Corporal II: one brown chevron
- Bhayangkara (Protector): two brown bars
- Bhayangkara II: one brown bar

Pay and emoluments are generally comparable with those of the armed forces. Some police units operate revenue-producing commercial companies, just as the armed forces do. The Mobile Brigade, for example, operates a transportation company, a whitewash factory, and a variety of banking and agricultural enterprises. Part of the police budget is derived from the profits of these companies.

Police ethics and conduct are regulated by a basic police law and by unpublished police regulations and procedural statutes. As with the other armed forces, the police maintain their own courts to try cases involving criminal infractions by their members. These are courts of first instance consisting of a panel of three judges and appeals courts.

Police personnel are recruited on a voluntary basis from applicants between the ages of eighteen and twenty-five, with at least a sixth-grade education. They are required to pass a written and oral competitive examination, be physically fit, and be free of moral turpitude and alcoholism. Officer personnel enter the ranks through graduation from the Armed Forces Academy. Academy cadets receive one year of training in a common curriculum, followed by three years of additional training at the police branch of the academy.

The police force is organized into a number of specialized elements that include the general uniformed police, consisting of the regular police, the traffic police, the women police, and the *perintis* (special) police; criminal investigation police; and security police. A special force, the Mobile Brigade, is maintained at the national headquarters, from which units are dispatched or assigned as needed. A small sea and air police force serves as a coast guard although they operate with outdated seacraft and aircraft. These together constitute the conventional law and order forces of the republic.

#### *General Uniformed Police.*

*Regular Police:* In urban neighborhoods and rural areas the regular police (Samapta Bhayangkara) operate out of police stations or posts staffed by squads of three to five police who perform normal patrol and guard duties.

*Traffic Police:* Traffic police are assigned mainly in urban areas where, in addition to controlling traffic and



*Indonesian police monitor an area of recent bomb attacks in Bali, October 5, 2005. Bali saw increased security measures and greater police presence in the wake of the bomb attacks, which killed 22 people and injured more than 100. AP IMAGES.*

patrolling highways, they supervise the licensing of vehicles, educate the public in traffic safety, and compile traffic statistics.

*Women Police:* Organized in 1951, the women police are concerned mainly with the welfare of women and children and social concerns. They specialize in prevention of crimes by or against women and children; suppression of prostitution and trafficking in women and children; control of pornography; and inspection of orphanages, institutions for the blind, hospitals, and rest homes.

*Perintis:* The *perintis* police are organized in units of twelve, drawn from members of the regular police willing to accept the risks involved in special high-risk assignments. Better-armed and more mobile than the regular police, they live in special barracks under rigid discipline. They have the

same uniform as the regular police but are distinguished by special badges.

*Criminal Investigation Police.* The Criminal Investigation Division is the central national crime-fighting force. It plays a major part in the investigation of criminal activity of a translocal nature, such as kidnapping, prostitution, counterfeiting, terrorism, organized brigandage, and criminal activities involving foreigners. Among other things, it handles fingerprinting and criminal registration, collects and analyzes criminal statistics, and maintains a crime laboratory. It is also the liaison agency with Interpol, which Indonesia joined in 1952.

*Security Police.* The Security Division has detachments at the district and city levels, along with major units at the national headquarters. The division's activities are

rarely made public but are believed to include counterterrorism and surveillance of political parties, known dissidents, labor unions, and the mass media.

**Mobile Brigade.** One of the oldest police units is the Mobile Brigade, formed in 1946. It was originally assigned the task of disarming the remnants of the Japanese soldiery after World War II, providing for the security of the chief of state and the capital city and related operations. Throughout the history of the republic, elements of the Mobile Brigade have been called upon in times of grave threats to national security, as in the military confrontation with Malaysia in the early 1960s, or in times of major disturbances, as in the suppression of the 1965 Communist coup.

The Mobile Brigade is organized along military lines, and its component battalions are equipped and maintained for operations in the manner of the army light infantry. It includes a parachute battalion and is supported by light armor and an efficient communications system. The brigade is based in Jakarta, where some of its units are permanently assigned as a guard for the president and the vice president, while other units are dispatched as task forces wherever needed. Units not so engaged are assigned to assist the regular police. Reflecting the general restoration of law and order in the country in the 1970s, the military orientation of the brigade was deemphasized in favor of a more conventional law enforcement role. Mobile Brigade personnel are engaged in civic action tasks under the armed forces' dual function policy.

**Education and Training.** Among police training institutions, the most important is the National Police Command and General Staff School established in Jakarta in 1964. Attendance at this school usually is a step toward higher assignment as a police inspector or commissioner. The Mobile Brigade maintains a specialized academy at Porong in East Java. A small and select number of officers attend police academies abroad, especially in the United States. The State Police School at Sukabumi in West Java provides basic training for all enlisted recruits as well as a more advanced training course. Police personnel are recruited on a voluntary basis from applicants between the ages of eighteen and twenty-five, with at least a sixth-grade education. They are required to pass a written and oral competitive examination, be physically fit, and be free of moral turpitude and alcoholism. Officer personnel enter the ranks through graduation from the Armed Forces Academy. Academy cadets receive one year of training in a common curriculum, followed by three years of additional training at the police branch of the academy to qualify promising enlisted men for higher positions.

**Uniforms and Weapons.** The police uniform is a light beige cotton shirt with short or rolled sleeves, worn open

at the neck, khaki trousers with combat-style boots (shoes for officers), and khaki-brown hats with dark bands. Rank insignias are worn on shoulder boards or on the sleeve. The standard weapon of the conventional police is the pistol, which is carried by all personnel. A small number of machine guns are available at various headquarters and police stations, primarily for the use of the *perintis*.

**Transportation, Technology, and Communication.** Jeeps and passenger cars are used by supervisory personnel and bicycles by the lower ranks.

**KOPKAMTIB.** KOPKAMTIB was created in late 1965 as a special organ to deal with pressing internal security problems. Its original function was to purge from the government and the armed forces Communists suspected of complicity in the 1965 abortive coup. It was also instrumental in enforcing the integration of the formerly semi-independent military services into an integrated armed forces after 1969. By 1974 KOPKAMTIB was a large and powerful organization, overshadowing all other law-enforcement agencies in the national security arena.

The KOPKAMTIB organization is shrouded in secrecy. It is believed to be an autonomous organ within the Department of Defense and Security but not a formal component of the Armed Forces of the Republic. Technically, it is only a command structure with regular military officers assigned to it. Below the central headquarters level, KOPKAMTIB officers are regular military commanders appointed concurrently to KOPKAMTIB positions. KOPKAMTIB does not recruit its personnel, although it maintains its own communication channels.

In addition to its countersubversive functions, KOPKAMTIB exercises certain inquisitorial oversights with respect to corruption and economic crimes. It has special competence in such sectors of the economy as the rice distribution system, which is basic to both public order and national development plans. Furthermore, KOPKAMTIB has authority to approve passport applications of Indonesians desiring to travel abroad for professional purposes.

KOPKAMTIB is an extralegal organ of government, but it is not a supergovernment. It is primarily an organ of political indoctrination and censorship. In 1973 it took a leading role in an official campaign against long hair in young people. It is the official censorship body for motion pictures, plays, and printed books and magazines. It also monitors academic and campus activities that could spill over into politics. Publishers and editors have to seek KOPKAMTIB clearance before obtaining a publishing permit from the Department of Information. Critical newspapers and magazines are sometimes banned outright. KOPKAMTIB has broad legal powers to arrest,

interrogate and detain individuals. Most of the human rights violations in the country stem from KOPKAMTIB personnel. Many attempts are periodically made to curb its awesome power and influence.

#### Police Statistics.

- Total Police Personnel: 188,581
- Population per Police Officer: 1,119

#### HUMAN RIGHTS

Indonesia has one of the worst human rights records in Southeast Asia, and as of the 2004 Country Report on Human Rights Practices, its record remained poor. Soldiers and police arbitrarily detain civilians and members of separatist movements, murdering, torturing, raping, and beating detainees. These abuses were most frequent in Aceh province on the northwest tip of Sumatra. Security force personnel commit severe abuses in other conflict zones, such as Papua, Moluccas, and Central Sulawesi. In Papua, the Mobile Brigade supported the anti-independence militias and committed assaults and rapes. Retired and active police officers known to have committed serious human rights violations have been promoted to senior positions in government and thus rewarded. Tribunals set up to try police charged with atrocities set free the majority of those charged. In the eastern part of the country, especially in the Moluccas and Central Sulawesi, police sided with Muslim terrorists against Christians and prevented displaced persons from returning to their homes. A number of killings and disappearances in Papua are attributed to the police and are linked to the government's ongoing efforts to crush the autonomy movement. There were more than 130 reported kidnapping victims throughout the country in 2003 alone. Police frequently use deadly force to apprehend suspects even in minor incidents. Occasionally, Mobile Brigade personnel use arson as a means of punishment. Human rights advocates blame police for many rapes that occur in conflict zones.

#### CRIME

**Crime Statistics.** Offenses reported to the police per 100,000 population: 120.9. Of which:

- Murder: 1
- Burglary: 4.4
- Assault: 1.8
- Automobile theft: 1.7

#### CORRECTIONAL SYSTEM

Penal institutions are administered by the Office of Prisons and Jails in the Department of Justice. They

include penitentiaries for those sentenced for severe offenses and local jails for lesser offenders. The largest and most important prisons are in Java. At least one prison and one or more local jail are in or near each major city. A penal colony with a capacity to house 6,000 inmates in a complex of nine separate prisons is on the island of Nusa Kampangan near the city of Tjilapjap in south-central Java.

There are specialized prisons for youth and in Java. Where it is not possible to house them in separate institutions, which is usually the case outside Java, juveniles and women are segregated from adult males.

In a category by itself is the penal colony on Buru Island, between Sulawesi and Papua. The colony occupies an area of 250,000 acres, divided into eighteen units of five hundred to one thousand prisoners each. Families are permitted to join prisoners for permanent residence on the island. Overall administration of the colony is in the hands of a special body called the Buru Resettlement Executive Body, headed by the attorney general. The physical security of the colony is in the hands of a military command that is part of the Fifteenth Area Command. The official goal is to eventually make the colony self-supporting.

**Prison Conditions.** Living conditions in Indonesia prisons vary considerably according to the kind and age of the facility. Newer prisons, such as those at Trenggalek and Tulungagung in East Java, are built to conform to international standards and contain modern features, such as running water, electricity, separate cells, sports fields, a hospital, and a library. More typical, however, are the crowded barracks that house twice as many inmates as they were designed for. Most have no electric lights or running water, have covered-pit toilets, and small windows, if any. Inmates sleep on mats spread on hard floors. In many cases, twelve prisoners share a 6-foot by 12-foot cell. Guards regularly extort money and mistreat prisoners.

Ordinarily, prisoners are permitted visits by family members and can receive limited amounts of food and other articles. Money for inmates may be deposited with prison authorities, to be issued to the inmates for cigarettes and personal necessities. Under some circumstances, prisoners are permitted to spend nights at home.

All prisons provide some kind of medical care although generally it is rudimentary. Some have resident doctors operating out of a small hospital. But in most cases, there is no doctor, and the hospital or clinic is supervised by a medical attendant working under the direction of a district civilian doctor who visits the prison about twice a week.



## *Indonesia*

Rehabilitation programs include literacy classes, religious training, and workshops to teach crafts and skills. Some prisons operate small industries or agricultural enterprises that sell their products on the local market. Proceeds are used to pay a small wage to the working inmates, to buy recreational equipment, and to maintain buildings and grounds. Most prisons operate trustee systems. Some have honor systems that permit prisoners to work outside the prison confines.

### **Prison Statistics.**

- Total Prison Population: 84,357
- Prison Population Rate per 100,000: 35

- Pretrial Detainees: 39.7%
- Female Prisoners: 3.7%
- Juvenile Prisoners: 5.2%
- Foreign Prisoners: 0.5%
- Number of Prisons: 378
- Official Capacity of the Prison System: 65,422
- Occupancy Level: 128.9%

*George Thomas Kurian*

# Iran

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**Official country name:** Islamic Republic of Iran

**Capital:** Tehran

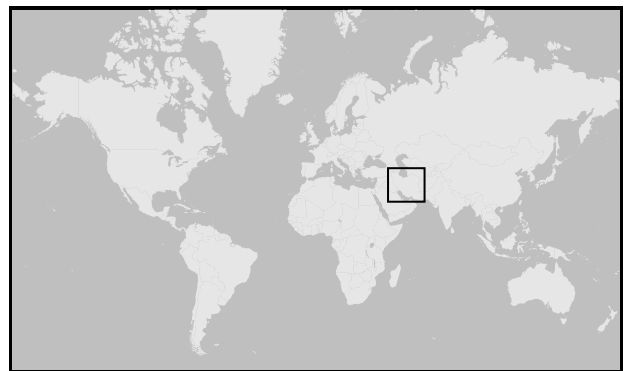
**Geographic description:** Middle Eastern country bordered by Iraq to the west, Afghanistan to the east, the Caspian Sea and Turkmenistan to the north, and the Persian Gulf and Gulf of Oman to the south

**Population:** 68,017,680 (est. 2005)



## LAW ENFORCEMENT

**History.** The two principal law enforcement agencies of Iran are the Gendarmerie and the National Police. The Gendarmerie, the older of the two police agencies, was founded in 1911. It has been completely reorganized twice—after World War II and after the 1979 Islamic revolution. Originally set up under the Ministry of Finance to control rural banditry so that taxes could be collected in the rural countryside, the Gendarmerie was organized and commanded by Swedish officers in its formative years. When Reza Pahlavi was crowned as Reza Shah in 1926, he absorbed the Gendarmerie into the army. The force remained unchanged until 1943, when it was given autonomy under the Ministry of the Interior. It retained this autonomy until 1980 when the mullahs (Muslims trained in Islamic law and doctrine) brought it back under army control and placed it under an army commander. A major landmark in the history of the Gendarmerie was the U.S. Mission to the Imperial Gendarmerie (GENMISH), which was assigned to Tehran from 1953 to 1956. Consisting of approximately twenty U.S. “advisers,” GENMISH was responsible for



developing the Gendarmerie as a modern force with U.S.-built weapons, light aircraft, helicopters, armored patrol cars and jeeps, trucks and motorcycles, and mobile radio network.

The National Police was founded in the early decades of the twentieth century when first Italian and then Swedish advisers offered police training to Iranians and founded the first school for training police officers. It was not, however, until 1921, that Reza Khan, shortly after his assumption of power, brought the various departments under the central control of the Ministry of the Interior. In its formative years, the National Police was essentially a paramilitary force, and the military orientation was prominent until the 1970s. By the mid-1970s, however, most of the military officers in the upper ranks, whose presence had been a cause of dissension among the career police officers below them, had been reassigned to the armed forces, leaving the National Police an entirely civil force.

The demilitarization of the National Police was accompanied by an upgrading in the quality of personnel, the modernization of virtually every aspect of the operation, and the doubling of the size of the force. During much of this period, these efforts were aided by the Public Safety Division under the U.S. Agency for International Development (USAID) training mission, which worked principally in the areas of training, communications, narcotics control, and traffic control. The mission was terminated during the 1960s. Perhaps the greatest progress was made in the area of recruitment and training.

In 1979 when the mullahs toppled the shah, both police agencies underwent their most dramatic transformation since their founding. However, both have retained their identity although in a vastly different setting. The dreaded SAVAK (acronym for the Organization for Intelligence and National Security), the shah's secret police organization, was replaced by SAVAMA (acronym for Information and Security Organization of the Nation), a theocratic *gestapo*. The Revolutionary Guard and *komitehs*, one of the primary organs of suppression, were introduced into the system to serve as Jacobin institutions for inspiring terror in the citizens, enforcing cruder forms of Islamic justice, and handling even routine law enforcement tasks with fervor.

#### Structure and Organization.

**Gendarmerie.** The Gendarmerie is found in more than 2,000 towns, and villages and outposts with a population of fewer than 5,000. The largest Gendarmerie unit is the district, of which there are fourteen. Districts, in turn, are divided into two or more regiments, each headquartered in a provincial town. About a third of the districts operate at brigade strength. Each regiment controls about six companies, the command posts of which are in the smaller municipalities. Finally, company areas are apportioned among posts—in villages, at road junctions, and in strategic rural areas—which are the smallest Gendarmerie units. Gendarmerie posts are of squad size and usually are under the command of an officer and two or more noncommissioned officers. Central headquarters are in Tehran. In addition to its stationary units, the Gendarmerie has numerous mobile units with the capability to go in hot pursuit of hostile persons or groups.

The duties of the Gendarmerie have expanded considerably since the early days when its mission was the suppression of the banditry. As it expanded, it performed a number of tasks in addition to its regular police functions:

- Apprehension of smugglers
- Maintenance of border security
- Traffic control on highways
- Backup support to the army in times of civil emergency or war

In a real sense, it represents the central government authority to much of the population and is a constant reminder of the authority of Tehran in a country where local authorities act as the repository of power.

**The National Police.** The National Police is about half the size of the Gendarmerie. Like the Gendarmerie, it is under the direction of the Ministry of the Interior. Its mission is to preserve law and order in all cities of more than 5,000 in population. In addition to the usual urban police activities, the National Police are responsible for:

- Conducting passport and immigration checks
- Issuance and control of citizens' identification cards and driver's licenses
- Vehicle licensing and registration
- Railroad and airport policing
- Prison management

The National Police are organized along hierarchical lines. Routine activities are carried out by city headquarters. Functions that exceed city jurisdiction are conducted by provincial headquarters, and those that exceed provincial jurisdiction are the responsibility of the national headquarters in Tehran. Organization also is horizontal. There are scores of different bureaus responsible for various police activities: prisons, selection, recruitment, traffic, communications, narcotics, passports and immigration, identification, intelligence and welfare.

#### Education and Training.

**Gendarmes.** Most gendarmes are volunteers, but some are conscripts who have completed their military service or inductees selected for duty. Most officers come from the military. In special cases, the army lends officers to the Gendarmerie, but they retain their army rank and eventually return to their units. Except for inducted enlisted personnel, who serve for two years, the usual enlistment period is five years, and the reenlistment period is three years. Most gendarmes make the service a career and stay in for twenty years, the minimum period required to obtain retirement benefits. Promotion for enlisted men is based on length of service, ability, and the recommendation of their immediate superior. A panel of examiners, appointed by the commanding general, must approve all promotions. The appointment of all senior officers must be approved by the cabinet.

Historically, morale among the gendarmes has been low. Low pay and poor living conditions in isolated posts combine to erode competence and integrity. Corruption is widespread. The general population hates and fears the gendarmes as agents of oppression who



*An Iranian policewoman wields her gun during the women's graduation ceremony at the Police Academy in Tehran, March 12, 2005. Sixty-five women joined the force to combat crimes committed by women. AP IMAGES.*

live by extortion and conduct illegal activities on the side. After the revolution, the Gendarmerie found themselves less powerful than the Revolutionary Guards and the neighborhood *komitehs*.

**National Police.** In the past, most members of the National Police were illiterate, unsuited for police work, and ill trained. Following USAID-initiated reforms in the 1970s, new recruitment standards resulted in a better cadre of policemen.

**Education and Training.** The pride of the force is the National Police University in Tehran, which houses training facilities for officers and enlisted men. To be accepted for officer school, an applicant must have a high school diploma and meet exacting physical and mental standards. Those who meet these standards spend three years studying police sciences at university level. The

successful cadet graduates as a second lieutenant with a licentiate degree. Subsequent promotions depend on length of service, quality of performance, and completion of further training. Upon reaching the rank of a lieutenant general, the officer reenters the university for a nine-month senior officer course, which consists of training in such fields as modern police tactics, administration, and planning. The course is mandatory for further promotion.

Recruit patrolmen also train for three months at the National Police University before becoming law enforcement officers. In addition to passing this course, enlisted men must pass a literacy test, show proof of grade school education, and pass physical and mental examinations. In-service training for both officers and patrolmen consists of a series of twelve-week courses in a variety of subjects, including criminal investigation, traffic regulation and control, civil disturbances control, law enforcement, prison management, and radio communications.

**Uniforms and Weapons.** The Gendarmerie uses the same basic uniform as the army and has the same rank structure. National Police uniforms consist of a navy-blue jacket and trousers for officers and navy-blue battle dress for other ranks. A navy-blue peaked cap (with a red band for officers) is worn by all ranks. All police personnel carry Walther automatic pistols.

## HUMAN RIGHTS

Under the Islamic clergy, the human rights situation in Iran has progressively deteriorated, with repression and discrimination against the regime's political opponents as well as religious minorities. Most human rights abuses are committed by paramilitary voluntary forces—virtual vigilantes known as *Basijis*—and gangs of thugs known as *Ansar-e-Hezbollah* who also act as vigilantes and intimidate and threaten people suspected of counter-revolutionary activities. Non-Muslims are prevented from obtaining government jobs and attending university, and many journalists and students are known to have disappeared at the hands of these entities. Security forces are responsible for killings, stoning and flogging, torture, arbitrary arrest, and detention without cause.

## CRIME

**Crime Statistics.** Offenses reported to the police per 100,000 population: 77. Of which:

- Murder: 0.5
- Assault: 47.7

## CORRECTIONAL SYSTEM

The penal system is governed by the Penal Code of 1925 as amended after the 1979 revolution to make it conform

more closely to the Sharia (the code of law derived from the Koran and teachings of Muḥammad). The original code classifies offenses on the French model into contraventions, or minor offenses, misdemeanors, and felonies, the last of which carry sentences of more than two years. There are three degrees of punishment for felonies:

- First degree: two to ten years
- Second degree: three to fifteen years
- Third degree: life imprisonment or execution

An amendment in 1960 authorized the detention of the insane in asylums, repeat offenders in deportation camps, vagabonds in work camps or agricultural colonies, alcoholics and drug addicts in rehabilitation centers, and juvenile delinquents in reeducation centers. There is no probation system, and those released early receive no supervision; the Sharia is oriented more toward retribution and punishment. Islamic law calls for death by stoning for moral transgressions, such as adultery; floggings and torture for sexual offenses; surgical amputation of four fingers of the right hand for stealing; and whipping for women who do not completely cover their hair and all of the body except hands and face or who wear makeup.

The prison system is officially under the Ministry of Justice, but the Ministry of the Interior has a voice in its operation and management. Each city and town has a prison. Tehran has two large prisons, including Qsar, the country's largest. There are three categories of prisons:

- Police jails, under Gendarmerie supervision in rural areas and National Police Supervision in towns and cities, used for preventive detention and short-term sentences
- Court prisons, under the criminal courts, used primarily for sentences of intermediate duration
- Penitentiaries, under direct military supervision, for long-term sentences

There are intermittent efforts to reform prisons and upgrade their conditions. Prison reform emphasized literacy training and providing gainful work to inmates, either in crafts inside or in farming outside prison walls.

Prisoners are paid for their work. Reforms have led to the opening of a small number of open prisons where inmates were allowed to work outside the prison, usually in road construction, forestry, and agriculture, without being subject to systematic supervision. The Quezelhasar Detention Center southwest of Tehran is considered a model prison, with sports facilities and small huts for conjugal visits. Conditional liberty, subject to police surveillance, may be granted to a prisoner who has served half the sentence in the case of a misdemeanor, two-thirds in the case of a felony, or twelve years in the case of life imprisonment.

**Prison Conditions.** Prison conditions are a matter for international concern, as they have deteriorated since the 1979 revolution because of the heavy influx of political prisoners and disregard for public opinion. Stories of torture and inhuman practices are rampant, especially in the notorious Ervin Prison in Tehran. The more common practices include mock executions, solitary confinement, beating on the soles of the feet, and blindfolding for long periods. Toilet facilities are inadequate or totally lacking. Medical treatment is rarely available; food is contaminated with dirt and bugs. Female prisoners are subject to rape and torture. Much of the prisoner abuse occurs in prisons run by the secret service and military, such as Prison 59 in Tehran.

**Prison Statistics.**

- Total Prison Population: 133,658
- Prison Population Rate per 100,000: 196
- Pretrial Detainees: 24.8%
- Female Prisoners: 3.5%
- Juvenile Prisoners: 1.3%
- Number of Prisons: 184
- Official Capacity of the Prison System: 65,000
- Occupancy Level: 243.1%

*George Thomas Kurian*

# Iraq

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**Official country name:** Republic of Iraq

**Capital:** Baghdad

**Geographic description:** Middle Eastern country through which the Tigris and the Euphrates rivers flow, bordered by Iran to the east, Syria to the west, Turkey to the north, and Saudi Arabia and Kuwait to the south

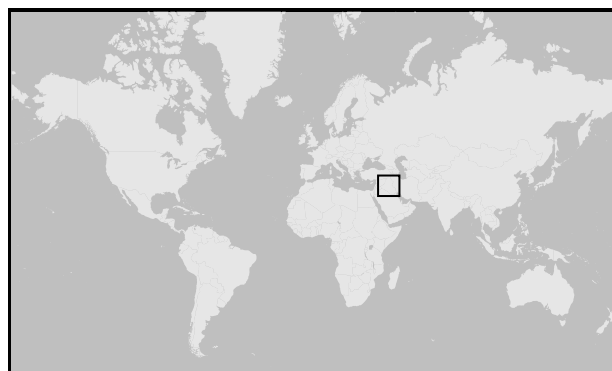
**Population:** 26,074,906 (est. 2005)



## LAW ENFORCEMENT

**History.** The Iraqi Police was formed in 1919 under British auspices. It was one of six paramilitary and internal security forces that kept law and order: The others were the People's Militia, the Youth Vanguard, the Border Guards, the Mobile Force, and the Department of General Intelligence (Al Mukhabarat). As of 2005, the Iraqi Police was still being reconstituted and reorganized following the U.S. and Allied forces invasion in March 2003, which ended the tortuous regime of President Saddam Hussein. It is expected it will be years before the country has a full-fledged and effective police force operationally independent of coalition occupation forces.

**Structure and Organization.** Before the Iraq-Kuwait conflict in 1990–1991, known as the Second Gulf War (the First Gulf War being the Iran-Iraq War of 1980–1988), the police functioned under a director general of police who was subordinate to the Ministry of the Interior. Territorially, the force was divided into 19 units—1 in Baghdad and 1 in each of the 18 governorates. Functionally, there were a number of specialized compo-



nents, including narcotics, railroads, and traffic. Police ranks were identical with that of the army.

The Mobile Force was a militarized police force used to support the regular force in countering major internal uprisings. It was armed with infantry weapons, artillery, and armored vehicles. The Border Guard was stationed principally in northern Iraq along the borders with Turkey, Iran, and Syria to guard against smuggling and infiltration. The Department of General Intelligence was Saddam Hussein's dreaded secret service, which he used to terrorize the population.

**Education and Training.** The Iraqi Police operate two main schools, both in Baghdad: the Police College for those with at least secondary school certificates, and the Police Preparatory School for those with only primary schooling.

**Uniforms and Weapons.** General police wear khaki drill uniforms while traffic policemen wear white. All carry side arms.



*An Iraq police officer inspects a damaged police car in Basra, April 5, 2005. The car was target of a roadside bomb attack that killed one officer and wounded three. Basra, located in southeast Iraq, is an area known for confrontations between secular Iraqi culture and Shi'ite Islam supporters. AP IMAGES.*

**Police Statistics.** In 2002 there were:

- Total Police Personnel: 1,71,442
- Population per Police Officer: 140

#### **HUMAN RIGHTS**

Hussein's regime had the worst human rights record in post-World War II history, both in the number of its victims and the range and severity of its abuses. Hundreds of thousands of people were killed, mostly Muslims and Kurds. Thousands were sent to torture chambers never to be found, and others were executed after being kept incommunicado for months. The death penalty was prescribed not only for opposing or insulting the president, but also for not supporting him openly. According to Amnesty International, more than 16,496 people disappeared during a ten-year period following the end of First Gulf War, most reported to be Kurds. Security forces systematically tortured prisoners. According to former prisoners, torture techniques included branding, electric shock administration to the

genitals, beating, removal of fingernails, amputation, burning with hot irons and blowtorches, suspension from rotating ceiling fans, dripping of acid onto the skin, breaking of limbs, denial of food and water, gouging out of the eyes, and solitary confinement in coffinlike compartments. Security forces sometimes returned the bodies of mutilated victims to their families. Women were raped in a systematic manner and videotapes of such rapes were used for blackmail.

#### **CRIME**

**Crime Statistics.** In 2002 offenses reported to the police per 100,000 population: 197. Of which:

- Murder: 7.1
- Assault: 34.7

#### **CORRECTIONAL SYSTEM**

The penal system was administered by the Ministry of Social Affairs and Labor and comprised eight prisons.

The largest prison in the country was the notorious Abu Ghreib Central Prison near Baghdad. Three other large ones were in the Basra, Babylon, and Nineveh governorates. Smaller centers of detention were located throughout the country. In addition, there were private and semiofficial prisons operated by the Baath Party (a secular Arab nationalist socialist party) to accommodate the overflow of inmates from the official system.

**Prison Conditions.** Prison conditions were inhumane and brutal. Hussein's regime reportedly conducted periodic "prison cleansing" campaigns to kill inmates in order to relieve overcrowding. Arbitrary arrests, prolonged detention, and incommunicado detention were some of the routine prison procedures. Many prisoners disappeared while in the prison system and were believed to have been summarily executed and buried in mass graves. Almost all political prisoners were tortured to elicit forced confessions.

Certain prisons were infamous for routine mistreatment of prisoners and detainees. Abu Ghreib, Baladiat,

Makasib, Rashidiyah, Radwaniyah, and others had torture chambers. Mentally ill patients were kept at Al-Shamma'iya Prison in Baghdad where they were tortured. The Al-Radwaniyah Detention Center was a former prisoner-of-war facility in Baghdad where there were mass executions. Many prisoners died as a result of beatings and torture. In certain detention facilities, certain prisoners were kept locked in metal boxes the size of coffins that reportedly were opened for only thirty minutes each day.

**Prison Statistics.** Statistics on prisoners were never released during Hussein's regime. In 2004:

- Total Prison Population: 15,000
- Prison Population Rate per 100,000 General Population: 58
- Number of Prisons: 8

*George Thomas Kurian*



# Ireland

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**Official country name:** Ireland

**Capital:** Dublin

**Geographic description:** Occupies five-sixths of the island in the North Atlantic Sea west of Great Britain (the northern one-sixth is occupied by Northern Ireland)

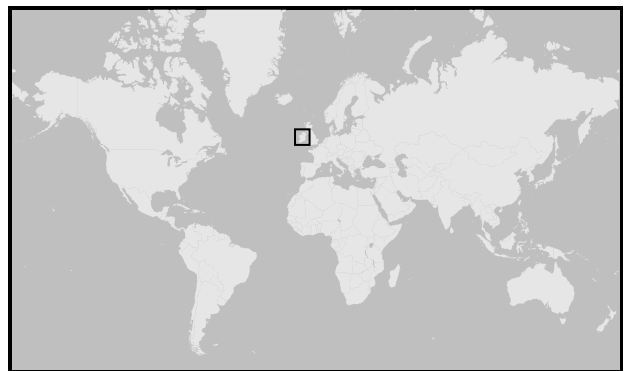
**Population:** 4,015,676 (est. 2005)



## LAW ENFORCEMENT

**History.** Ireland's national police force is formally known as *An Garda Síochána na hÉireann*. This name, translated into English means "Guardians of the Peace of Ireland." Policing in Ireland has a rich history dating back to the eighteenth century, long before the development of *An Garda Síochána na hÉireann*. This tradition is highlighted by several dramatic political and organizational shifts, which have helped to bring about and shape the extremely modern and innovative police force commonly known simply as *An Garda Síochána*.

The first example of organized policing in Ireland was initiated with the Dublin Police Act of 1786. This act, as the name indicates, created a police force exclusively for the city of Dublin. However, during this era, most of the rest of Ireland had its policing needs met at the local level by watchmen. To serve the remainder of the country's changing policing needs, the Baronial Police (the "Old Barney's") was created in 1787. This police force, however, was ill-equipped to effectively handle anything more than minor problems, leaving serious issues to be dealt with by the military. Due to the extreme limitations on the



effectiveness of the Baronial Police, especially in dealing with everyday problems at the local level, many towns continued to utilize traditional watchmen systems to address local concerns. Recognizing the problematic limitations of the Baronial Police, Sir Robert Peel (chief secretary in Ireland from 1812 until 1818) took action to create a Peace Preservation Force in 1814 to supplement the Baronial Police and provide emergency policing services for the entire country.

After Peel left his position, policing in Ireland took a new turn. Of particular importance was the passing of the Constabulary Act of 1822, which created four separate police forces, each designated to serve a specific provincial area (Armagh, Daingean, Ballinrobe, and Ballincollig). The fragmentation of Ireland's police forces, however, proved to be a temporary organizational strategy. These provincial forces were ultimately consolidated with the Constabulary Act of 1836 and were officially titled the Constabulary of Ireland. In 1867 the name of the force

changed once again to the Royal Irish Constabulary (RIC).

The latter decades of the nineteenth century and the early years of the twentieth century was a time of relative stability for the RIC. During the years leading up to and including the War of Independence (the Anglo-Irish War) between 1919 and 1922, however, everything permanently changed. During the conflict, the police were subject to frequent violent attacks, and over four hundred police officers were killed during the four-year span of the war. Upon gaining independence in 1922 and the formal establishment of the government of the Irish Free State in 1923, the RIC was disbanded and replaced by the Civic Guard. The Civic Guard was later renamed *An Garda Síochána na hÉireann*, a title the force continues to hold to the present day. Political conditions that characterized the era made it a tremendous challenge for *An Garda Síochána* to establish itself as an accepted and legitimate component of the newly independent Irish government. However, both Irish society and *An Garda Síochána* have come a long way since the volatile era immediately following the War of Independence. The conditions under which the force operates, for instance, have improved vastly. The Republic of Ireland is characterized by an extremely high degree of political stability and is experiencing unprecedented economic prosperity. These factors have improved conditions under which the police force operates. Moreover, *An Garda Síochána* enjoys a strong, exceedingly positive relationship with the Irish public, and both parties deserve credit for contributing to keeping Ireland one of the safest societies in Europe.

Ireland's present-day police force is a modern organization equipped to handle even the most complex crime problems. Through the use of available technologies, this force is capable of responding to contemporary crime problems including computer crimes, identity theft, and international and domestic terrorism. Moreover, Ireland's national police force works diligently to maintain a respected reputation in regards to the protection of human rights and consideration for racial and cultural minorities. It also maintains an active role in the international law enforcement community, participating in joint endeavors (e.g., training programs, information sharing) with the European Union (EU) and Interpol. As a result, Ireland's national police force plays an important role in the global response to transnational organized crime and threats to international security.

*An Garda Síochána* offers a range of professional services equivalent to virtually any police force in the EU. This is especially noteworthy considering Ireland's relatively small population size. *An Garda Síochána's* emphasis on professionalism through rigorous educational and training standards for all officers serves as an example

to law enforcement organizations around the world. The initial investment made at the outset of each officer's career pays tremendous long-term dividends. These factors, among others, put *An Garda Síochána* in a position to continue to contribute to Ireland's status as of one of Europe's safest societies.

**Structure and Organization.** Ireland's national police force is headed by a government-appointed commissioner, Ireland's highest ranking law enforcement officer, who is responsible for overseeing all policing operations. Officers are overseen by the minister for justice, equality, and law reform. The police force is characterized by a relatively simple, albeit fragmented, organizational structure and is headquartered in Phoenix Park, Dublin, although there are numerous (over 700) decentralized police stations located throughout the country, which for law enforcement purposes is organized into six separate regions:

- Eastern
- Dublin Metropolitan
- South Eastern
- Southern
- Western
- Northern

Because the force provides policing services at the national, county, and local levels, effective officer deployment strategies are a vital prerequisite to the equitable administration of services. At the most basic level, most officers (*Gardai*) are deployed on a regional basis. Some specialists, on the other hand, work out of their respective bureaus and units, many of which are located at *An Garda Síochána* headquarters.

**Principal Agencies and Divisions.** Principal agencies and divisions of the national force include:

- Crime and Security
- Technical Bureau
- Drug Squad
- Intelligence

**Salaries.** At first glance, it appears that compared with other professionals in Ireland, *An Garda Síochána* officers receive competitive compensation for their services. However, there were lengthy salary negotiations in the late 1990s that resulted from officer demands for better wages. These demands culminated in a twenty-four-hour episode of the "blue flu" on May 1, 1998, when about 80% of the police force across the country called in sick in a show of force to protest the fact that salary negotiations had reached an impasse.

**Special Police.** A wide variety of specialized policing services are provided, each available to supplement the conventional regional police officers on an as-needed basis:

**Special Detective Unit.** The Special Detective Unit (SDU) is designated to deal with domestic security issues, including terrorism and crimes committed by paramilitary groups. The SDU includes the Emergency Response Unit, which is trained to respond to especially dangerous situations, such as those involving armed and dangerous suspects, and collecting and disseminating information pertaining to international and domestic terrorist threats, including the activities of paramilitary groups. In the process of fulfilling this role, the SDU gathers intelligence on dissident groups in the republic seeking to engage in subversive activities in Northern Ireland.

**Domestic Violence and Sexual Assault Investigation Unit.** Particularly complex cases related to intimate partner (domestic) violence and sexual crimes (e.g., sexual assault) are handled directly by the Domestic Violence and Sexual Assault Investigation Unit (DVSAIU). Generally, however, these crimes are handled by regular officers under guidance and supervision of the DVSAIU, which also provides training and assistance programs designed to enable officers to most effectively respond to these cases. In addition, the DVSAIU serves to coordinate multiagency solutions to these problems and, toward this end, cooperates with police agencies throughout the EU to address issues related to the illegal sex trade.

**Bureau of Fraud Investigation.** Investigation of crimes related to fraud is the responsibility of the Bureau of Fraud Investigation. Types of offenses dealt with include commercial fraud, credit card fraud, stolen checks, money laundering, and computer crimes. The following units are attached to this bureau:

- Assessment
- Commercial Fraud Investigation
- Computer Crime Investigation
- Money Laundering Investigation
- Stolen Check/Credit Card/Counterfeit

**National Drugs Unit.** Efforts to control drug use and distribution are led by the National Drugs Unit, which emphasizes the importance of controlling problems associated with drug trafficking both domestically and internationally. The unit is also heavily involved in the administration of drug education programs designed to reduce the demand for illicit substances, and unit personnel are actively engaged in these efforts in the community setting (such as in the various school systems).

*An Garda Síochána* has created other special bureaus and units to address different categories of crime,

especially those that tend to be related to organized criminal networks or organizations:

- Anti-Racketeering Unit
- Arts and Antiques Unit
- Stolen Motor Vehicle Investigation Unit
- Computer Theft Investigation Unit (part of the Bureau of Fraud Investigation)
- Post Office Investigation Unit
- Technical Bureau
- National Immigration Bureau

Support units include:

- Operational Support
- Air Support
- Dog Unit
- Mounted
- Water

Additional support services are provided by the forensic laboratory and drug squad, as well as units for fingerprinting, photographing, mapping, ballistics testing, and technical support. Most support units are centrally located at the Dublin-based headquarters.

**Education and Training.** In order to be considered for entry into *An Garda Síochána*, recruits must be at least eighteen years of age and no older than twenty-six. They are expected to be outstanding in terms of personal and professional conduct and be of good moral character and sound mental and physical health. Recruits are required to attend basic training and serve a probationary period prior to working as independent officers. In most respects, probationary officers have powers equivalent to those of their senior counterparts, yet their decisions and actions are subject to the added scrutiny of a rigorous, ongoing evaluation process. As a mandatory condition of service, all police officers are required to routinely attend in-service training requirements throughout their careers.

Training begins at *An Garda Síochána* College, an official institute for higher education located in Templemore, County Tipperary, operational since 1981. The range of coursework is designed to equip recruits to provide equitable services to all segments of the diverse Irish population and places considerable emphasis on community policing and conflict resolution. Entry-level membership is competitive and begins at the rank of student *Gardai*. The interdisciplinary training program consists of intensive coursework and fieldwork and is divided into five distinct but interrelated phases conducted over a two-year period.

During Phase one, the Primary Orientation Phase, students complete a twenty-week program in legal studies; social and psychological studies; policing theory, practices, and procedures; communications; management and organization; physical training, health and safety; and Irish studies. Trainees are required to be fluent in both the English and Irish languages. Phase two, the Broad Experiential Learning Phase, is a 22-week practical experience program undertaken at specially selected training stations under guidance of divisional training staff. Trainees then return to Garda College for Phase three, the Competency Development Phase, for an additional sixteen weeks. Upon successful completion, students are promoted to probationary status and stationed at a designated training station for four weeks. Phase four, the Deep Experiential Learning Phase, lasts thirty-eight weeks and is completed at selected placement stations. Phase five, Class Attendance, in which probationers attend classes at Garda College one day a month, completes the formal training program.

In addition to preparing student *Gardai* for service, Garda College offers veteran officers opportunities to complete specialist law enforcement training programs and even earn a bachelor's degree in police management.

**Uniforms and Weapons.** Garda uniforms are navy-blue trousers, jacket, tie, and peaked cap and a pale blue shirt. In July 2005 Garda introduced new operational uniforms, the new components consisting of a two-tone navy and yellow fluorescent jacket for visibility, utility belt to hold baton, handcuffs and other equipment, waterproof and lined blouson jacket with a detachable inner fleece, leather belt with brass buckle displaying the Garda crest, new cap and badge displaying corporate colors, and safety boots. Sergeants would wear a new-style shirt with a Chevron on the sleeve.

Unlike law enforcement officers in the United States but not unlike their counterparts in Britain, uniformed members of *An Garda Síochána* do not carry firearms. This comes as a surprise to many observers, but the police force's firearms policies have been used successfully for many decades. In fact, regular officers have not carried firearms since 1922 when the first commissioner, Michael Staines, commented "The *Garda Síochána* will succeed not by force of arms or numbers, but on their moral authority as servants of the people." Staying true to Staines's commitment to this day, uniformed officers are armed only with batons. Firearms (typically handguns) are, however, carried by detectives who customarily wear plainclothes.

#### **Transportation, Technology, and Communications.**

**Transportation.** *An Garda Síochána* operates a fleet of nearly 2,000 vehicles composed of cars, vans,

motorcycles, and specialty vehicles, as well as bicycle and mounted patrol units in some urban areas. The variety of vehicles utilized reflects the wide range of activities and services provided. For routine patrol purposes, officers generally drive light-duty patrol cars, vans, mid-size 4x4 sport utility vehicles, and motorcycles. A variety of specialty vehicles (e.g., large utility vans) uniquely equipped is available for use by specific bureaus and units. Air support by helicopter is also available.

**Technology.** As the twenty-first century began, technologically, *An Garda Síochána* was in a state of rapid and dramatic transition and growth. In 2000 the force made the switch to a high-tech crime data collection strategy with the adoption of PULSE, a sophisticated computer-based crime reporting system. Data are collected by the Crime Statistics Office, which reports findings to the parliament and publishes them in an annual report. PULSE provides significant long-term advantages for interpreting crime trends and providing in-depth analyses of crime patterns. Technological support is provided by the Technical Bureau. This bureau has multiple responsibilities, with primary functions, including provision of direct field assistance and laboratory-based support during crime-scene investigations. Its Mapping Section supports regular *Gardai* with surveying and mapping services to aid investigations, security provisions, and court exhibits. Additional sections and offices within the bureau include:

- Fingerprint Section
- Document and Handwriting Examination Section
- Photographic Section
- Forensic Liaison Office
- Ballistics Section
- Criminal Records Office

**Communications.** In the early twenty-first century, *An Garda Síochána* began implementing a new computer-aided dispatch system and subsequently equipping all *Garda* personnel with digital radios. The new digital system replaced the analog radio system in an effort to increase effectiveness and efficiency of communication. Specifically, the digital system was installed to enhance the quality, expand the range, and increase the reliability of communications throughout the force. The communications system control center was updated to facilitate the new communications network.

**Police Statistics.** Measured strictly in terms of personnel, *An Garda Síochána* is a small national police force, considering the organization provides the Irish public with virtually all of its policing services, even at the local level. Its small size is particularly noteworthy considering the size of the country's population, its uneven distribution, and the

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fact that 1 million people live Dublin alone; the country's geographic size, of over 84,412 square kilometers; and the fact that the force manages seven hundred police stations.

- Total Police Personnel: 11,814
- Population per Police Officer: 310

### HUMAN RIGHTS

The basic laws of the Republic of Ireland are outlined in the constitution (*Bunreacht na hÉireann*), enacted in 1937. Laws passed by the British Parliament, which preexisted official Irish independence in 1922, are still effective with the exception of those formally repealed or deemed unconstitutional. The *Bunreacht na hÉireann* outlines the role of the democratic government and declares that the government's power is derived from the people.

By the close of the twentieth century, many countries internationally had enhanced efforts to ensure that all members of the public receive fair and equitable treatment from law enforcement officials. As this is a crucial aspect of effective policing, *An Garda Síochána* took great strides toward making this effort a reality in Ireland by promoting diversity awareness among officers. Recognizing the responsibility of the police to be sensitive to ethnic and cultural diversity issues, the Racial and Intercultural Office (GRIO) was established to provide training, oversight and guidance for *Gardai*. Moreover, the GRIO operates to raise awareness on issues relevant to minority communities and to formulate agency policies for appropriate police strategies in these areas.

*An Garda Síochána* takes issues related to human rights very seriously. The force has established a Human Rights Office to coordinate a partnership between the police and community groups. Representatives of the Human Rights Office work with the European Platform on Policing and Human Rights to identify and implement strategies for effectively addressing these issues. These efforts have resulted, for instance, in the development of a human rights course for inclusion in the *Garda* training program.

### CRIME

#### Criminal Investigations and Forensics.

*Forensics.* The forensics laboratory located at *An Garda Síochána* headquarters in Dublin provides support services to meet police officers needs throughout the country. The Fingerprint Section of the Technical Bureau provides the following array of services:

- Identification of specific persons by their criminal records
- Authentication of criminal history data

- Linking culprits to crime scenes
- Identifying unidentified dead bodies
- Technical examination of major crime scenes and exhibits
- Provision of expert fingerprint evidence in court
- Maintenance of fingerprint and palm-print databases in accordance with legislation
- Provision and maintenance of a separate fingerprint database relating to the fingerprinting of asylum seekers
- Training in the science of fingerprints to Garda personnel
- Training crime scene examiners in techniques for the recovery of finger and palm marks from crime scenes
- Searching of fingerprints received from Interpol and external police forces
- Searching finger and palm marks received from other jurisdictions
- External contacts

*Documents and Handwriting.* The Technical Bureau also staffs a variety of specialized sections to assist in criminal investigations: The Document and Handwriting Examination Section is responsible for comparing handwriting samples (to identify the author) as well as identifying the authenticity of various documents (to investigate instances of fraud, counterfeiting, etc.). The Photographic Section provides services related to crime-scene photography as well as training regular *Garda* officers in field photography techniques.

*Ballistics.* The Ballistics Section operates a sophisticated laboratory to provide a variety of support services, including:

- Examination and testing of all firearms and ammunition seized
- Examination of all explosive substances/devices seized
- Detailed technical examination of scenes of serious crime
- Restoration of erased/obliterated identification marks/numbers on suspected stolen property
- Examination of scenes of suspected arson
- Provision of expert service in shoe and tire prints, and tool marks to local scenes of crime examiners
- Examination and surveying of existing/proposed firearm shooting ranges

*Security and Intelligence.* The Security and Intelligence Section is responsible for intelligence gathering on criminal groups. Of particular concern to this section is

the potential for activities of paramilitary groups to create violence and threaten the peace process in Northern Ireland. The section is involved in monitoring organized crime groups, such as those originating from Eastern Europe, which became increasingly active throughout the rest of the EU over the last decade of the twentieth century and is actively involved in working partnerships and collaborations with their counterparts throughout the EU and the rest of the world. In 2001, for instance, *Garda* personnel attended an Intelligence Analysis Course administered by Europol.

**Organized Crime.** The most significant organized crime problem in the Republic of Ireland can be attributed to the overflow of paramilitary violence from Northern Ireland. While this has posed a significant challenge in previous decades, paramilitary activities (as is the case with paramilitary violence in Northern Ireland) has diminished considerably following the signing of the Good Friday Agreement in 1998. Nevertheless, *An Garda Síochána* plays a role in monitoring known paramilitary groups and working to prevent violence that may undermine the peace process. Of particular importance are the efforts of police officials throughout both the Republic of Ireland and Northern Ireland to make certain that these paramilitary groups comply with the weapons decommissioning requirements set forth by the Good Friday Agreement.

**Special Detective Unit.** The investigation of crimes committed by paramilitary groups and/or terrorist organizations is the main responsibility of the Special Detective Unit, which is specially equipped and trained to respond to the extreme threats posed by armed paramilitary groups as well as international terrorist organizations. One area in which the Special Detective Unit has been particularly successful is in detecting and confiscating weapons supplies, thereby effectively reducing the threats posed by known paramilitary groups. On an ongoing basis, the unit develops and maintains files on the affairs of known paramilitary and terrorist groups based on investigations and intelligence-gathering efforts.

**Arts and Antiques Unit.** This unit was created to deal with this very specialized form of crime that is often the business of organized crime networks. It is responsible for investigating crimes related to the theft of art and valuable antiquities. In recognition of the nature of these types of offenses, the unit maintains strong working relationships with museums, art galleries, and arts and antique dealers around the world, as well as similar crime-fighting organizations internationally.

**Crime Statistics.** The primary source of crime statistics in the Republic of Ireland between 1947 and 1999 was the Report on Crime. This report is published annually

by the commissioner of *An Garda Síochána*, as it has been since 1947. These statistics, however, were based on only very general crime categorizations, which limited their usefulness. Specifically, statistics were gathered on the following offenses:

- Housebreaking
- Shopbreaking
- Larceny of motor vehicles
- Robbery
- Receiving stolen property
- Assault
- Homicide

In 2000 the transition to a new crime data collection strategy took place with the adoption of the PULSE computer-based crime reporting system, which identifies and tracks ten groups of offenses.

Specific crime rates reveal no particular exceptions to Ireland's relatively low overall crime rate. For instance, the homicide rate in Ireland was the lowest of any nation in Europe during the 1990s. Crime rates fell in many countries, including many European nations and the United States, between 1995 and 2000, but the Republic of Ireland experienced a particularly sharp reduction in crime rates during that period. Specifically, crimes reported to the police in Ireland fell by 27% from 1996 to 2000. No other nation in the EU experienced such dramatic reductions in arrest statistics. In fact, crimes reported to the police increased by 1% in the EU as a whole during this period. Interestingly, however, it is difficult to determine whether these trends continued past 2000 because of the changes crime data collection techniques. The following is a brief summary of crime statistics in Ireland for 2001:

Offenses reported to the police: 86,633. Of which:

- Homicide: 74
- Sexual Offenses: 1,939
- Assault: 3,802
- Rape: 335
- Arson: 1,407
- Larceny: 45, 652

## CORRECTIONAL SYSTEM

The Irish Prisons Service operates as part of the Department of Justice. In 1969 the corrections system in the Republic of Ireland was restructured into its present-day organizational arrangement. At that time, the Public Services Organization Review Group recommended executive agencies be established and assigned to respective ministers while functioning under general

supervision of part-time boards. The following is the Irish Prison Service's formal mission statement:

The mission of the Irish Prison Service is to provide safe, secure and humane custody for people who are sent to prison. The Service is committed to managing custodial sentences in a way which encourages and supports prisoners in their endeavoring to live law abiding and purposeful lives as valued members of society. (Irish Prison Service)

**Prison Conditions.** There are three primary categories of institutions in the Irish prison system. Ranging from most to least secure, they are closed institutions, semiopen institutions, and open institutions. The most significant difference between closed and semiopen institutions is that in the former, inmates are locked in their cells during nighttime hours and between scheduled activities. Additional recreational opportunities are available to inmates housed in semiopen institutions compared with those in closed institutions, otherwise, inmates in both institutions live in relatively structured conditions while serving their sentences. Open institutions are characterized by the lowest security rating, and inmates are permitted to move freely within the confines of the institution (including outdoor areas) and choose their employment, training, educational, and recreational routines from a variety of options.

The Irish Prison Service seeks to provide inmates with the services necessary for positive change and social growth. In an effort to increase employment opportunities to inmates upon release, all facilities provide inmates with access to employment, technical training, and educational opportunities through the Work and Training Program organized and overseen by the coordinator of work and training. Among the specific programs are construction trades, welding, and electronics. In addition to employment training and experience, the Work and Training Program provides services and products for use within the institutional setting. A major research effort, known as the Connect Project, evaluates the effectiveness of these

programs in regards to the efforts of prisoners to reintegrate into society and provides the basis for continual modification and improvement of work and training opportunities. The Connect Project includes strategies for helping offenders best utilize work and training services and helps link released inmates and employers in the community setting in hopes of contributing to postrelease success.

As in most Western societies, there are numerous ongoing debates in Ireland over the most appropriate direction for the future of the prison system. Economic issues are at the center of this debate, and proposals have been made for prison privatization as well as for increased investment in alternatives to incarceration. There is little doubt that these debates will continue to evolve in response to changing crime rates, political shifts, and economic trends.

**Prison Statistics.**

- Total Prison Population: 3,417
- Prison Population Rate per 100,000: 85
- Pretrial Detainees: 16.4%
- Female Prisoners: 3.2%
- Juvenile Prisoners: 2.4%
- Number of Prisons: 14
- Official Capacity of the Prison System: 3,359
- Occupancy Level: 94.5%

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*George Thomas Kurian*

# Israel

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**Official country name:** State of Israel

**Capital:** Jerusalem (proclaimed as such by Israel in 1950 but not recognized by the international community)

**Geographic description:** Narrow strip of land, historically known as Palestine, bordered by the Mediterranean Sea, Egypt, Jordan, and Lebanon

**Population:** 6,276,883 (est. 2005)



## LAW ENFORCEMENT

**History.** The Israeli National Police (INP) was established at the founding of the state in 1948. It was legally based on the British Mandate Police Ordinance of 1926 and resembled the Mandate police force organized by the British soon after they conquered Palestine in World War I. The 1926 Police Ordinance and the Criminal Procedure Ordinance of 1924 regulated the organization, powers, and duties of the Mandate Police. At the time of Israel's creation, approximately nine hundred Jews were serving in the Mandate Police (along with Arabs), and they formed the nucleus of the police force of independent Israel. Israel's first police chief was a former Mandate officer. Israel has two nontraditional police units within the INP: the Border Patrol (BP) and the Civil Guard.

The country also has an internal security agency, the *Shin Bet*, (also known as *Shabak*, the Hebrew acronym for General Security Service), the history of which can be traced to the Jewish underground, *Haganah*, which fought the British as a guerrilla force. The Shin Bet is the equivalent of the U.S. Federal Bureau of Investigation. Its operational responsibilities include surveillance of



hostile groups, foreign agents, and Arab subversives and the security of state officials. After the Six-Day War in 1967, the Shin Bet was invested with new powers over the occupied or “administered” territories. These responsibilities have caused the institution much notoriety as brutal and callous and have earned it the rebuke of Amnesty International and other human rights organizations.

**Structure and Organization.** The INP is directly subordinate to the Ministry of Public Security (formerly the Ministry of Police), which also controls the Israel Prison Service. Although the ministry's functions are mostly managerial, there are some operational divisions, such as the Chief Scientist's Office and the Information Service and International Relations Division. The ministry also supports the National Council for Crime reduction (*Metzila* in Hebrew), founded in 1987. It works with municipalities, schools and other institutions to identify and reduce crime in high-risk communities and areas.



The INP is responsible for internal security and law enforcement. With the outbreak of the *intifada* (an Arabic word that has come to symbolize Palestinian uprisings against Israeli occupation), its responsibilities have multiplied and now include counterterrorism, guarding of public installations, combating infiltration of terrorist groups, and dealing with suicide bomb attacks. The INP is headed by an official variously known as a commissioner or an inspector general with his headquarters in Jerusalem.

Israel is divided into five police districts, each under a district commander:

- Tel Aviv
- Jerusalem
- Southern
- Central
- Northern

Each district is divided into subdistricts, of which there are thirteen, and each district has a headquarters organized in the same manner as the national headquarters. District commanders report to the police commissioner. At the lowest level are the police precincts and police stations. Subdistricts and precincts are responsible for all operational activities.

Except for the BP, the INP relies on a system of voluntary enrollment. Conscripts are used in the BP where reenlistment is high and about 40% elect to remain in the service. Personnel turnover is fairly large in the police force as a whole. Police work is traditionally regarded as unattractive although with improved salary scales, the number of applicants has grown. This has permitted the INP to raise its hiring qualifications. Another important change was the rule that permits conscripts for army duty to serve in the INP in lieu of the military. Fluency in Hebrew is not mandatory for service either in the army or in the INP. This allows new immigrants to join the INP soon after their arrival in Israel.

Police ranks are generally comparable to those in the armed forces. The INP inspector general (*makafeach klali*) holds a rank equivalent to that of major general. The other ten ranks are as follows:

- Assistant Commander
- Chief Superintendent
- Superintendent
- Chief Inspector
- Inspector
- Deputy Inspector
- Sergeant Major

- Sergeant
- Corporal
- Lance Corporal

The INP consists of six departments and several staff units, which report directly to the commissioner. The departments are:

- Logistics, Planning, and Organization
- Investigations
- Operations and Patrol
- Personnel
- The Border Guard
- The Civil Guard

**Investigations Department.** This department consists of the Criminal Investigations Division (CID), the Intelligence Division, and National Investigation Units. The CID is the scientific arm, with regional subdivisions and modern laboratories at the INP headquarters, where evidence is analyzed through fingerprinting, drugs, explosives, ballistics, and so on. The Intelligence Division controls all intelligence and detective operations throughout the country. The computerized data are centrally located and quickly and easily retrieved. The division is responsible for investigating all drug-related crime. It interacts on an international level with foreign police forces, having police representatives stationed in several different countries, and cooperates extensively with Interpol in international investigations. The Investigations Department operates two national investigation units: one focusing on white-collar crimes; the other on serious crimes such as drug trafficking, vehicle-theft organizations, and bogus land sales.

**Operations and Patrol Department.** The Operations and Patrol Department handles all daily operational functions of the INP: patrol, which utilizes motorized vehicles and horses and marine and airborne patrols; traffic enforcement; civil order; internal security; crime prevention; and antiterrorist activities. Three National Operation Units supervised by the department are the Helicopter Unit, the National Traffic Unit, and the National Negotiations Team, the latter being trained to deal with hostage situations. The Traffic Unit performs a difficult task because Israeli traffic is notoriously disorderly. More than twenty-five thousand people have been killed in the country since 1948, more than in all its wars. Israel's deaths per mile is much higher than that in the United States. The principal reason is road conditions, but the shortage of traffic personnel also contributes. Out of a total road network of 3,291 miles (5,296 kilometers), only 137 miles (220 kilometers) have double lanes. Police units that handle traffic are the Traffic Division at the national headquarters, traffic

branches at district headquarters, and traffic bureaus in subdistricts. Control of intercity traffic is the responsibility of the subdistricts whereas city traffic is handled by patrol officers. In an effort to curb accidents, the INP initiated Project 700 that deploys more patrol officers on 700 kilometers (434 miles) of roads. To apprehend speeders, police have installed electronic cameras at intersections, along with speed meters and radar traps.

The Operations and Patrol Department is also responsible for the Bomb Disposal Division, established in 1975, which operates in both criminal and terrorist sabotage situations. This division responds to approximately eighty thousand calls annually by investigating suspicious cars and objects. An important part of this division's responsibility is prevention, which it undertakes through surveillance of school educational programs, and crowded public places. This division is in the news whenever there is a suicide bomb attack, and it was awarded the prestigious 1995 National Prize for Quality in Public Service. The Bambi bomb disposal robot and Ophir detonator, both developed in Israel, are used by bomb disposal squads.

The CID also controls two specialized units with national jurisdiction. The first, the National Unit for Serious Crimes Investigation, deals with national security offenses, crimes committed by senior public officials, and former Nazis. The second, the National Unit for Fraud Investigations, deals with white-collar crimes. The CID also has units dealing with drug trafficking, trafficking in women, and arms smuggling by terrorists.

**The Civil Guard.** The Civil Guard, a volunteer organization, was formed in 1974 in response to the first waves of Arab terrorism. Its original purpose was to allow citizens to share in the defense of their neighborhoods, thus easing the work of the police. In 1985 the Civil Guard Bureau was created as part of the INP organizational structure. In 1989 new police regulations were issued expanding the functions of the Civil Guard and authorizing its deployment in crime and traffic control. From its 317 bases located throughout the country, the Civil Guard deploys mobile and foot patrols and responds to emergencies day and night. With approximately fifty thousand active volunteers, the Civil Guard is by far the largest voluntary organization in Israel. Volunteers serve a minimum of four hours each month and while on duty carry weapons and have full police authority.

**The Border Police.** The BP has been an integral part of the INP since 1953. Its precursor was the Frontier Force, established by the Israeli Army two years earlier. In the early years, the BP patrolled Israel's borders to prevent infiltration by the Arab Fedayeen. Its responsibilities were expanded significantly following the capture of

the West Bank and Gaza during the Six-Day War. In addition to patrolling international borders, the BP was charged with policing Palestinian towns in the occupied territories. With the outbreak of the first *intifada* in 1987, the BP was confronted with daily violence, in countering which the force gained a reputation for ruthlessness. During these operations, control over the BP was exercised by the Israeli Army. The handover of much of the occupied territories to Palestinian authority after the implementation of the Oslo Peace Accord intensified the anti-infiltration efforts of the BP. A special anti-infiltration unit called *Matilan* (an acronym for Intelligence, Scouting, Firing, Combat, and Mobility) was created to deal with illegal Arab immigrants and job seekers. The new unit complements the older Anti-Terrorist Unit, which goes into action in hostage-taking situations and suicide bombings. The BP is ethnically more diverse than other police units and includes Bruze, Bedouins, Muslims, and Christian Arabs.

**Police at Work.** Police unions are specifically prohibited by legislation passed by the Knesset (the Parliament of Israel) in 1979. In 1996 a new directive prohibited police officers from joining political parties, but the directive was later rescinded. In 1980 a police ombudsman was appointed to improve the working conditions and welfare of police officers.

**Police-Community Relations.** The most significant trend in Israeli policing involves community policing. This development is related to the realization that the INP is forced as a matter of national interest to concentrate on Arab violence and that its ability to fight crime on the local level has diminished. This has led to local towns and communities taking charge of their own law enforcement needs. This development was institutionalized through the creation of a Community Policing Unit under the direct command of the police commissioner. More and more local police stations and subdistricts are signing on to this movement. The implementation process consists of three distinct phases: workshops on interactions, seminars on problem-solving and leadership, and development of actual operational models.

**Education and Training.** Training for both the BP and the regular police is conducted at the National Police Training Academy at Shefar'am, 12 miles east of Haifa. The BP course comprises twelve weeks of instruction followed by two weeks of unit training at the regional training centers. The courses focus on military training, including weapons, small arms, and first aid. Recruits for the regular police undergo a five-month course of instruction. Here they are taught basic police operations and procedures, including patrol and arrest techniques,



**Israeli police escort a young antisengagement protester at a police facility in the Erez, August 4, 2005.** *The young woman was one of 200 opponents to Israel's planned Gaza Strip evacuation who infiltrated the coastal area overnight in defiance of a military ban. Security forces blocked thousands of others from marching into the area to bolster settler resistance to withdrawal.* AP IMAGES.

target shooting, crowd control, conflict resolution, non-verbal communications, and so on. The INP also runs an officer's academy where courses are provided for officers, noncommissioned officers, and officer candidates. Here, emphasis shifts to planning, management, leadership, and ethics. Attendance, although voluntary, is a requisite for promotion. An officer candidate course lasting nine months is open to noncommissioned officers at the grade of sergeant or sergeant major. The top brass attend a senior officer's college where they are coached in police policy, staff operations, and sociology. Specialist training is provided in a wide range of technical and professional skills, such as photography, fingerprinting, ballistics, criminal identification, and record keeping.

**Uniforms and Weapons.** The uniform of the INP is a navy-blue jacket and trousers with a peaked cap. Weapons are not carried as a general rule although night patrols carry .38-caliber revolvers, and the BP are issued with M-16 rifles. Safety Patrol uniforms are light khaki. The Civil Guard is equipped with U.S. M-1 carbines.

#### Police Statistics.

- Total Strength of the Police Force: 25,700
- Population per Police Officer: 228
- Percentage women Officers: 20

#### HUMAN RIGHTS

Almost all the human rights violations reported in regard to the INP relate to its treatment of the Arab minority. The INP, along with the Israel Defense Forces, has engaged consistently and as a matter of policy in torture, assassinations of Arab political leaders, excessive use of force, and other violations of human rights. In response to hundreds of terrorist attacks, the INP has adopted a policy of swift reprisals. There are allegations that police officers beat Arab detainees, some of whom are detained without charges and some of whom are incarcerated on the basis of forced confessions. During "closures," when movement of people between the occupied territories and Israel is restricted, the police use abusive methods to humiliate Arabs. Under the Imprisonment of Illegal

Combatants Law, the INP is authorized to detain anyone if there is a basis to assume that he or she takes part in hostile activity against Israel directly or indirectly or belongs to a force engaged in hostile activity against the State of Israel. In 2003 the government held 6,700 Palestinians in custody, more than two-thirds of whom were security detainees. At one point, more than ten thousand Arabs were held in prison. The police use excessive force against demonstrators, killing children, and innocent bystanders in the process.

During the first thirty years of Israel's existence, there was little public outcry against routine police brutality. Until 1973 there was no mechanism to receive complaints from the public about police misconduct. Since 1980, however, the topic of police brutality has received such exposure in Israeli and foreign media that the INP was forced to face this problem openly. An important turning point was the publication in 1993 of an INP report, "The Police Force and Police Brutality," which details incidents of police brutality and documents 1,800 acts of police misconduct involving 2,700 officers. The report blames the organizational structure of the INP of ignoring police violence. Following the publication of the report, a committee of inquiry was appointed under the chairmanship of Professor Mordechai Kremnitzer of the Hebrew University of Jerusalem. The committee's recommendations included psychological testing of police officers, the hiring of more female officers, and the immediate dismissal of police officers with a record of abuse and violence.

The INP's Public Complaint Office, established in 1973, was superseded by the National Headquarters Investigation Division in 1978. In 1985 the State Comptroller's Office moved the prosecution of offending police officers to regular courts from the Police Disciplinary Courts, which tended to be more lenient. Still, cases involving police misconduct were not investigated independently until 1992 when the power to investigate police wrongdoings was transferred from the INP to the Department of Internal Investigations at the Ministry of Justice. Police officers accused of criminal offenses are now tried in the regular courts.

### CORRECTIONAL SYSTEM

Israel's correctional service is also derived from the pre-State of Israel British Mandate. Both the prison system and the INP are organizationally linked and are under the Ministry of Public Security. The Israel Prison Service (IPS) is headed by a commissioner of prisons headquartered in Jerusalem.

The largest prison complex is Ayalon, located 215 miles east of Tel Aviv. It consists of the Ayalon Prison, originally built by the British in 1934 as a fortress, the

Neve Tirzah and Ma'asiyahu Prisons, and the Nitzan Detention Center. The complex has four wards holding high-risk criminals. Neve Tirzah is the only penal institution for women. Ma'asiyahu is a minimum-security prison built in 1956 as a camp. It resembles a kibbutz and has factories that employ some of the inmates. Nitzan Detention Center is a maximum-security facility established in 1978 as pretrial detention center. Other prisons are:

- Eshel, a maximum-security prison located in the Negev Desert just outside the city of Beersheva; from 1969 until 1974 it housed only Palestinian security prisoners
- Ohalei Kedar, a maximum-security detention center established in 1984
- Nafkah Prison, a maximum-security prison opened in 1980 to house Palestinian detainees
- Shikma Prison, a maximum-security prison established in 1968 in which Palestinian detainees are housed
- Shata Prison, a maximum-security prison established in 1953 in an old Turkish building
- Damun Prison, a medium-security prison that opened in 1953 in a former horse stable
- Kishon Detention Center, a maximum-security prison established in 1983
- Ashmoret Prison, a maximum-security prison that opened in 1962 in an old British-built fort
- Hasharon Prison, a medium-security prison that opened in 1953 in a former British police fort
- Carmel Prison, a minimum-security prison established in 1985
- Tzalmon Prison, a relatively new medium-security prison located in the Galilee overlooking Lake Tiberias

In addition are what are known as police lockups where arrested offenders are held until formally charged. These lockups are generally overcrowded and may include inmates who have been charged but never transferred to prisons. Two such lockups are the Russian Compound (where Russian pilgrims to the Holy Land once stayed) and Tel Aviv's Abu Kabir.

**Prison Conditions.** With the large-scale incarceration of Palestinian militants, Israel's prisons have become overcrowded. The official prison capacity of all Israeli prisons may be adjusted upward by the Israeli Prison Service annually, regardless of minimum standards of space allocation. Further, many prisons are old structures that

date back to British and Turkish days. They lack proper lighting and adequate ventilation and have primitive plumbing. They are also very small, with the result that the average space per inmate is only 30 square feet (as compared with 50 sq. ft. in an average U.S. prison).

Because of overcrowding, the IPS does not observe its own laws regarding the classification and separation of prisoners. According to the Prisons Ordinance of 1971, the IPS is required to separate prisoners on the basis of age, gender, and custodial risk and to separate pretrial detainees from sentenced offenders and first-time offenders from repeat offenders. Moreover, according to prison regulations, criminal offenders are to be separated from security prisoners and the mentally challenged and drug addicts are to be kept in isolation. These regulations are rarely observed in practice. Prisoners do not have the opportunity to rehabilitate themselves or receive vocational training. Because of overcrowding, many sleep out in the yard. One-to-one violence in prisons has increased in recent years, as has the number of suicides in prison.

Prison conditions have been the subject of numerous investigative commissions: the 1978 Shimron Commission, the 1979 Kent Commission, and the 1987 Karp Commission. The Kent Commission described conditions as subhuman. A 1988 report condemned the inhumane and degrading treatment to which prisoners were subjected.

Prison discipline is the subject of prison ordinances. Inmates who violate prison regulations may be placed in solitary confinement for a period not exceeding fourteen days or placed on a restricted diet for a period not exceeding twenty-eight days. The codes for inmate behavior are ambiguous, and punishment is often arbitrary. Unauthorized use of force and brutality are part of the usual regimen in Israeli prisons.

One of the stated goals of the IPS is to rehabilitate the prisoner and help him or her to reintegrate into society upon release. To this end the IPS created a Treatment and Rehabilitation Division, a Drug Rehabilitation Unit, and an Employment Department. Social workers were introduced into the IPS in 1952 and provide therapy in individual and personal settings and

serve as liaisons between prisoners and their families. They also deal with drug abuse and violence. About half of all prison inmates use drugs, and many are in drug rehabilitation programs. Inmates are also offered an opportunity to work in any of several work programs and to participate in educational and vocational courses and workshops. Educational programs, however, are poorly attended and seem to have little or no effect on rehabilitation. There is also an increasing trend to allow inmates who have completed at least 25 percent of their sentences to spend some time outside their prison. In the final stages of the rehabilitation process, inmates live in a halfway house and spend weekends with their families.

The Penal Law of 1977, amended in 1987, empowers judges to substitute prison sentences of as much as six months with community-work service orders. Under this program, prisoners are assigned to public agencies or private institutions to perform a variety of duties for which they are paid a nominal salary. Inmates are supervised by IPS officers, and those who violate the conditions accompanying service orders may have their rights revoked.

#### **Prison Statistics.**

- Total Prison Population: 13,167
- Prison Population Rate per 100,000 Population: 209
- Pretrial Detainees: 26.1%
- Female Prisoners: 2.3%
- Juvenile Prisoners: 2.3%
- Number of Prisons: 24
- Official Capacity of the Prison System: 13,988
- Occupancy Level: 97.2%

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*George Thomas Kurian*

# Italy

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**Official country name:** Italian Republic

**Capital:** Rome

**Geographic description:** An elongated peninsula in south-central Europe extending into the Mediterranean Sea, bordered inland by France, Switzerland, Austria, and Slovakia. Includes the islands of Sicily and Sardinia

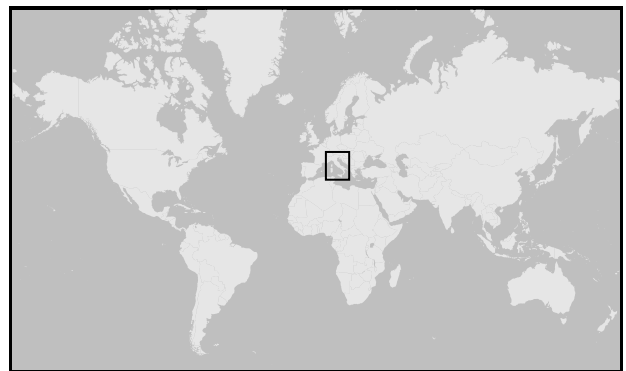
**Population:** 58,103,033 (est. 2005)



## LAW ENFORCEMENT

**History.** Prior to the French Revolution, the Italian peninsula was divided into a number of different states. Naples and Sicily were ruled by the Bourbons and the Vatican oversaw most of central Italy. Northern Italy was a blend of Italian speaking provinces that were part of the Austrian Empire and a handful of independent states. Of these small, independent states, the Piedmontese Kingdom of Savoy would play a major role in the development of the Italian state.

The development of policing in Italy was most heavily influenced by the French model. In 1814 Napoléon's forces were withdrawn from northern Italy. The king of the Piedmont was sufficiently impressed by the withdrawing French *Gendarmerie Nationale* that he created a Corps of Carabinieri, which became known as *L'Arma dei Carabinieri*. The name referred to the short carbine rifles used by members of the cavalry. During its first few years, the Carabinieri developed a camaraderie and pride that continues to flourish. Many of its initial officers were recruited from the aristocracy while professional soldiers filled the ranks. This unit was



given control over both the military and civilian population, and the Napoleonic era influenced the design of the Carabinieri's elegant uniforms. Although they have earned a reputation for incorruptibility, they have also been censured for high-handed tactics in the process of law enforcement.

As Italy moved toward unification in the 1850s, a modern cabinet government was proposed, which included an interior minister who oversaw law enforcement. Due to friction between the "arrogant" domineering Carabinieri and new civilian officials, in 1852 a new police force was recruited, the Corps of Public Security Guards, composed of an amalgam of uniformed street police and civilian officials headed by the chief of police. Over the next 150 years, this civilian-oriented police organization evolved into the *Polizia di Stato*, an extremely effective and efficient law enforcement agency.

For much of their early history, the Carabinieri and State Police were embroiled in political infighting with conservative royalists, Garibaldians, anarchists, and Marxists. Although they proved adept at suppressing certain crimes such as theft, much of their attention was focused on national security, with few officers to spare to track down cattle thieves and other mobile criminals. Both police forces remained ineffective to a great extent due to their inability to cooperate with each other. As a result, they became almost autonomous units.

Although the Code of Penal Procedure stipulates and regulates the functions of all Italy's police forces, the policing system as a whole is generally plagued by a lack of coordination, particularly when more than one force has authority over the same area. Some observers, however, see this intense competition between different forces as a necessary safeguard to freedom.

**Structure and Organization.** Italy has five national police forces: the *L'Arma dei Carabinieri* (Carabinieri Corps), the *Polizia di Stato* (State Police), the *Guardia di Finanza* the Finance Guard, the Prison Service, and the Agriculture and Forestry Police, with the first three being the primary law enforcement agencies. Crime prevention and safety is also provided on a local level by *Polizia Provinciale* (Provincial Police) or *Polizia Municipale* (Municipal Police). In Italy, prison guards, too, of which there are approximately 12,000, are regarded as police officers. They are responsible to the Ministry of Justice.

**Police at Work.** Police are permitted to use force and/or deadly force in matters of self-defense, to surmount resistance to authority or arrest, and to prevent serious crimes (such as homicide, kidnapping, robbery). However, it is expected that all personnel will use discretion to ensure their reaction is equitable to the danger.

If an individual commits a crime that is punishable by a prison sentence of five to twenty years or more police, by law, police are expected to arrest and incarcerate perpetrators under two scenarios—individuals caught in the act of committing crimes, or those caught immediately after the crime is committed. Police are also expected to arrest individuals who commit crimes with penalties in the Penal Code, Article 380, which mandates sentences of between three and ten years. These crimes include crimes against the state or against public safety, looting, robbery, extortion, terrorism, military and political illegal associations, Mafia activities, and others. Police can arrest and imprison individuals suspected of having committed crimes where penalties require two to six years imprisonment. In all cases of arrest, police, are required to immediately notify the public prosecutor, the defense attorney, and the suspect's family.

**Uniforms and Weapons.** Police officers are equipped with handguns, automatic weapons, and batons. Officers are issued a Beretta 92 SB double-action, semiautomatic pistol 9-mm Parabellum (8 or 15 shot), which can be supplemented by ordinary and special-party armaments that must be returned when not on duty. Ordinary armaments are defined as weapons that can be used by all police officers for normal team activities such as routine patrol. Such weapons include rubber or plastic hollow nightsticks between 19 and 24 inches long; Beretta PM 12S fully automatic submachine pistol 9-mm Parabellum (8 or 15 shot), semiautomatic plus slide-action 12-gauge shotguns, and fully automatic, semiautomatic, or bolt-action rifles (5.56 mm or 7.62 NATO mm). Special armaments require special training and are made available only to special police squads such as antiskidnapping and counterterrorist units. These armaments include the Beretta 92 SB 9-mm, double-action, semiautomatic pistol 9-mm Parabellum (8 or 15 shot), revolvers (.38-caliber special, 357 magnum, 9-mm Parabellum), Beretta PM 12S, machine guns, hand grenades including launching rifle, various explosive devices, bazookas and other self-propelled weapons, and bolt-action rifles. Special and ordinary armaments also include other equipment, including bulletproof vests, 4.5-mm air guns, training pistols and rifles, lights and smoke gadgets, helmets, silencers, night-vision binoculars and scopes, assorted knives, and narcotizing weapons.

**Police Statistics.** Historically, Italy's police forces allowed no women officers. In 1987 only 5 percent of Italy's total police force was women. Reform that began in the early 1990s saw such an increase that by 2000, women comprised more than 50 percent of the force. Women were still not permitted to join the Carabinieri until 2001, and the Finance Police began a major campaign to enlist women only in 2000.

- Total Strength of Police Force: 347,841
- Population per Police Officer: 167

#### CARABINIERI CORPS

**History.** The Carabinieri traces its roots to 1814 when the Royal License, a corps of foot and equestrian soldiers, was founded. Then, as now, they had a dual function, which still distinguishes them from the other Italian police forces: They are a police force imbued with special duties and powers; and they are military defenders of the nation-state, which means that in the event of military action or mobilization, the Carabinieri is required to join the Army Corps and other armed forces in defense of the homeland. For this reason, members are trained to

perform military police duties within the three armed forces.

**Structure and Organization.** The Carabinieri, under the authority of the Ministry of Defense, is considered an elite force and is organized territorially. Carabinieri Corps headquarters, which controls the entire organization, is based in Rome and headed by the commander general. Headquarters commands, controls, and coordinates the entire force and provides technical and scientific support, recruiting facilities, and a telecommunications center. General staff are responsible for the planning, organization, training, technical, scientific, logistic, and operational functions of the entire corps.

The Carabinieri consists of five main branches:

- *Organizzazione territoriale* (territorial branch), comprising five interregional commands (divisions), each headed by a lieutenant general; 19 regional commands, each headed by major and brigadier generals; 102 provincial commands, each headed by colonels or lieutenant colonels; 536 group and company commands, 19 lieutenancies, and 4,653 basic units or stations at the single-town or -village level.
- *Organizzazione addestrativa* (training branch), a training and drill organization supervised by the Carabinieri training school
- *Organizzazione di polizia militare* (military police), responsible for all military policing
- *Organizzazione mobile*, mobile units that work in conjunction with the territorial branch
- *Organizzazione speciale*, special organizations

A sixth branch, the Welfare and Leisure Branch, oversees sports activities and general welfare programs.

**Special Police.** The Carabinieri has a number of special units that offer essential support to the activities at every level. These include the Mounted Regiment, the Drug Fighting Units, and a unit devoted to protecting public health by fighting the adulteration of foodstuffs, dietary products and insecticides, and supervising the production and sale of patented medicines and veterinary products. Other units include an Ecological Operating Unit and a Unit for the Protection of the Nation's Artistic Heritage, an anticounterfeiting unit, an Air Service, a Naval Service, a Police Dog Unit, a Mobile Command, and others. Two important units are:

- *Intervento Speciale* (Special Intervention Group), a highly successful group estimated to be between 50 and 150 strong, specifically created to counter terrorism, facilitate hostage rescue, and deal with

hijackings, kidnapping, and especially violent crime. This highly experienced unit was initially developed to counteract crimes by organizations and groups such as the Sicilian Mafia and the radical leftist group, the Red Brigade. All its publicized missions have been successful.

- *Nucleo Operativo Centrale di Sicurezza* (Central Operative Group for Security; NOCS), a specialized assault squad, was established specifically to deal with organized crime and terrorist activities. It participates in operations beyond the scope of traditional policing. Most observers point to the terrorist attack on the Fiumicino Airport in Rome in 1974 as the stimulus for the creation of the NOCS. This attack revealed a number of police deficiencies, and efforts were introduced to create a squadron trained to handle extraordinary threats. By 1975 the groundwork for the NOCS was in place under the name *Nucleo Anticomando*. The first leader of this force, Major Andrea Scandurra, had more than a decade of experience fighting the Mafia in Sardinia and Calabria, as well as counterinsurgency experience. Under his direction, emphasis was placed on methods based on speed and surprise. The formation of the squad paid dividends almost immediately, with successful operations against various extreme right-wing terrorist groups as well groups such as the Red Brigades. The force came to international prominence in 1982 during the rescue of U.S. General James L. Dozier from Red Brigade captors in Padua. By the 1990s the NOCS was collaborating with Criminalpol in a number of cases. During that decade, the unit participated in the liberation of Kuwait, the rescue of the kidnapped Augusto De Megni, and the freeing of 134 hostages at Rome's Fiumicino Airport. Following the assassinations in 1992 of magistrates Giovanni Falcone and Paolo Borsellino by Mafia bombs, members of the NOCS were assigned to provide protection for the attorney general in Palermo. By 2000 the force had participated in almost five thousand operations, garnering dozens of awards in the process.

The NOCS has about one hundred officers supervised by a commander in chief, known as *primo dirigente vicequestore*. His subordinates consist of the Secretariat of Security, responsible for administrative tasks, the Operative Support Division, and the Operative Division, which includes the police assault groups. Members of the NOCS are selected from State Police personnel following nomination by hierarchical superiors. Training lasts six months and often includes working side by side with similar groups in other countries, including the American



Federal Bureau of Investigation, the Ya'Ma'M of the Israeli National Police Corps, and the French National Police Corps.

**Education and Training.** The Training Branch, directed and coordinated by the Carabinieri schools inspector, consists of headquarters and education and training centers providing basic military, technical/professional, specialist, and refresher training. Training is broken down into three levels: officers, noncommissioned officers (NCOs), and other ranks. The Carabinieri Officers' College is located in Rome, the Warrant Officer and Brigadier Training School is based in Florence; regular cadet training schools are located in Rome, Campobasso, and Iglesias; and auxiliary cadets are trained in Turin and Benevento. Permanent cadets receive an eleven-month course, auxiliaries enlisted for a four-year period receive a five-month course, and auxiliaries enlisted for a one-year period receive a three-month course.

Regular members of the Carabinieri are recruited from young volunteers who meet rigorous requirements. Prospective candidates must have matriculated through an eleven-month course at the Carabinieri School in Rome, have already completed military service or at least six months thereof, and have made it through a four-month course at the Benevento Cadet School. Carabinieri are also recruited from members of the auxiliary Carabinieri, typically members who have distinguished themselves by their efficiency, conduct, and aptitude and who have requested a transfer to regular service. There are seven centers for Carabinieri specialist training, including those for signals (Rome), helicopter pilots (Rome), skiing and mountaineering (Selva di Val Gardena), frogmen (Genoa), dog units (Florence), marksmen (Rome), and horsemanship (Rome).

Any individual who aspires to become a senior officer or executive in the state police requires a master's degree in law. Those inclined toward the more military-oriented Carabinieri and Finance Guard are expected to attend the military academy and the *scuola ufficiali*. All state police corps have schools and training programs for police personnel.

**Uniforms and Weapons.** The Carabinieri uniform, worn by corps members and NCOs alike, is a blue, full-dress uniform with a tailed coat and Napoleon-style hat. This uniform is required for daytime duty at important buildings in the larger metropolitan areas and also ceremonial occasions. In winter, a blue uniform and peaked cap is worn for off-duty hours as well as daytime duty in more important cities. Otherwise, khaki uniforms are typical for winter duty. In summer, a khaki drill uniform is worn. The cap badge includes a large grenade with a flame sweeping away to one side. Members of

the President's Guard wear blue tunics with white and gold braid and a gold helmet with horsehair plumes. Reflecting the military heritage of the organization, ranks and badges are virtually identical to those used by the Italian Army.

**Police Officers Killed in the Line of Duty.** Over the course of the Carabinieri's history, many members have given their lives in both peacetime and war. According to an official publication of the organization, the Carabinieri has suffered 9,421 killed and 132,421 injured, taking into account actions ranging from wars and other acts in defense of the state to a ceaseless campaign against crime. In 2003, seventeen members were killed while on duty in Iraq. One of the most famous policemen to be gunned down was General Carlo Alberto Dalla Chiesa, who was killed along with his wife in Palermo on September 5, 1982. A career officer, he was credited with leading the successful campaign against the Red Brigades. Dalla Chiesa had even been mentioned as a candidate for the presidency of the republic. To acknowledge the bravery and self-sacrifice of Carabinieri members, the following decorations have been awarded:

To the Corps of Colours:

- 4 Knight's Crosses of the Military Order of Italy
- 3 Gold Medals for Military Valour
- 3 Gold Medals for Army Valour
- 5 Silver Medals for Military Valour
- 4 Bronze Medals for Military Valour
- 2 Gold Medals for Public Health Merits
- 4 Gold Medals for Civilian Valour
- 1 Silver Medal for Civilian Valour
- 2 War Crosses for Military Valour
- 4 Gold Medals for Commendable Service

To individual officers, NCOs, and other ranks:

- 20 Crosses of the Military Order of Italy
- 108 Gold Medals for Military Valour
- 1 Gold Medal for Naval Valour
- 2 Gold Medals for Military Valour
- 3,147 Silver Medals for Army Valour
- 5 Silver Medals for Army Valour
- 22 Silver Medals for Naval Valour
- 5,715 Bronze Medals for Valour
- 8 Bronze Medals for Army Valour
- 42 Bronze Medals for Naval Valour

- 64 Gold Medals for Civilian Valour
- 1,990 Silver Medals for Civilian Valour
- 3,234 Bronze Medals for Civilian Valour
- 3,611 War Crosses for Military Valour

#### Police Statistics.

- 100,000 men (as of 2000; not until 2001 were the Carabinieri ordered to accept women into the force)

#### STATE POLICE

**History.** The State Police was formally established in 1852. In 1848 it emerged as the National Guard and was already charged with performing police duties. During the next 150 years, this unit developed into a highly sophisticated police force. It maintained its highly military and disciplined character over the tumultuous decades of the twentieth century. The State Police were originally designed to supplement the Carabinieri due to the fact that many Italians considered the latter too militarized to be successful in police work. In 1919, the unit was reorganized as the *Regia Guardia di Pubblica Sicurezza*. From 1919 to 1944, this organization performed both military and policing duties, so much so that in 1943, it created a specially trained mobile battalion that saw military action in Croatia during World War II. This battalion is now considered an integral part of the armed forces as well as a major crime-fighting organization.

Although the State Police is still considered part of the armed forces, it is less militaristic than the Carabinieri, and its mandate has changed over the years so that its various duties include maintaining public order, protecting life and property, crime prevention, gathering evidence in criminal investigations, and implementing various laws and ordinances nationwide. Officers are also expected to provide assistance during accidents and natural disasters.

**Structure and Organization.** Unlike the Carabinieri, which falls under the Ministry of Defense, the State Police is under the direction of the Ministry of the Interior. The most prominent representative of this force is the *Capo della Polizia*, chief of police, who gives instructions to the senior police official in each province. The State Police maintain *Questure*, or office headquarters, in each province, for a total of 103 *Questure*, which are structured into three main offices:

- Secretariat Office of the Questore
- Criminal Police Division

- Social, Administrative, and Immigration Police Division

The State Police also runs the Aliens Office that, due to a huge increase in refugees from Yugoslavia and Albania that began in 1997, dealt with an increase over 1996 of 41.6 percent deportations due to crime. Other units established and run by the State Police are the:

- Volanti (patrol cars unit)
- 113, the emergency public service
- Traffic Police
- Immigration and Border Police
- Railway Police
- Maritime Police
- Mountain Police
- Air Service
- Mobile Units
- Canine Units
- Mounted Police
- Bomb Technicians and Sharpshooters
- Central Security Operational Unit
- Forensic Science Unit, which includes the Violent Crime Analysis Unit

**Special Police.** A number of special police units operate under the command of the State Police:

- Traffic Police: patrol all Italian highways, covering 7,000 kilometers of motor ways. Their responsibilities include detecting and preventing driving offenses, accident surveys, planning and implementing traffic regulation procedures, providing escorts for road safety, and participating in rescue operations.
- Immigration Police: a highly organized, large, and widely distributed force that operates at the central and peripheral levels and is responsible for ensuring the observance of the regulations pertaining to entry and residence of the huge number of aliens entering the country. It also is responsible for preventing and controlling illegal immigration. This unit is the contact point for all European police forces in Italy.
- Mobile Units: maintain public order and provide rescue services following natural disasters. Personnel that are specifically trained and equipped for the demanding services expected of them. Thirteen Mobile Units are located in several different cities

## Italy

- Bomb Technicians: equipped with sophisticated equipment to disarm, remove, and destroy explosive devices
- Sharpshooters: expertly trained in handling the most advanced long-barreled weapons with the specific responsibility of protecting VIPs and other sensitive potential targets from a distance
- Canine Unit: provides support to daily activities related to rescue missions, drug searches, criminal police activities, and antisabotage efforts
- Mounted Police: headquartered in Rome, with 8 branches in primary cities, who patrol parks and open spaces. This branch is one of the most decorative and prestigious of all national police. Their brass band and historic uniforms are highly visible at official ceremonies, as are their expert riding abilities at sports horse shows
- Air Services: consists of 11 branches equipped with planes and helicopters and which performs activities across the nation, from road traffic surveillance and control to rescue missions at sea and in the mountains. They also participate in maintaining public order, assist judicial police, and contribute significantly to the fight against illegal immigration and smuggling
- Nautical Squads: patrol national coasts and territorial waterways, including sea, lakes, and rivers, preventing and deterring illegal activities and contributing to safe navigation
- Railway Police: patrol railroad stations, inspect passengers and goods on trains, control raucous soccer fans on special sports trains, and are vigilant against vandalism and sabotage
- Communications Police: highly organized and widely distributed, the primary task of which is to monitor misuse or illegal use of technologies such as online pedophilia, computer hacking, unlawful credit card fraud, computer viruses, illegal duplication and distribution of programs protected by copyrights, as well as monitoring religious sects and other types of organizations involved in criminal conduct or racial hatred

**Education and Training.** State Police are recruited at three levels:

1. *Agenti* (constables), who must hold a high school diploma and train for 12 months at the police academies located in certain cities throughout Italy
2. *Consoro* (inspectors), who are required to hold a baccalaureate degree and train for 18 months

at the Police Academy in Rome followed by a 6-month probation period

3. *Commissioners* (superintendents and chief constables), who must have a law or political science degree and train for 9 months at the Superior Police School in Rome

Police ranks are divided into *dirigenti* (leaders), *commissari* (commissioners), *ispettori* (inspectors), *sovrintendenti* (superintendents), *assistenti* (assistants), and *agenti* (agents or constables).

The State Police training system conforms to the Police Reform Act of 1981, and all its institutes are controlled by the Central Directorate for Police Training Institutes, a branch of the Department of Public Security. Schools range from basic training centers for cadets and technical students to training for various police specialties. Other schools train students as instructors, pilots, dog handlers, and mounted police, and a community police school trains officers to build confidence in and enhance cooperation with citizens. English and computer science is taught, as are new methodologies such as remote training. Attention is also given to human rights and multicultural issues.

**Uniforms and Weapons.** Members of the State Police wear uniforms that feature blue open-necked jackets, lighter blue trousers bordered with thin red side-seam stripes, shoulder epaulettes bordered with red, and blue peaked caps. Their distinctive cap badge portrays an eagle and crown along with a shield bearing the initials "I.R." for "Italian Republic."

### Police Statistics.

- 115,000 Personnel

### FINANCE GUARD

**History.** The origins of the Finance Guard can be traced back to 1774 when the Light Troops Legions were created under Victor Amadeus III, the king of Sardinia. This agency is considered Italy's first special corps established for financial surveillance duties along its borders (as well as for military defense). Following Italy's unification, the Customs Guards Corps was organized. Its main duties involved customs surveillance and defense-oriented tasks during time of war. In 1881 By-Law 141 transformed the Customs Guards Corps into the Royal Guardia di Finanzia Corps. Its main function was related to smuggling activities and violation of financial laws and regulations. In addition, it was required to protect the tax administration and participate when required to enforce law and order and maintain public security. The Finance Guard carved out a meritorious record in World Wars I and II and the

War for National Liberation. It excelled as well during peacetime, performing rescue operations during natural disasters.

The Finance Guard was traditionally an all-male force. Beginning in 2000 it made a concerted effort to recruit women. That year, the first female cohort entered the police academy, and the Finance Guard implemented strategic integration plans for female personnel by incorporating them in the chain of command in the shortest time possible through a series of “ordinary” and “special” enrollments. The plan was converted at the legislative level into a special law that, for the Finance Guard only, provided for enrollment of commissioned officers by means of a special procedure. By the following year, female commissioned officers were employed in the selection and training of personnel recruited through traditional procedures, as well as sitting on competitive examination committees.

**Structure and Organization.** During the 1919 reorganization of the Italian police forces, the responsibilities of the Finance Guard were divided between the inspector general (an army officer with the rank of lieutenant general) responsible for military preparation and the commanding general, subordinate to the inspector general. The latter was allowed to maintain direct relations with the minister for ordinary institutional duties and for personnel management. The Investigative Tax Police was set up in 1923 as a specialized branch of the Finance Guard.

The modern Finance Guard, under the authority of the Minister of Economy and Finance, serves as a military police force and specializes in economic and financial criminal matters. Its responsibilities include:

- Prevention, research, and reporting of fiscal evasions and financial violations
- Surveillance at sea for financial police purposes and participation in maritime police assistance and signaling services
- Surveillance for compliance with the provisions of political/economic interest
- Cooperation with the political/military defense of the frontiers and, in case of war, with the military operations
- Cooperation with the maintenance of law and order and public security
- Participation in any other surveillance services provided for by law

In 1999 the organization was given the task of serving as economic and financial police for safeguarding budgets of state and local entities and the European Union (EU),

as well as performing as a judicial police force under the Minister of the Interior.

**Education and Training.** Commissioned officers are trained at the academy facilities in Bergamo and Rome where they undergo a two-year curriculum composed of ordinary academy and specialization courses. Trainees then attend an annual operational qualification course to broaden their knowledge of the technical professional subjects, after which they receive a law degree diploma. The academy also provides training courses for temporary cadet commissioned officers who are graduates in economics and law, and provides teaching activities for all personnel promoted to the officer category. NCO training takes place at the Non-Commissioned Officers’ School in L’Aquila, which conducts two-year courses both for NCOs and for junior NCOs who pass an internal competitive examination. Agents are trained at the Trainee Legion, which is responsible for schools in Lido di Ostia and in Cuneo, as well as the Alpine School in Predazzo, where mountain-oriented personnel are trained. All these schools provide training courses for Finance Guard land contingent agents, auxiliary agents, and armed forces volunteers.

**Uniforms and Weapons.** Members of the Finance Guard wear three different styles of uniform. Coast guards wear navy while customs guards in the northern borders dress in ski-type uniforms. Those who work as treasury agents wear a uniform similar to that of Public Security officers. There is also a plainclothes branch.

**Police Statistics.** The Finance Guard is authorized to employ a total strength of approximately 66,000 officers divided into the categories of commissioned officers, NCOs, senior agents, and agents.

- Total Police Officers: 63,730

#### HUMAN RIGHTS

There were accusations in 2003 that police used excessive force attempting to remove one hundred activists from a hospital emergency waiting room in Milan when they attempted to claim the body of a friend murdered in an unrelated incident. Also that year, magistrates preliminarily indicted seventy-three policemen, including several senior officers, for perjury, conspiracy, or assault during a 2001 raid on headquarters of the Genoa Social Forum during G-8 summit protests.

Complaints against alleged illegal police behavior can be filed according to the same procedures as for other alleged violations of the Penal Law. Complaints can be filed with the public prosecutor’s office or any other investigating police office; however, there are no

state-independent boards to process complaints, nor are there any so-called watchdog committees.

## CRIME

**Organized Crime.** It was only in the 1980s that Italian legislation acted to suppress the increasing threat of the Mafia and other organized crime groups. More than one hundred laws, all considered emergency measures, were passed between 1982 and 1992 specifically targeting organized crime. However, most officials did not view these measures as part of any coherent law enforcement program. A number of important measures went into effect in 1990 in which prisoners condemned for serious offenses, such as drug trafficking, kidnapping, and Mafia membership, were excluded from benefits of home imprisonment and limited liberty granted to prisoners under the Gozzini law. Other measures permitted detention in prison of suspects awaiting trial in serious crimes, new regulations for wiretapping, reduced punishment for informants, and the extension of preliminary investigations from six months to one year.

The *Direzione Investigativa Antimafia* (DIA; Anti-Mafia Investigation Department) was inaugurated in 1991 by the Department of Public Security to establish the coordination of police forces in conducting preventive and criminal investigations related to organized crime and the Mafia. Following the killings of Falcone and Borsellino and five of Borsellino's bodyguards two months later, new emergency measures were enacted. Modifications to the 1988 Penal Proceedings Code allowed more leeway as to how proof was acquired. New legislation introduced new measures, including longer prison sentences for Mafia members and more protective measures for informants or repentant terrorists.

Three regions in particular are plagued by organized crime activities: Sicily, by the Mafia; Calabria, by the N'drangheta; and Campania, by the Camorra. While these three organizations have different histories, structure, and methods of operation, their illegal activities are similar, ranging from drug trafficking and extortion to political corruption. Punishment for those involved in organized crime falls under Article 416 of the Penal Code, which includes severe penalties of up to fifteen years in prison for mere involvement in such an organization. Laws have been adopted granting special prosecution and sentencing powers for these types of crimes. Prosecutors can obtain evidence from outside sources, allowing authorities to extend pretrial investigation and pretrial incarceration past the limits normally prescribed by law. Defendants are given fewer privileges than common offenders. If the accused cooperate and turn *pentiti* (become informants), they can earn a sentence reduction and other privileges.

**Terrorism.** With the rise in terrorism in the 1970s, a number of EU member states passed legislation expanding police powers regarding proactive criminal investigation. The first wave of legislation was introduced in Italy and several other nations, aimed at suppressing domestic and international terrorism. In 1975, Italy passed the Reale laws, which increased police powers of search, arrest, detention on suspicion, and telephone tapping (requiring the written consent of a magistrate). In May 1978, Law 191 took this legislation further, permitting magistrates to orally approve phone taps and allowing police to immediately respond to an investigation. In February 1980, Law 15, or the Cossiga law, authorized police to search residences without prior authorization from a magistrate as long as there were reasonable grounds for believing wanted terrorists were hiding there.

**Crime Statistics.** Most crime rates dropped from 1999 to 2000 (Levinson 2002):

- Homicide, including attempts: 2,476 (-28%)
- Robbery: 50,301 (-21.26%)
- Extortion: 6,661 (-29.40%)
- Sexual violence: 3,797 (-9.55%)
- Kidnapping with the purpose of robbery or extortion: 264 (+68.15%)
- Ill treatment in the family or toward minors: 2,020 (-31.60%)
- Drug-related offense: 34,948 (+14.37%)
- Theft: 1,670,092 (-9.12%)

## CORRECTIONAL SYSTEM

**Prison Conditions.** Italy's prison system developed prior to the unification of the states. At unification, the system consisted of approximately 1,500 custodial prisons (jails) and close to thirty penitentiaries. Most were lacking even the barest essentials. Many had been converted from convents, forts, and barracks into what were once described as "tombs of the dead."

Prior to development of the penitentiary in the eighteenth century and implementation of sentences of incarceration, most state-inflicted punishments involved fines, execution, exile, or public shaming. One of the earliest examples of a prison sentence is in *Constitutions of Melfi*, mandated for the Kingdom of Sicily by Roman emperor Frederick II in 1231, when a period of up to one year's imprisonment was imposed on those who falsely claimed to be physicians. The Sicilian kingdom also mandated life imprisonment for heretics who had recanted out of fear of death.



*Police escort Tunisian Muhammad Majid, alias Mullab Fouad, at a court in Milan, Italy, May 9, 2005. Majid and four other Tunisians stood accused of helping to plan terrorist attacks outside Italy and of recruiting militants. The Milan court acquitted them of the charges. AP IMAGES.*

There are a number of other early examples evident in the development of modern corrections in Italy. Rome's Castel San Angelo was well known as a place of confinement for local criminals during the medieval era. Florence introduced an official city prison, known as Le Stinche, in 1304, but it was used mostly to hold individuals awaiting trial or execution. Over the years, Le Stinche evolved into more of a correctional institution and was sometimes used to detain children to correct or improve their behavior. It also reportedly segregated inmates by age, gender, degree of sanity, and seriousness of offense. Le Stinche became so well known that later prisons built in Siena and Pistoia informally called their institutions Le Stinche, as well.

Italian penal reform efforts had begun at least by 1431, when Pope Eugenius IV ordered officials to visit prisons twice a month to investigate conditions, hear complaints, and recommend remedies. In the 1500s, Pope Clement VII founded an association dedicated to prison visiting. Virtually every town had an organization dedicated to prison reform. Penal reformers have long acknowledged the Hospice of San Michele in Rome (1704) as an early experiment in solitary confinement, a punishment of which Italy was for many years an exponent. By the 1940s, Italy, like many European

nations, began to abandon a strict interpretation of this model, reserving separation for hygienic, sanitary, and disciplinary situations. When pioneer prison reformer John Howard of London, England, visited Italian prisons in 1778, he found them loathsome. According to Howard, most prisoners he spoke to preferred sentencing to ship galleys rather than the dungeonlike prisons that then existed. Prisoners could at least experience sunshine and fresh air on the high seas. Howard noted that smaller prisons in Florence, Padua, and elsewhere offered better conditions than the larger cities.

The general principles of the Italian penal system originated during the French Enlightenment. Among the most influential reforms of the eighteenth century were those that emphasized the right to a trial before punishment, the clarity of law, proportionality between crime and punishment based on a system of written laws and fixed penalties, and the abolition of secret accusations. Although prison reformer Cesare Beccaria's *Treatise on Crimes and Punishments* has been given the most credit for the dissemination of these principles in Italy and western Europe, French reformers such as Baron de Montesquieu and Voltaire published support for some of these notions several years earlier. Following the French Revolution and the Napoleon Code of 1810,

Italian penal codes began to more strongly reflect the influence of the French penal code. Major penal codes were adopted in the various Italian kingdoms and principalities before unification. By 1864 the new regime had passed legislation for the construction of jails consisting of cells in all major cities, but little resulted due to a lack of funds.

In 1866 the island of Sardinia was home to four prison facilities with 1,620 cells, built along the lines of New York's Auburn Prison, which introduced two-inmate cells and then individual cells for solitary confinement for the most dangerous. Prisoners considered capable of being reformed slept in single cells but could congregate in workshops and for meals although prisoners were never permitted to speak to each other. In addition, five Italian institutions were built emulating the Pennsylvania system provided for individual housing in 1,160 cells. The Pennsylvania system introduced a philosophy of reform as well as punishment, with the intention of returning prisoners to society as productive members. By 1870 there were two prisons in Italy based on the Pennsylvania system, two that were a mixture of partly Auburn and partly isolation, five on the Auburn plan, two on the Auburn congregate model, and forty-five congregate prisons.

After a number of false starts, the government adopted a penal code in 1889, which finally opened the door to uniform prison legislation that was hoped would eliminate the age-old problems. The new system adopted a combination of the Auburn and Pennsylvania systems. According to this so-called progressive-stage system, prisoners began new sentences with a period of isolation before being granted increasing contact with others on their road to rehabilitation. Here again, reforms were cut short due to lack of funds and because of opposition to prison labor from free-market forces. By World War I, Italian prisons had made few strides toward improvement.

In 1922 the administration of the prison system changed hands from the Ministry of Interior to the Ministry of Justice. In 1931 Italy adopted a new and comprehensive penal code. As Italy was home to Beccaria, "the Father of Classical Penology," as well as exponents of the Positivist School, such as Cesare Lombroso, Raffaele Garofalo, and Enrico Ferri, which opposed the classical ideas of Beccaria and espoused determinism, this was not an easy task, especially since Italy had long been influenced by the two opposing schools of thought. These two philosophies were diametrically opposed, particularly when it came to the question of free will. As a result, the commission, assigned with this onerous task, was forced to straddle the issue. According to the new penal code, Regulation Governing Penal and Preventive Institutions, emphasis

would be placed on examining both the criminal offense and the criminal. As a result of the dual nature of a code torn between protecting society and bettering the inmate, general confusion prevailed. However, despite these impediments, a serious attempt to classify, punish, and rehabilitate prisoners ensued.

The "surveillance judge" emerged as the most significant official in the Italian penal system. Each district had one of these judges who were imbued with supervisory authority of all prisons and prisoners within the jurisdiction. Although the prison warden controls the internal administration of the institution, the judge constantly moves from one institution to another with the authority to examine and make decisions and recommendations in the execution of punishment and measures of prevention. The judge has the power to:

- Transfer inmates from one special institution to another for penal treatment
- Admit prisoners over 18 years of age into special sections
- Allow or revoke the privilege of working in the open
- Handle complaints concerning maintenance expenses of a sick inmate
- Transfer prisoners, if warranted, to an insane asylum, sanitarium, or house of custody
- Transfer prisoners to a disciplinary prison
- Reject requests for conditional release if request were proved unfounded
- Make arrangements for prisoners who are not adapted to congregate living

A number of innovations resulted from the 1931 Penal Code. One experiment was inaugurated in Palermo, where the first Institute for the Aid of Discharged Prisoners opened. Built with funds raised by private and public subscriptions, similar institutions were soon opened in Rome, Milan, Florence, and Naples. It has traditionally been difficult for released prisoners to find work, particularly in a poor country such as Italy. However, according to this innovation, upon release from prison, a former inmate can take advantage of work opportunities at one of the institutes and return home at night. During this process, individuals can learn a trade or skill according to their aptitudes and receive a wage slightly less than the prevailing wage. Prisoners can quit whenever they choose to.

Another interesting feature of the Italian penal system came to prominence in this era. Employment, known as "labor in the open," was established in two forms. Workshops included agricultural colonies set up in Sardinia and in the Tuscan archipelago. Five of these colonies covering ten thousand acres were created in

Sardinia while three existed in the Tuscan region. The second type included mobile groups of prisoners who left the institute and returned at night. However, the second variety proved cost prohibitive due to the additional security required. Prisoners earned a wage at either facility (all prison work was remunerated in Italy). Compensation was divided into several parts: Prisoners could keep at least one third of the wage; the other roughly two-thirds went toward payment for damages, expenses during maintenance of sentence, and money to cover court costs during the prosecution stage.

Italy abandoned the death penalty in 1890, restored it in 1931, and abolished it once more in 1944. However, the last execution for a nonmilitary crime occurred in 1876. Major changes occurred following the adoption of a new penal code in 1988, which marked the transition from the old inquisitorial system to a more modern adversarial system. Despite this shift, the new Code of Penal Procedure and its system of written laws is still distinct from the Anglo-American system due to the obligatory nature of sentencing, which takes discretion out of the process.

The prison system is administered by the General Direction for Prevention and Penalty Institutes, a state agency under the authority of the Ministry of Justice. It is usually directed by a *direttore generale*, or judge. According to the penal code, penalties range from life imprisonment to fines. In one of the few examples of discretion in the judicial system, judges are given latitude in sentencing for minor crimes that would allow substituting imprisonment with sanctions, which include short-term imprisonment. There are a variety of examples of this sanction, such as *semi-detenzione*, or semicustody, whereby the prisoner spends only the night in jail; *liberta controllata*, controlled freedom, where a number of restrictions are imposed such as not leaving town or daily check-ins at the police station; and *pena pecuniaria*, or fines.

All criminal offenses, or *reati*, fall into two broad categories under the Penal Code: less serious offenses (*contravvenzioni*) and serious offenses (*delitti*). Both are punishable by imprisonment and/or fines. Penalties for serious offenses can include imprisonment from fifteen days to twenty-four years and, in special cases, up thirty years or life. Offenders serving sentences for either category are incarcerated in different types of prisons. Although the age of criminal responsibility begins at eighteen, any person under fourteen years old is not considered intellectually competent and cannot be charged with a crime. Between the ages of fourteen and eighteen, those considered mentally competent can be considered legally competent but face more lenient criminal sanctions.

Despite a rich tradition of penal reform, a number of Italian prisons have been targeted by the reports of Amnesty International. In 1999 the *Gruppo Abele*, an association working in the arena of social deprivation, released figures highlighting the major problem of overcrowding. In their annual yearbook published in 2000, it reported 53 suicides, 920 suicide attempts, 83 deaths, 2 murders, 1,768 woundings, 6,536 self-inflicted injuries, 42 fires, and 5,222 hunger strikes. In May 2000 a decree was passed that introduced measures to begin a three-year overhaul of the prison system. It also provided for the recruitment of 700 officers and 1,100 social service professionals, including teachers, social workers, and psychologists, to address the lack of prison staff and rehabilitation programs. The decree also recommended the introduction of a hierarchical management regime so that each jail can have its own director. At that time, directors were often running more than one prison.

In June 2000 the government enacted new regulations granting prisoners new rights, such as better food, light switches inside cells, ten-minute phone calls per week, and outdoor visits. These new rules replaced the 1976 regime in an attempt to improve conditions. These reforms were sparked by a scandal involving eighty prison guards arrested in 1999 for beating prisoners in a Sardinian prison. After these arrests, a nationwide strike of prison guards resulted, with guards claiming that they were being scapegoated for a deteriorated prison system. Other new regulations would include fitting each cell with shower and bathroom facilities, bigger windows for brighter natural lighting, and the removal of barriers between prisoners and their visitors. In addition, basic education services were established as well as the freedom of non-Catholic prisoners to worship in conjunction with ministers of different religions.

Most inmates are required to work; however, prison work is not considered forced labor, and prisoners are remunerated. Some prisoners are even permitted to work outside the prison under certain conditions. Prisoners can participate in educational or vocational programs, and provisions have been made to allow them to attend classes and earn university credits. They can receive weekly visits and communicate by telegraph, in writing, or by telephone under certain provisions. They can participate in group therapy, and it has been mandated by law that psychological and medical assistance should also be provided.

According to a 2003 report, however, antiquated and overcrowded prisons remained an issue and were marked by inadequate medical assistance, poor sanitation, lack of outdoors and exercise facilities, as well as high levels of self-mutilation, suicides, and attempted suicides. The government estimates that drug addicts



## Italy

represent nearly one-third of the prison population, with at least 10 percent testing HIV positive. Reports also indicate that prison officers have resorted to the excessive force and poor treatment. Both prisoners and staff have mounted protests in response to deteriorating prison conditions. Other complaints include excessive delays in criminal proceedings focused especially on alleged mistreatment and even torture of prisoners. Among the concerns of prison system critics has been the 41-bis high-security regime, which inflicts a high degree of isolation from the outside world. This regime is often used to punish or isolate organized crime members. In December 2002 the Italian Parliament passed legislation that extended this punishment to prisoners held in connection with human trafficking and terrorist and subversive activities against the state.

**Prison Guards.** By the 1940s all prison officials were required to attend the School of Penal Law at the University of Rome, where they are trained in criminal anthropology, psychology, biology, and other topics. Prison officers are also expected to complete a six-month course at a special school in Rome where they learn the principles of the Penal Code and Code of Criminal Procedure, institutional rules, and legal and social goals of treatment.

### Prison Statistics.

- Total Prison Population: 56,357
- Prison Population Rate per 100,000 Population: 97
- Pretrial Detainees: 36%
- Female Prisoners: 4.7%
- Juvenile Prisoners: 0.8%

- Foreign Prisoners: 31.8%
- Number of Prisons: 222
- Official Capacity of the Prison System: 42,641
- Occupancy Level: 134.2%

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*Arvydas Augas  
Joseph D. Serio*

# Jamaica

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**Official country name:** Jamaica

**Capital:** Kingston

**Geographic description:** Third-largest island in the Greater Antilles, in the Caribbean Sea, south of Cuba

**Population:** 2,731,832 (est. 2005)



## LAW ENFORCEMENT

**History.** The Jamaica Constabulary Force (JCF) was founded following the Morant Bay Rebellion of 1867 with an initial strength of 948 members under an inspector general. The force was modernized under the direction of W. A. Calvert of the London Metropolitan Police Force, who introduced many changes, such as employment of women police, setting up a traffic branch, and instituting a new training program. The JCF was completely Jamaicanized following independence in 1962.

**Structure and Organization.** The JCF has special responsibility for internal security. Supplementing the JCF are special entities such as the Island Special Constabulary Force and the district constabulary. The former is a reserve force that assists during emergency operations and the latter operate in small rural localities. There is also an unknown number of parish special constables who serve on the regular force on special occasions and are paid only when on duty. Larger cities have municipal forces, but their functions are restricted to enforcing municipal regulations and protecting municipal property.



Heading the JCF is the commissioner of police, assisted by six to eight deputy and assistant commissioners. For operational purposes the island is divided into five areas: Area 1, Montego Bay; Area 2, St. Mary; Area 3, Mandeville; Area 4, Kingston; and Area 5, St. Thomas. These areas are further subdivided into eighteen divisions, headed either by superintendents or deputy superintendents. The divisions are manned by sergeants, corporals, and constables besides maintenance men and specialists.

There are a number of special sections or units under the direct control of headquarters, although part of their personnel may be stationed outside Kingston. The Criminal Investigation Department (CID), consisting of detectives or inspectors, has men stationed in all towns. Under the CID are the Criminal Records Office, the Fingerprints Bureau, the Fraud Squad, and the Forensics Laboratory. A special branch conducts police intelligence and provides physical security for visiting dignitaries.



*Police investigate the scene around the body of plainclothes police officer Rudolph Buchanan in downtown Kingston, Jamaica, December 10, 2002. Buchanan, the sixteenth police officer killed by violence in Jamaica that year, was gunned down on his way home. AP IMAGES.*

The Traffic and Transport Section provides mobile patrols throughout the island and is responsible for maintaining the police radio network. A mounted police detachment, although used mainly for ceremonial functions, helps in traffic and crowd control and in patrolling parks and wooded areas. Immigration and passport services, once under civilian control, have been carried out by the police since the end of World War II. Operating in Kingston Harbor since 1912 and in a few other seaports are the water police, who also deal with crime on the waterfront.

More than 250 specially trained men make up the Mobile Reserve, which handles riots and drug cases and conducts house-to-house searches permitted under special laws. In 1975 a squad of men from the Mobile Reserve was formed specifically to combat political violence, which has since become frequent. The Dog Section, a small unit, is used to search for missing persons, to track criminals, and to aid patrols in high crime areas. The 300 or so women in the police force are

under the command of a woman superintendent in the police headquarters, but each unit is required to have women attached to it. Police personnel are relatively well paid and receive many allowances besides their basic salary, including housing and uniform allowances.

Ranks in the JFC are:

- Commissioner
- Deputy Commissioner: 3
- Assistant Commissioner: 15
- Senior Superintendent: 30
- Superintendent: 62
- Deputy Superintendent: 145
- Inspector: 400
- Sergeant: 1,119
- Corporal: 1,802
- Constable: 4,896

**Education and Training.** The premier police training school is at Fort Charles near Port Royal at the end of the Palisadoes Peninsula.

New recruits, who are called cadets, take written, oral, and medical tests before admission to the school. They receive an eighteen-week basic course in police law, self-defense, first aid, and drill. Ordinarily, they are then sent to a rural post for ten months of on-the-job training and return to the school for a six-week senior recruit course before becoming constables. More advanced training is provided for constables, corporals, and sergeants. Completion of the advanced course is required before promotion to higher ranks.

**Uniforms and Weapons.** Inspectors and officers have four kinds of uniforms: a working dress with brown trousers and short-sleeved tunic with a peaked cap; a dress uniform with long-sleeved tunic and a shirt and black tie; a blue serge night uniform with red-striped trouser legs; and a ceremonial uniform with white tunic, blue trousers, and a Sam Browne belt.

Lower ranks have two kinds of uniforms: a working dress with blue serge trousers, a light blue pin-striped short-sleeved shirt, with red cummerbund and a blue peaked cap and a ceremonial dress with blue serge trousers and white tunics. Inspectors and constables wear caps with a red band all the way round.

#### **Police Statistics.**

- Total Strength of the Police Force: 7,835
- Population per Police Officer: 348

#### **HUMAN RIGHTS**

Until the 1970s the JCF had a good reputation, at least among the upper and middle classes. Since the 1970s, however, with increased drug trafficking and political violence, there are frequent charges in the media about police corruption and brutality. A Citizens' Complaint Board was set up to receive complaints from the public of instances of police misconduct and to make independent investigations.

The government generally respects human rights, but extrajudicial killings and abuse of detainees remain intractable problems. Despite occasional investigations, the police continue to receive special protection against prosecution and punishment. The police frequently employ lethal force in apprehending criminal suspects. The country faces a critical crime situation with a homicide rate exceeding 40 per 100,000. Well-armed gangs, trafficking in narcotics and guns, control many inner-city communities. Better equipped than the police force, they have conducted coordinated ambushes of joint

security patrols. The JCF conducts both administrative and criminal investigations into all incidents involving fatal shootings by the police. In 1999 the government established a Bureau of Special Investigations within the JCF to specifically address police shootings. This group supplements the Office of Professional Responsibility, which investigates police corruption and other misconduct, and the civilian Police Public Complaints Authority, which oversees all investigations.

The JCF has also undertaken an initiative called community policing to address the longstanding antipathy between security forces and inner-city neighborhoods. Under this program designated police officers walk beats and interact with members of the community daily. In 2000 a new position was created in the Ministry of National Security and Justice under the title of Human Rights Adviser. The government is developing a human rights curriculum to be taught in police training courses and distributing a Police Code of Conduct and a Charter of Citizen's Rights.

#### **CRIME**

**Crime Statistics.** Offenses reported to the police per 100,000 population: 1,871. Of which:

- Murder: 37.2
- Assault: 511.4
- Burglary: 135.7
- Automobile Theft: 7.2

#### **CORRECTIONAL SYSTEM**

Although there is no overall penal code, the 1963 Prevention of Crime Law is the authority governing the criminal justice system. It establishes minimum penalties for certain crimes, thus limiting the sentencing discretion of judges.

The corrections system is administered by the Department of Correctional Services (DCS) within the Ministry of National Security and Justice. Since 1975 it also oversees the Probations Department and the reform schools, both formerly under the Ministry of Youth and Community Development. The DCS also operates a training school for prison guards, called warders, who are civil servants. The DCS's annual budget is subsidized by the sale of prisoner-made goods and from fees received from operating the Rockfort mineral baths using prison labor.

The major penitentiary is the General Penitentiary in downtown Kingston near the harbor. It is a maximum security institution with a separate section called the Female Prison. The St. Catherine District Prison, another maximum security institution, houses the death

row. It has a separate section for young male habitual offenders. The Richmond Farm Prison is a minimum security prison for first offenders serving long-term sentences while the Tamarind Farm Prison houses recidivists serving short sentences. Fort Augusta Prison, in a fortress, is a minimum security for prisoners with a good behavior record. Hill Top Prison was converted in 1973 to a reform school. The Gun Court Rehabilitation Center houses those convicted by the Gun Court.

Technically, prisons offer means of rehabilitation, although there are only token facilities in this regard. Most prisons have workshops, some have agricultural projects and bakeries, and a few conduct literacy programs for inmates.

Generally, young offenders under age seventeen are tried before a juvenile court. During trial they are kept in what are known as "places of safety," where they receive classroom and vocational training. Generally, places of safety are charitable or religious institutions. If found guilty by a court, juveniles may be placed on probation or sentenced either to a reform school (called an "approved school") or to a children's home. Most of the work of the Probation Department consists of juvenile cases. Generally, about one-third of all juvenile court cases end with the offender being placed on probation; in contrast, only 20 percent of sentenced adults are placed on probation. Before 1948 there was no official Probation Department;

the Salvation Army performed probationary work for the government on a voluntary basis. Since then, probation officers are assigned to every court and every parish has a Parish Probation Committee to oversee probation officers.

**Prison Conditions.** Prison conditions are characterized by overcrowding, inadequate diet, poor sanitary conditions, and substandard medical care. Prison riots are reported periodically in which excessive force is used to quell the inmates. An Amnesty International report documents police abuse in lockups, including rape, beatings, and mock executions.

**Prison Statistics.** There are twelve prisons and the Gun Court Rehabilitation Center with an average annual population of more than 4,744. The prison population rate is 176 per 100,000. Pretrial detainees make up 11.4 percent of the prison population, females, 7.3 percent, and juveniles, 6.2 percent. The official capacity of the prison system is 4,056 and the occupancy level is 117 percent. About half the number of prisoners are under twenty-five years of age and most serve sentences of less than one year.

*George Thomas Kurian*

# Japan

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**Official country name:** Japan (Nihon or Nippon)

**Capital:** Tokyo

**Geographic description:** Archipelago in eastern Asia that includes four main islands—Hokkaidō, Honshū, Shikoku, and Kyūshū—stretching in an arc from north to south between the North Pacific Ocean and the Sea of Japan

**Population:** 127,417,244 (est. 2005)



## LAW ENFORCEMENT

**History.** In 1871 Japan's newly established government organized the nation's first civil police force, modeling it along continental European lines. It was used for maintaining order and putting down internal disturbances. While the Tokyo Police Department eventually emerged as the model, it was Yokohama that had the first police department. Because Yokohama had many English expatriates, its police department was based on the English model of organization: drill and weaponry.

The police function was moved in 1874 from the Ministry of Justice to the Ministry of Home Affairs, where it remained until 1947. After the 1880s the police developed into a force through which the government extended its control nationwide. Police officers served "primarily as roving guardians of public morality, working with local leaders." They acted as nonspecialist civil administrators, disseminating official measures, thereby facilitating unification and modernization. In rural areas especially they were held in high esteem and accorded the same mixture of fear and respect as the village headman



and local schoolmaster. Their increasing involvement in political affairs became one of the foundations on which the twentieth-century authoritarian state was erected.

The centralized police system steadily acquired new responsibilities until it controlled almost all aspects of daily life, including fire prevention and mediation of labor disputes. The system regulated public health, business, factories, and construction, and issued permits and licenses. After 1937 police directed business activities for the war effort, mobilized labor, and controlled transportation. Special Higher Police were created to regulate motion pictures, political meetings, and election campaigns. Military police operating under the army and navy aided the police in limiting proscribed political activity.

After Japan's surrender in 1945, occupation authorities retained the prewar police structure until a new system could be implemented. The Police Law passed by the Diet decentralized the police system (against the wishes of the

Japanese who contended that a strong centralized police force was needed to deal with postwar unrest). It established approximately 1,600 independent municipal forces and a national rural police organized by prefectures. Civilian control was assured by placing the police under the jurisdiction of public safety commissions controlled by a National Public Safety Commission in the Office of the Prime Minister. The Home Ministry was abolished and the police were stripped of their responsibility for fire protection, public health, and other administrative tasks.

The decentralized system was soon found to be unwieldy, inefficient, and expensive. It did not facilitate exchange of information among forces or their coordinated employment in cases involving more than one jurisdiction. Small municipalities could not support police departments and local police easily slipped under the influence of community bosses and gangsters.

When the bulk of the U.S. occupation forces were transferred to Korea, the 75,000-man National Police Force was formed to back up the ordinary police during civil disturbances. As the pressure for a centralized system mounted, the 1947 Police Law was amended in 1951 to allow smaller communities to merge with the National Rural Police; most opted to do so. Under the 1954 Police Law a final restructuring created an even more centralized system in which local police forces were organized by prefectures under a National Police Agency.

The 1954 law, still in effect in 2003, was designed to preserve the strong points of the postwar system, particularly those measures ensuring civilian control and political neutrality, while rectifying proven organizational defects. The Public Safety Commission was retained. State responsibility for maintaining public order was clarified to include coordination of national and local efforts, centralization of police communications, information and record-keeping facilities, and administration of national standards regarding training, uniforms, pay, rank, and promotion. Rural and municipal forces were abolished and integrated into prefectural forces that were allotted responsibility for basic police matters. Officials and inspectors in various ministries and agencies continue to exercise special police functions assigned to them in the 1947 Police Law.

**Structure and Organization.** The National Public Safety Commission is the body with specific authority over all arms of law enforcement. It guarantees the neutrality of the police by insulating it from political pressure and ensuring democratic protocols in police administration. The commission's prime function is the supervision of the National Police Agency. It has the authority to appoint or dismiss senior police officers. The commission consists of a chairman—who holds the rank of a minister

of state—and five members appointed by the prime minister with the consent of both houses of the Diet. The commission operates independently of the cabinet, but liaison and coordination with the cabinet are facilitated by the chairman's membership of that body.

As the central coordinating body for the entire police system, the National Police Agency determines overall standards and policies, although detailed direction of operations is left to the lower echelons. It also controls entrance standards and training. In times of national emergency or large-scale disaster it is authorized to take direct control of prefectural police forces. The agency is headed by a commissioner general who is appointed by the National Public Safety Commission with the approval of the prime minister. The agency's central office includes a secretariat with sections for finance, administrative measures and legislation, and procurement and distribution of police equipment.

The National Police Agency has five internal divisions:

1. The Police Administration Bureau is concerned with police personnel, education, welfare, training, and unit inspections.
2. The Criminal Investigation Bureau is charged with research statistics and the investigation of nationally important and international cases. The bureau's safety department is responsible for crime prevention, juvenile delinquency, and pollution control. In addition, the division surveyed, formulated, and recommended legislation pertaining to firearms, explosives, food, drugs, and narcotics.
3. The Communications Bureau supervises police communications systems.
4. The Traffic Bureau is responsible for licensing drivers, enforcing traffic safety laws, and controlling and regulating traffic. Intensive traffic safety and driver education campaigns are run at both the national and prefectural levels. A Superhighway Supervising Division deals with the special conditions on the nation's growing system of express highways.
5. The Security Bureau formulates security control policies for the nation and supervises their execution. It conducts research regarding equipment and tactics used in suppressing riots and oversees and coordinates activities of the riot police. The Security Bureau is also responsible for security intelligence on foreigners in Japan, radical political groups, violations of the Alien Registration Law, and administration of the Entry and Exit Control Law. It is also concerned with the implementation of security policies during national emergencies, including such disasters as fires, floods, and earthquakes.

The National Police Agency maintains seven regional bureaus, each responsible for an area consisting of several prefectures. Metropolitan Tokyo and the island of Hokkaidō are excluded from the jurisdictions of the regional bureaus and are run more autonomously than other local forces, the former because of its urban nature and the latter because of its special geography. The National Police Agency maintains police communications divisions in these two areas to handle any necessary coordination between national and local forces.

The ranks in the police force, in descending order, are:

*Senior Officers:*

- Commissioner General of the National Police Agency
- Superintendent General of the Tokyo Metropolitan Police Department
- Superintendent Supervisor (*keishikan*)
- Chief Superintendent (*keishicho*)

*Middle Ranks:*

- Superintendent (*keishi*)
- Inspector (*keibu*)
- Assistant Inspector (*keibuho*)
- Sergeant (*junsabuchō*)

*Junior Ranks:*

- Senior Constable (*junsacho*)
- Constable (*junsa*)

**Salaries.** Senior officers over the rank of chief superintendent are given the same salary and allowance as regular public service personnel, while officers below that rank are covered by a compensation system based on three factors: seniority, rank, and education. All police officers receive automatic increases in salary every year, resulting in the doubling of base salary every twenty years. But the annual rate of increase declines progressively from 5 percent in the initial years to 1 percent after twenty years. University graduates receive a four-year seniority at the outset, and the differential is maintained throughout their careers. Promotions are based on passing a written examination up to the rank of an inspector and thereafter on the recommendations of superior officials.

Police salaries include a base salary plus allowances. Such allowances are extensive and often amount to two-thirds of base pay. They include supplements for dependents, subsidized housing, free medical care and hospitalization, low-cost loans and consumer goods at discount prices, commuting facilities, overtime, and a

bonus equal to 40 percent of base pay paid in three installments annually. When computed on this basis, the average police salary is 48 percent above the average for all Japanese industrial workers. However, police officers are prohibited from supplementing their income through moonlighting.

Opportunities for career advancement in the police are far greater in Japan than in the United States. Almost one-third of Japanese police officers hold supernumerary rank—rank higher than that of a patrolman—compared to 15 percent in the United States. A Japanese patrol officer has one chance in four of becoming a sergeant, compared to one in eight in the United States. There is also a constant circulation of staff designed to prevent units from becoming ingrown. Whenever a police officer is promoted, he or she is transferred to another post, and tenure in supervisory positions is generally no longer than two years. Such rotation prevents police officers from developing vested interests in their communities and undesirable local elements from acquiring any form of control over a station's activities.

**Retirement Age.** Retirement age in the National Police Agency is between fifty and fifty-five and in the prefectural police between fifty-five and fifty-eight. Although officers are not required to retire at these ages, they are encouraged to do so through higher lump sum severance payments.

**Police at Work.** The typical Japanese police officer is young, male, married, and high-school educated. About half are under the age of thirty-five, compared to about 40 percent of the general population in that age bracket. Only about 1.5 percent are women, in what is almost entirely a male profession. Women have been recruited only since 1946, and they are employed only in the largest prefectures, where they are assigned to desk jobs, traffic regulation, counseling of juveniles, and plainclothes work against pickpockets and shoplifters. Japanese law bans women from overnight police duty. However, there are efforts to bring more women into the mainstream of police work.

The educational level of Japanese police officers is higher than that of the population as a whole: about 75 percent have graduated from high school and 10 percent have graduated from college. Police officers are also upwardly mobile in terms of social class. While on patrol the demeanor of Japanese police officers is self-effacing, low-key, and nonauthoritarian. They do not swagger or posture and often are as inconspicuous as mailmen. In conformity with social mores they avoid eye contact unless obligated to do so. The average police officer is also small in stature relative to the general population. Standards of personal conduct are high and fewer than





**Police officers stand guard at a Tokyo terminal, September 7, 2005.** Japanese police boosted security across the nation in the final week of campaigning for the September 11 nationwide elections. An increase in street crime and violence directed at police on Japan's typically tame streets led to the changes in the National Police Agency's defensive arsenal, among them sturdier clubs. AP IMAGES.

100 police officers are discharged annually for misbehavior.

The Japanese police are among the hardest working groups of a hardworking people. The hours of police work are irregular as well as long. Most police officers are on duty for fifty-six hours a week (compared to a Japanese workweek of forty-five hours), working on a so-called three-shift system under which they work for one day from 9:00 to 5:30 P.M., then the next day from 8:30 A.M. to the following morning at 10:00 A.M., followed by a day of rest, then reporting on the fourth day to begin the cycle anew. Officers are allowed to take eight hours of rest between each twenty-four-hour tour of duty, but only if circumstances are normal. Police officers are given twenty days of paid vacation, but few take them; taking a full vacation is believed somehow to detract from dedication to one's duty. During working hours, police officers display a great degree of punctilio.

They rarely take off their hats in public or inside the precincts and invariably put on white gloves while on duty. When leaving or entering, police officers salute senior officers.

**Police Surveys.** Patrolmen in police boxes have intimate knowledge of their jurisdictions. One of their primary tasks is to conduct twice-yearly house-by-house residential surveys of homes in their areas, at which time the head of the household at each address fills out a residence information card detailing the names, ages, occupations, business address, and vehicle license numbers of occupants living there and the names of relatives living elsewhere. Police take separate note of such things as names of the aged or those living alone who might need special attention in the event of an emergency. They conduct surveys of local businesses and record employee names and addresses besides such data as which establishments stay open late and which employees might be expected to work late. Participation in the surveys is voluntary, but most citizens cooperate. Students and leftists object to these surveys, calling them an invasion of privacy and comparing them to the compulsory surveys conducted by the police before World War II.

Information gathered through the surveys is not centralized but is stored in each police box, where it is used primarily as an aid in locating people in each area. When a crime occurs or an investigation is under way, however, these files are invaluable in establishing background data for a case. Specialists from district police stations spend considerable time culling through the usually poorly filed data maintained in police boxes.

**Police-Community Relations.** Despite legal limits on police jurisdiction, most Japanese have a benign view of the police as figures of authority to whom they could turn for help. The public often seek police assistance on matters such as settling family quarrels, counseling juveniles, and mediating minor disputes. Citizens rely on the police for counseling (*komarigoto sodan*) and problem resolution. Citizens regularly consult police for directions—an invaluable service in cities where streets have no names and buildings are numbered not consecutively but by the order in which they were built. Police are encouraged by their superiors to answer cheerfully to these demands on their service because it inspires community confidence in the police. The only group of people who are distrustful of the police are the leftists, who historically have had their share of scuffles with the riot police.

**Local Police.** Under the Police Law of 1954 local police affairs are subject to the control of each prefecture or the Metropolitan District of Tokyo. Local police forces include forty-five Prefectural Police Forces, the Tokyo Metropolitan Police, and the Hokkaidō Prefectural

Police. They have limited initiative because their most important activities are regulated by the National Police Agency, which provides funds for equipment, the salaries of employees, expenses incurred in riots, escort, and natural disaster duties, and costs involved in internal security cases or cases involving several jurisdictions. National police statutes and regulations establish the strength and rank allocations of all local personnel, as well as the location of local police stations. Prefectural police finance and control the patrolman on the beat, traffic control, criminal investigation, and other daily police operations.

Under the National Police Agency there are seven regional police bureaus and two police communications divisions, in Tokyo and Hokkaidō. The prefectural police headquarters serve as the center of operations in each prefecture and are headed by senior police officers holding the rank of senior superintendent or director. The Tokyo Metropolitan Police Department enjoys a special status and is headed by a superintendent general.

Prefectural police safety commissions supervise police agencies within their respective jurisdictions. The Metropolitan Tokyo, Hokkaidō, and six prefectures containing major urban areas each have five-member bodies while others have three-member commissions. These groups are appointed by the prefectural governor with the consent of the local assemblies. In addition, Hokkaidō has a second Public Safety Commission, appointed by the prefectural Public Safety Commission, which oversees four separate area police headquarters.

Each prefectural police headquarters contains administrative divisions similar to those of the bureaus of the National Police Agency. Headquarters are staffed by specialists in basic police functions and administration and are commanded by officers appointed by the local Public Safety Commission. Most arrests and investigations are performed by district police stations (and in large jurisdictions and substations), which are established in one or more central locations within the prefecture. Experienced officers organized into functional bureaus staff these units and handle all but the most ordinary problems in their fields.

Each prefecture is divided into several police districts, each with its own police station or, in the case of urban areas, city police departments. Below these stations are police boxes (*koban*) and residential police boxes (*chuzaisho*), which form the first line of police response to the public. Police boxes are found mainly in urban areas and are manned by several officers. They serve as a base from which foot patrols are made and usually have both eating and sleeping facilities for officers on duty. Though declining in number, there are still almost twice as many residential as urban police boxes. These are found mostly

in rural areas and are usually staffed by one police officer who resides with his family in adjacent quarters. These officers try to become a part of the community, and their families often aid in performing official tasks. *Kobans* may be found in the strangest settings: above bars, on traffic islands, beside underpasses, or in the arcade of railway stations, while *chuzaishos* may look like ordinary homes or cottages. The only thing common to these police boxes is the red light globe hung over their front doors. Outside the *koban* and the *chuzaisho* are billboards on which posters of wanted persons are pinned. Occasionally, mobile *kobans* equipped with desks and chairs are used to provide a temporary base of operation to augment police boxes. Unlike the United States, where police operations are centered around the patrol car, Japanese police depend on a fixed-post deployment system, with the *koban* as its hub. Only one-sixth of all patrolmen work in cars. Because of the relative congestion in Japanese cities and the smaller proportion of land devoted to streets, patrol cars do not possess an advantage in response time. Many police officers still walk on their beat; in fact, the Japanese refer to the patrol officer as *omawari-san*, "Mr. walk-around."

**Special Police.** Besides regular police officers, there are several thousand officials attached to various agencies who perform special duties related to public safety. They have responsibility for such matters as railway security, forest preservation, narcotics control, fishery inspection, and enforcement of regulations on maritime, labor, and mine safety.

The largest and most important of these ministry-supervised public safety agencies is the Maritime Safety Agency, an external bureau of the Ministry of Transportation established to deal with crime in coastal waters and to maintain facilities for safeguarding navigation. The agency is headed by a director general with headquarters in Tokyo. It operates a fleet of patrol and rescue craft besides a few aircraft used primarily for antimuggling patrols and rescue activities.

Other agencies having limited public safety functions include the Labor Standards Inspection Office of the Ministry of Labor, railway police of the Japanese National Railways, immigration agents of the Ministry of Justice, postal inspectors of the Ministry of Posts and Telecommunications, and revenue inspectors in the Ministry of Finance.

A small intelligence agency, the Public Security Investigation Office of the Ministry of Justice handles national security-related matters both in and outside the country. Its activities are not generally publicly known.

**Traffic Police.** The Traffic Police function under the Traffic Bureau of the National Police Agency. The

bureau processes about 10 million traffic violations annually, about 72 percent of which are settled through payment of a fine. The bureau also issues licenses, holds driver aptitude text examinations, and undertakes traffic safety campaigns. One of its most onerous duties is the enforcement of a law, perhaps peculiar to Japan, prohibiting the possession of a motor vehicle by a person without a garage. The computerized sophistication of traffic signals has helped to ease traffic jams in cities. Traffic police officers make constant use of built-in loudspeakers in their cars to control traffic. Large vehicles are banned from entering major cities during rush hours.

**Riot Police.** Within their security divisions each prefectural police department and the Metropolitan Police maintain a branch manned with special riot units. These units were formed after the riots at the Imperial Palace in 1952 to respond quickly and effectively to incidents involving mass public disturbances. They are also used in crowd control during festival periods, at times of natural disaster, and to reinforce regular police when necessary. Full-time riot police are also augmented by regular police trained in riot duties.

In handling demonstrations and violent disturbances that occupy approximately 60 percent of their work, riot units are deployed en masse, military style. It is common practice for files of riot police to line streets through which demonstrations pass through. If demonstrators grow disorderly or deviate from officially sanctioned areas, riot police stand shoulder to shoulder, sometimes three or four deep to push back the crowds. Individual action is forbidden. Three-man units sometimes perform reconnaissance duties, but more often operations are carried out in units of 9 to 11 (squads), 27 to 33 (platoons), and 80 to 100 (companies). Front ranks are trained to open to allow passage of special squads to rescue captured police or to engage in tear-gas assaults. Each man wears a radio with an earpiece so that he can hear commands given simultaneously to his formation.

The riot police are committed to using disciplined, nonlethal force and carry no firearms. They are trained to take pride in their poise under great stress and to listen to taunting crowds for hours without losing their temper. Their measured but effective behavior commands the respect of the nation's citizens and helps to rob violent protest of its legitimacy in public eyes. Police brutality is rarely an issue. When excesses occur, the perpetrator is disciplined and sometimes transferred from the force if the offense is repeated.

Extensive experience in quelling violent disorders led to the development of special uniforms and equipment for riot police units. Riot dress consists of a field-type jacket that covers several pieces of body armor and that

includes a corselet hung from the waist, an aluminum plate down the backbone, and shoulder pads. Armored gauntlets cover the hands and forearms. Helmets have faceplates and flared padded skirts down the back to protect the neck. In case of violence, the front ranks carry 4-foot shields as protection against staves and rocks and hold nets on high poles to catch flying objects. Specially designed equipment include water cannons, armored vans, and mobile tunnels to facilitate protected entry into seized buildings.

Because riot police duties require group action, units are maintained in virtually self-sufficient compounds and trained to work as a coordinated force. The overwhelming majority of officers are bachelors who live in dormitories within riot police compounds. Training is constant and focuses on physical conditioning, mock battles, and tactical problems. The prevailing protocols are borrowed from the military. Dress codes, behavior standards, and rank differentiations are more strictly adhered to than in the regular police. *Esprit de corps* is inculcated with regular ceremonies and institutionalized rituals such as applauding personnel dispatched to or returning from assignments and formally welcoming senior officers to the mess hall at all meals.

Riot duty is not popular since it entails special sacrifices and much boredom in between irregularly spaced assignments. A few volunteer for the assignments but most are selected. For many it serves as a stepping stone, both for its reputation and for its opportunities of study for advanced police examinations necessary for promotion. Because riot duties demand physical fitness—the armored uniform weighs 14.5 pounds—most personnel are young, perhaps serving in the units after an initial assignment in the police box.

#### **Transportation, Technology, and Communications.**

There are three principal types of police vehicles: motor vehicles, boats, and helicopters. Motor vehicles are classified into five categories: police patrol cars, traffic patrol cars, white motor cycles (also known as *shirobai*), investigative cars, and transportation cars. Bicycles are the principal form of transportation for police officers assigned to police boxes throughout the country. Police boats are radio-equipped and vary in tonnage from 5 to 25. Police helicopters are assigned to prefectural police headquarters and to Tokyo.

The operation and administration of communications are generally supervised by the National Police Agency. The communications network extends from the National Police Agency to the eight regional police bureaus, from the regional police bureaus to the prefectural police headquarters, and from these headquarters to the prefectural police stations, police boxes, and residential police boxes. Telephone trunk lines are operated under the system of

automatic nondelay service activated through multichannel microwave telephone lines. They also use special communication techniques, such as facsimile and telephotograph for rapid exchange of documents, photographs, and fingerprints. A shortwave radio telephone network is maintained as a standby service for emergency situations. Shortwave radio is also used to exchange information with Interpol. The Tokyo radio station of the National Police Agency is the Interpol regional central radio station for East Asia. Each metropolitan and prefectural police jurisdiction maintains a shortwave radiotelephone network for radio-equipped cars on patrol duty. The emergency telephone number for all of Japan is 110. More than 8 million 110 calls were received during 2001. Individual police officers are equipped with walkie-talkies. Other communication equipment and devices include mobile multichannel radiotelephone cars, wire and wireless television cars capable of transmitting video images direct to police headquarters, and airborne radio equipment mounted on police helicopters.

An electronic data processing system was introduced for the first time in 1964. Electronic computers link the National Police Agency with metropolitan and prefectural police headquarters.

**Education and Training.** Entrance into the police force is by examinations and political activism by a recruit or any member of his family is ground for disqualification. Education is highly stressed. Police schools run one-year courses for high school graduates and six-month programs for college graduates and women. Promotion is by examination and requires further course work. In-service training provides mandatory continuous education in more than 100 fields.

About fifteen officers per year pass advanced civil service examinations and are admitted as senior officers. Officers are groomed for staff positions, and though some police officers have risen through the ranks to become senior administrators, most of the top positions are held by specially recruited executive elite.

About 69 percent of prefectural police recruits are university graduates. Newly recruited officers undergo an initial training program. They first attend a ten-month preservice training course at the prefectural police school where they are taught basic police skills and attitudes. Following graduation, they are assigned to a frontline police station for eight months for on-the-job training at a police box. Finally, they return to the police school for a three-month comprehensive training program to hone their legal knowledge and community policing skills. Most police officers are proficient in martial arts, especially judo and kendo.

The National Police Agency recruits are drawn from those who have passed the National Public Service

Category I and II examinations conducted by the National Personnel Authority. Training for the National Police Agency personnel is provided by the National Police Academy in Tokyo. It has a two-month training program for police inspectors, a supervisory training course for superintendents, and a higher course for investigation leaders. Its International Research and Training Institute provides both foreign-language training for Japanese police officers and training for police officers from friendly countries.

**Uniforms and Weapons.** The police officer uniform is extremely formal, except in summer. It consists of a four-button, double-breasted coat worn over a white shirt and tie. In winter the coat and trousers are black; in spring and fall, steel blue. A Sam Browne belt is worn over the jacket. In summer, they shed their coat, strap, and necktie and wear an open-necked steel-blue shirt with matching trousers. The police cap is peaked in front with a short, black visor. On the front above the visor is the gold emblem of the police, a five-pointed star enclosed by pine branches. Shoes are black, but patrolmen generally wear ankle-length boots. Rank insignia are worn on coat lapels or breast pockets. There are neither identifying numbers nor name tags.

Each police officer carries standardized equipment: a .38-caliber revolver in a holster attached to the right shoulder by a lanyard, handcuffs in a rear-left belt pouch, a 24-inch nightstick with a leather thong down the left leg, a small radio receiver in the left pocket, and a light rope 15 feet long in a trouser pocket, used for the ancient rope-tying art of hojo.

**Police Officers Killed in the Line of Duty.** Firearms play a negligible part in crime. Fewer than 16 percent of offenses committed annually in Tokyo involve handguns. Fewer than five officers are killed each year in the line of duty and hardly ever by firearms. Therefore, the killing of a police officer causes more shock and outrage in Japan than in comparably advanced countries.

#### Police Statistics.

- Total Police Personnel: 263,483
- Number of Female Officers: 8,100
- Population per Officer: 483
- National Police Agency Staff: 7,661
- Residential Police Boxes: 8,300
- Basic Starting Salary: \$27,645
- Annual Bonus: \$11,491
- Housing Allowance: \$994

## HUMAN RIGHTS

Police forces are subject to external oversight. However, public safety commissions generally defer to police decisions and rarely exercise their powers to check police actions or operations. The Human Rights Bureau of the Ministry of Justice, established in 1948, solicits and investigates complaints against public officials, including police officers, but it does not have compulsory powers of investigation. Police officers can be sued for civil damages, although they are not liable personally. Chiefs of police may be summoned before prefectural legislatures to answer charges of human rights abuse. A revised Police Law passed by the Diet in 2000 allows individuals to lodge complaints against the police with the national and local public safety commissions, which may then direct the police to conduct investigations. Social sanctions and peer pressure also constrain police behavior. As in other occupations in Japan, a police officer develops close bonds with his or her peer group and a corresponding reluctance to damage its reputation.

The constitution provides for freedom from torture and cruel, inhuman, or degrading punishment and the penal code prohibits violence and cruelty toward suspects under criminal investigation, but reports by human rights groups indicate that police and prison officials sometimes use physical violence, including beating and kicking, as well as psychological intimidation, to obtain confessions from suspects in custody or to enforce discipline. The courts have declared that coerced confessions obtained by the police are illegal and have overturned convictions based on such confessions. About 90 percent of all criminal cases going to trial include confessions, reflecting the priority the criminal system places on admissions of guilt.

## CRIME

The National Police Agency divides crime into six main categories: felonious offenses, violent offenses, larceny, intellectual offenses, moral offenses, and other offenses. Felonious offenses—the most serious and carrying the stiffest penalties—include murder and conspiracy to murder, robbery, rape, and arson. Violent offenses consist of unlawful assembly while possessing dangerous weapons, simple and aggravated assault, extortion, and intimidation. Larceny encompasses burglary, vehicle theft, and shoplifting. Intellectual crimes include fraud, embezzlement, counterfeiting, forgery, bribery, and breach of trust. Moral offenses include gambling, indecent exposure, and the distribution of indecent literature. Among miscellaneous offenses, the most frequent involve the obstruction of official duties, negligence with fire, unauthorized entry, death or injury caused by negligence (other than traffic accidents), possession

of stolen property, and destruction of property. Special laws define other criminal offenses, among which are prostitution, illegal possession of swords and firearms, customs violations, and possession of various controlled substances including narcotics and marijuana. In an average year violent and felonious offenses make up 5 percent of all crimes, larceny makes up 86 percent, and others account for the remainder.

The rate of criminal activity in Japan is low compared to other industrialized democracies. The rate of violent crime is approximately 10 percent that of the United States, 25 percent of Germany, and 80 percent of England and Wales. Property crime is also correspondingly low. Tokyo enjoys the reputation of being the safest city in the world.

Most important of the factors keeping crime low are traditional family values that emphasize the importance of social rights and obligations from which everyone derives valuable emotional support. Every Japanese is expected to conform to accepted social norms and not to bring shame to his or her family or peers. Other factors are also potent. Japan has an essentially homogeneous society with shared values and behavior expectations. The economy is prosperous and the underclass below the poverty level is relatively small. Under a strict and effective weapons control law, private ownership of handguns is prohibited, hunting rifles and ceremonial swords are registered with the police, and the manufacture and sale of firearms are regulated. The production and sale of bullets, cartridges, and blank cartridges are also controlled, as are transportation and import of all weapons. Almost all crimes committed with firearms are by criminal gangs.

Despite increasing urbanization and modernization—conditions linked by many criminologists to growing rates of crime—Japan has escaped the surge in criminal activity experienced by most industrialized nations. While crime continues to be high in urban areas, the crime rate is relatively constant nationwide.

The major serious crimes of concern to the police are white-collar crimes, such as computer and credit card fraud, larceny from coin dispensers, and false insurance claims. The incidence of drug abuse has tended to grow in relation to other crimes. Traffic accidents continue to engage a substantial portion of law enforcement resources. Juvenile delinquency is also steadily rising. Almost 39 percent of persons arrested for offenses under the criminal law are under nineteen years of age. Juvenile offenders are particularly prominent in crimes involving motorcycle gangs, abuse of paint thinners, and shoplifting.

Two minority groups pose special law enforcement problems: the Koreans and the *burakumin*. The Koreans, many of whom were brought to Japan during World

War II to work as laborers, are looked on with much official suspicion. The *burakumin*, who are descendants of outcast communities in feudal Japan, although ethnically Japanese, are also the victims of social prejudice. Excluded from most areas of national life, they suffer from a high incidence of juvenile delinquency.

There are fourteen categories of offenses punishable by the death penalty. There is an ongoing national debate on capital punishment. In 2001 two people were executed.

**Criminal Identification and Forensics.** Special sections of the National Police Agency and the prefectural police conduct criminal identification work, such as detection and collection of data from the scene of crimes, scientific and forensic examination, comparison tests, and cross checking. The Identification Section maintains centralized and computerized master files of fingerprints and photographs. In addition, the National Research Institute of Police Science provides expert scientific backup in high-technology areas. Units known as Identification Centers handle technical matters beyond the capability of the prefectural police.

Police dogs are used extensively in Japan. They are classified into two categories: search dogs (*sosaku ken*), used to pursue criminal footmarks or to sort items through the sense of smell; and watch dogs (*keikai ken*), used to interdict criminals and to guard installations.

**Organized Crime.** Organized crime has been a serious law enforcement concern since the 1950s. Underworld groups (*boryokudan*) are estimated to number more than 2,500. Although concentrated in big prefectures, they operate in 70 percent of all cities. Following concerted police pressure in the 1960s smaller gangs either disappeared or began to consolidate under different syndicate-type organizations. Seven large syndicates dominate underworld crime in the nation and control approximately one-third of all gangs and gangsters. The largest gang, Yamaguchigumi, is found in 34 prefectures and is affiliated with 463 other gangs. In 2001 members of *boryokudan* numbered about 84,400, of whom 43,100 were full-time members.

Known generally as *yakuza*, gangs existed in Japan well before the 1800s and followed codes based on the samurai ethic. Their early operations were usually closely knit, and the leader and gang members had a father-son relationship. While this traditional form continued to exist, *yakuza* were increasingly replaced by modern types of gangs that depended on force and money as organizing principles. Nonetheless, the surviving *yakuza* portray themselves as defenders of traditional Japanese virtues often in alliance with political right-wing groups. Another criminal activity peculiar to Japan is *sokaiya*, in which extortionists buy small shares of company stocks, then are paid by the companies either to manipulate

stockholder meetings or to refrain from exposing company secrets and after-hours transgressions of its employees. Underworld figures account for 10 percent of all arrests and approximately 50 percent of those are arrested for drug smuggling, intimidation, extortion, and gambling. Since the 1992 Law Concerning the Prevention of Unjust Acts by *boryokudan* the police have stepped up their efforts to crack down on organized crime. Recently, Japan has seen a growing presence of foreign criminal organizations, such as the Chinese Snakeheads, the Hong Kong Triads, and the Russian Mafia.

#### Crime Statistics.

	1960	2000
Crimes Recorded:	1,379	2,449
Persons Arrested:	443	310
Crimes per 100,000:	1,476	1,925
Homicides:	n/a	1,391
Number of Juveniles Arrested:	196,682	193,260
Percentage of Juveniles in Total:	32.2	16.4
Drug Offenses:	2,788	20,703

#### CORRECTIONAL SYSTEM

Prisons existed in some feudal domains in Japan as early as the end of the sixteenth century. Originally, they were institutions designed to hold people for trial or before execution. Due both to the cost and difficulty involved in long-term incarceration and to prevailing standards of justice that called for sentences of death or exile for all serious crimes, life imprisonment was rare. Facilities were sometimes used for short confinement, however. Prisoners were treated according to their status and housed in barrackslike quarters. In some cases, the position of prison officer was hereditary and staff vacancies were filled by relatives.

During the Meiji period, along with systems of law and legal administration, the country also adopted Western-style penology. In 1888 an after-care hostel (similar to a halfway house) was opened for released prisoners. Staffed mainly by volunteers, the institution helped former convicts reenter society, many of whom had been ostracized by their families for the shame they had incurred and had literally nowhere to go. The Prison Law of 1908 laid down basic rules and regulations for prison administration, stipulating separate facilities for those sentenced to confinement with labor, without labor, or those detained for trial and for short sentences.

The Juvenile Law of 1922 established administrative organs to deal with offenders under the age of eighteen and officially recognized volunteer workers as the major

forces in the community-based treatment of juveniles. After World War II juvenile laws were revised to extend jurisdiction to those under the age of twenty, and a probation and parole system for adults was established. Volunteer workers were reorganized under a new law as part of the rehabilitation regimen.

The Correctional Bureau of the Ministry of Justice is responsible for the administration of the adult prison system as well as the juvenile correctional system and three women's guidance homes to rehabilitate prostitutes. The ministry's Rehabilitation Bureau operates the probation and parole systems. Prison personnel are trained at an institute in Tokyo and in branch training institutes in each of the eight regional correctional headquarters under the Correctional Bureau. Professional probation officers study at the Research and Training Institute of the Ministry of Justice.

Of the total prison population, 80 percent are in prisons and 10 percent in short-term detention centers. Nearly 46 percent of the prison population are repeat offenders, a high level resulting from both the discretionary powers available to the police, public prosecutors, and courts, which tend to weed out first offenders from penal sentences, and the perception that society is not always best served by incarceration of criminal offenders. Those who are imprisoned are generally held unlikely to benefit from other forms of resocialization.

The penal system is intended to resocialize, reform, and rehabilitate offenders. On confinement, prisoners are first classified according to sex, nationality, kind of penalty, length of sentence, degree of criminality, and state of physical and mental health, then placed in special programs designed to meet individual needs. Vocational and formal education are emphasized as is instruction in social values. Most convicts engage in labor for which a small stipend is set aside for payment after release. Under a system stressing incentives, prisoners are initially assigned to community cells, they then earn better quarters and educational privileges based on good behavior.

While a few juvenile offenders are handled under the general penal system, the majority are treated in separate juvenile training schools. More lenient than the penal institutions, these facilities provide correctional education and regular schooling for delinquents under the age of twenty.

The government's responsibility for social order does not end with imprisoning an offender, but also extends to after-care treatment and to noninstitutional treatment to substitute for or supplement prison terms. Many of those given suspended sentences by judges are then released to the supervision of volunteer officers under the guidance of professional probation officers. Adults are usually placed on probation for a fixed period and juveniles until they reach the age of twenty. Volunteers are also used in supervising parolees, though professional probation

officers generally assume the responsibility for those offenders with a high risk of recidivism. These volunteers hail from all walks of life and handle no more than five cases at one time. They are responsible for overseeing the offender's conduct to ensure that no further offenses occur and for offering guidance and assistance in the offender's return to a law-abiding place in the community. More than 70 percent of these volunteers are retired, aged fifty-five and over, and they are sometimes criticized as too old for their charges and so unable to understand all the problems facing those in their custody. However, without them the Japanese correctional system would not function as effectively as it does.

**Prison Conditions.** Even though some prisons and detention facilities are overcrowded, prison conditions meet international standards. In 2005 normal prison facilities were filled to 105 percent of capacity, and approximately 30 percent of normal detention facilities suffered from overcrowding. Prisons in most areas of the country are not heated, and prisoners are given only minimal additional clothing to protect themselves against cold weather. There have been cases of frostbite among prisoners in recent years. Prisoners may not purchase or be given supplementary food. They are discouraged strongly from complaining about conditions. They face severe restrictions on the amount of their incoming and outgoing mail. The authorities read letters to and from prisoners and these letters may be censored or, with a court order, confiscated. All visits with convicted prisoners are monitored; however, those whose cases are pending are allowed private access to their legal representatives. Physical restraints, such as leather handcuffs, are used as a form of punishment and prisoners are forced to eat unassisted while wearing these restraints. The Justice Ministry usually does not inform a condemned inmate's family or lawyers before the person's execution. Death row prisoners are held for years in solitary confinement with little contact with anyone but prison guards. Parole may not be granted for any reason, including humanitarian and medical, until an inmate has served two-thirds of his or her sentence. Prison rules remain confidential. Wardens have broad leeway in enforcing punishments selectively, including minor solitary confinement, which may be enforced for not more than sixty days. During this period the prisoner is made to sit (for foreigners) or kneel (for Japanese) motionless in the middle of an empty cell.

In 1999 the Supreme Court upheld as constitutional the section of the Criminal Procedure Code under which the police and the prosecutors have the power to control and limit access by legal counsel to a prisoner under investigation or interrogation. A court-appointed attorney is not approved until after indictment. Human Rights groups have also criticized the use of "substitute prisons" for prisoners awaiting court hearings. These

substitute prisons are police detention facilities where there is potential for abuse and coercion.

**Prison Statistics.**

- Total Prison Population: 73,734
- Prison Population Rate per 100,000: 58
- Pretrial Detainees: 16.5%
- Female Prisoners: 5.8%
- Juvenile Prisoners: 0.08%
- Number of Prisons: 189
- Official Capacity of the Prison System: 69,694
- Occupancy Level: 105.8%

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*George Thomas Kurian*



# Jordan

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**Official country name:** Hashemite Kingdom of Jordan

**Capital:** Amman

**Geographic description:** Middle Eastern country between Israel and Saudi Arabia with a small maritime outlet in the Gulf of Aqaba

**Population:** 5,759,732 (est. 2005)



## LAW ENFORCEMENT

**History.** An outgrowth of the legendary Arab Legion, founded by Glubb Pasha, the Public Security Force (PSF) was formed by law in July 1956 when the legion was bifurcated into the army and the police. From April 1957 to November 1958 the PSF were again placed under army control, during twenty months of martial law, but it has been autonomous ever since. The army, one of the largest in the Middle East, is still the primary institution in internal security.

**Structure and Organization.** The official designation of Jordan's national police establishment is the Public Security Force. Centralized in times of peace under the direction and control of the Ministry of the Interior, it becomes subject to the authority of the military governor general during periods of martial law and is subordinate to the minister of defense and the army commander in the event of war.

Geographically, police are divided into three forces: Metropolitan (Amman), rural (small towns and villages), and desert contingents. Headquarters of the force in the capital provides an array of centralized technical



functions. Organizationally, police are grouped on the basis of districts that correspond to the five governorates, the capital city, and its suburbs and the desert region. Each district is further divided into subdistricts and precincts. Except for the Amman metropolitan area, the district police are under the operational supervision of a director.

The PSF performs routine police functions as well as special tasks, such as locating missing persons, guarding shrines, assisting immigration and customs officials, controlling traffic, and operating the country's penal institutions. The PSF is commanded by an officer with the title of director general of public security, usually an army general who is handpicked by the monarch on the basis of ability as well as demonstrated loyalty to the Crown. No director general has ever reached that position through promotion from the ranks. The headquarters functions are divided into four commands: Administrative Police, Judicial Police, Support Police, and Provincial Police.



*A Jordanian police officer guards the damaged Grand Hyatt hotel lobby in Amman, November 10, 2005. The hotel was one of three western hotels attacked that day by suspected suicide bombers. AlQaeda claimed responsibility for the blasts, which killed 57 people, linking the attacks to the war in Iraq and calling Amman the “backyard garden” for U.S. operations. AP IMAGES.*

The Administrative Police are charged with the routine maintenance of security and the prevention of crime. When criminal offenses are reported or detected, the follow-up action is under the jurisdiction of the Judicial Police, who conduct criminal investigations, apprehend suspects, and prosecute offenders. The Support Police, as the title implies, engage in efforts that directly support the operational activities of the other three elements of the police. The Provincial Police conform to this division of labor and responsibilities. District units are connected with the headquarters in Amman and with the modern police laboratory.

Jordan is the first Arab country to admit women into the police force. The experiment began in 1972 with the opening of a female police academy in Amman. The first graduating class of sixteen women was then assigned to law enforcement duties. At first there was considerable adverse reaction from conservative elements, but through effective public relations, this opposition has softened

over the years. Most women are in fingerprinting and other technical areas in the police laboratory, as well as in budget and accounting, public relations, licensing, prison operations, and the security of foreign visitors. Gradually, more graduates of the women’s police academy are being assigned to street patrols and traffic duties in Amman and to the border patrol.

In the aftermath of the 1970–1971 civil war, what with the influx of Palestinian activists and heavy internal security demands on the police, a new paramilitary organization called the Civil Defense Force was established to supplement the national police in situations that exceed PSF capabilities. Although characterized as a civil agency, its top leaders are carefully selected from high-ranking army personnel.

The intelligence service was established in 1973 as the Directorate of General Intelligence (DGI). It is separate from the military intelligence section of the Armed Forces

General Staff. Although formally subordinate to the prime minister, the director of this organization is a high-ranking army officer with direct access to the king. The DGI is reputed to work closely with the U.S. Central Intelligence Agency and to receive large sums of money from the United States, some of it paid directly to the king.

**Education and Training.** Police personnel are drawn through voluntary enlistment. Most recruits have had some military experience before they enter PSF. There are a larger number of Palestinians in the PSF than in the army. Training is provided in the Royal Police Academy in Amman and the Police Training School at Az Zarqa. Besides courses in general and administrative police work, cadets at the academy study traffic laws and receive physical training and practical instruction in the use of firearms. Judicial training includes courses in criminal investigation procedures, court operations, special laws, and the criminal code. Both institutions have substantial enrollments from neighboring Arab countries. The academy also conducts special refresher courses for senior officers.

**Uniforms and Weapons.** Ranks and insignia of the PSF are identical with those of the army although the job titles are necessarily different. Police uniforms in the Amman metropolitan area are dark blue in winter and light tan in summer, very much like that of the Royal Jordanian Air Force. Officers wear a Faisal cap while other ranks wear a verdigris beret throughout the year. Rural police wear an olive-drab uniform lighter in shade than those of the army but otherwise similar. The desert police retain the traditional Arab garb.

The police are armed with revolvers, nightsticks, rifles, and light automatic weapons. In Amman and other large towns crowd- and riot-control equipment are available to the force. As a result of periodic public relations campaigns the PSF enjoys the respect and favorable regard of the public.

**Transportation, Technology, and Communications.** In Amman the police are fully motorized and have good communications facilities. Less modern equipment is available in the rural areas, while in the desert areas the traditional system of camel-mounted patrols survives, supplemented by four-wheel-drive vehicles.

In 1978 the PSF embarked on a modernization program under which helicopters were introduced into police work in the outlying regions of the south and east for monitoring borders in conjunction with ground patrols and customs personnel. The new unit is known as the Border Force. At the same time, computers were introduced at the Amman headquarters for compiling statistical data relating to crime.

#### **Police Statistics.**

- Total Police Personnel: 8,180
- Population per Police Officer: 704

#### **HUMAN RIGHTS**

Security forces routinely abuse prisoners verbally and physically during interrogation and allegedly use torture. Detainees are denied timely access to lawyers despite legal provisions requiring such access.

#### **CRIME**

**Crime Statistics.** Offenses reported to the police per 100,000 population: 1,256. Of which:

- Murder: 6.3
- Assault: 14
- Burglary: 31
- Automobile Theft: 52.2

#### **CORRECTIONAL SYSTEM**

The Criminal Code, adopted in 1959, is based on the Syrian and Lebanese codes, which, in turn, are based on that of France. The code divides criminal offenses after the French fashion into felonies, misdemeanors (*delits*), and contraventions and specifies punishments for each. Punishments for felonies range from death by hanging to imprisonment with or without hard labor for periods ranging from three years to life. Death sentences must be approved by the Council of Ministers. A special innovation is the provision of minimum penalties for all major infractions, leaving little room for the discretion of the courts.

The corrections system is administered by the Prisons Department of the Directorate of Public Security under the Ministry of the Interior. The Prisons Department runs ten prisons and jails. All except the Amman Central Prison are under the management of district police chiefs and sometimes are referred to as police jails. In addition, area prisons are located at Irbid in the extreme northwestern section and at Al Jafr, east of Ma'an in the south-central desert region. The smaller district jails are in or near the district or subdistrict police headquarters. Generally, convicted offenders sentenced to more than one year are sent to area prisons and those sentenced to three months or less are kept in district jails. The most hardened criminals are sent to Al Jafr.

All penal institutions are used for the detention of persons awaiting trial as well as those serving sentences. Convicted offenders are, however, housed separately from detainees. Major prisons as well as a few of the police jails in the larger urban centers have separate sections for female

prisoners. There is a juvenile detention center for minors in Amman. All facilities are operated in accordance with the Prison Law of 1953, which details regulations relating to the treatment of prisoners.

**Prison Conditions.** Jordan was one of the first Arab countries to recognize the theory of rehabilitation as a basis for incarceration. This concept, however, is alien to Muslim law and custom, which emphasize retribution and maximum punishment. Prisons and police jails are spartan and on the whole are understaffed and overcrowded. In 2000 the government opened a new prison to alleviate overcrowding. Prisoners complain of poor water and food quality, inadequate medical facilities, and unsanitary conditions.

**Prison Statistics.**

- Total Prison Population: 5,589
- Prison Population Rate per 100,000: 104
- Pretrial Detainees: 42.9%
- Female Prisoners: 2.1%
- Number of Prisons: 10
- Official Capacity of the Prison System: 6,802
- Occupancy Level: 82.2%

*George Thomas Kurian*

# Kazakhstan

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**Official country name:** Republic of Kazakhstan

**Capital:** Astana

**Geographic description:** Covers an area the size of western Europe; it borders China, Kyrgyzstan, Russia, Turkmenistan, Uzbekistan, and the Aral and Caspian Seas

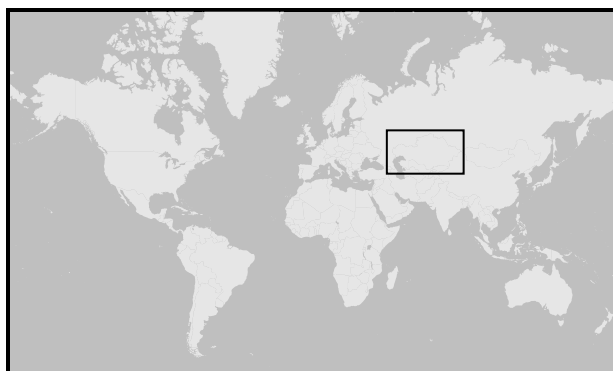
**Population:** 15,185,844 (est. 2005)



## LAW ENFORCEMENT

**History.** Russian imperial rule ended with the Russian Revolution of 1917, and Bolsheviks seized control of the Russian government. A Kazakh nationalist party, Alash Orda, proclaimed the autonomy of the Kazakh people in December 1917. Initially, Alash Orda leaders sided against the Bolsheviks during the civil war from 1918 to 1921. However, being rebuffed by anti-Bolshevik forces, the Kazakh nationalists sought compromise with the Bolsheviks and received assurances from them that Kazakh autonomy would be maintained. In 1920 Kazakhstan was designated an autonomous socialist republic. In the early 1920s the Kazakh population suffered a devastating famine in which 1 million to 3 million people died from starvation.

In December 1922 the Bolsheviks founded the United Soviet Socialist Republic into which Kazakhstan was incorporated as the Kyrgyz Autonomous Soviet Socialist Republic (ASSR); it was renamed the Kazakh ASSR in 1925. In 1929 the southeastern city of Almaty was designated the capital of the republic, and in 1936, the Kazakh ASSR was upgraded to the status of a



constituent republic, or Soviet Socialist Republic (SSR), of the Soviet Union. In 1937 the Communist Party of Kazakhstan, a branch of the Communist Party of the Soviet Union, was established.

In 1928 Soviet authorities removed all Kazakh leaders from the local government. The Soviet leader Joseph Stalin then instituted a rigorous program to collectivize agriculture, in which the state confiscated and combined all arable land into large collective and state farms. Kazakh culture and way of life were virtually destroyed as a result of the Soviet program to forcibly settle Kazakhs on these farms. Kazakh nomads slaughtered their livestock rather than turn it over to the Soviet authorities. More than 1 million Kazakhs died as a result of starvation, and many more fled to China to escape the forced settlement.

In the late 1930s, during Stalin's purges of Soviet society, the Kazakh national elite was brutally and systematically eliminated. During World War II Stalin ordered large-scale deportations of ethnic groups he

deemed untrustworthy to the more remote regions of Central Asia. Many of those deported were sent to the Kazakh SSR, including Germans from the Volga River area of Russia, Crimean Tatars from the Crimean Peninsula, Chechens, and Koreans from the Soviet Far East.

In the 1950s the Soviet leader Nikita Khrushchev launched the so-called Virgin Lands program, a scheme to bring extensive tracts of land in southwestern Siberia and the northern part of the Kazakh SSR under cultivation. The program was supervised in the Kazakh republic by Khrushchev's associate, Leonid Brezhnev, who in the 1960s succeeded Khrushchev as the Soviet leader. The program succeeded in rapidly transforming the northern grassy plains of the Kazakh republic into an agricultural area specializing in wheat and other grains.

Also during the 1950s the Soviet authorities established a space center called the Baikonur Cosmodrome in the east central part of Kazakhstan. They also created nuclear testing sites near Semipalatinsk in the east and huge industrial sites in the north and east. A new wave of Slavic immigrants flooded into the Kazakh republic to provide a skilled labor force for the new industries. Russians surpassed Kazakhs as the republic's largest ethnic group, a demographic trend that held until the 1980s.

In 1986 the Soviet authorities in Moscow installed a Russian official as the first secretary of the Communist Party of Kazakhstan. As a result, thousands of Kazakhs rioted in the capital, Almaty, to protest the ouster of the Kazakh official who had held the post since the 1960s. The Soviet leadership had replaced the Kazakh in an attempt to eliminate the corruption associated with his government. Exactly how many people died in the riot is still unclear.

The new Russian party leader in Kazakhstan was a supporter of the extensive political and economic reforms that Soviet leader Mikhail Gorbachev had begun to implement in the mid-1980s. In 1989 he was transferred to Moscow, and Soviet authorities appointed Nursultan A. Nazarbayev, a prominent Kazakh official, in his place. In March 1990 the Supreme Soviet (legislature of the Soviet Union) elected Nazarbayev to the newly established post of president of the Kazakh republic. Nazarbayev ran unopposed in the republic's first presidential elections, held in December 1991, and won 95 percent of the vote. Kazakhstan declared its independence later that month, shortly before the Soviet Union broke apart.

Kazakhstan's constitution of 1995 and subsequent presidential decrees granted extensive powers to the president, including the right to rule by decree and to dissolve the legislature. As Nazarbayev solidified his hold on power, his style of rule became increasingly authoritarian. At first his decrees focused on stifling the activities of more radical opposition groups, specifically Russian and

Kazakh nationalists and fundamentalist Muslims. For example, he outlawed activities that might foment ethnic tensions, such as demonstrations organized by Kazakh nationalists who called for the expulsion of all non-Muslims from Kazakhstan. His supporters credited him with maintaining order in the country during the difficult economic and social transitions following the breakup of the Soviet Union.

However, the government soon began to extend restrictions on free speech and free assembly to other groups. Following a number of strikes in the mid-1990s by employees of public sector firms, which were chronically late in paying wages, the legislature passed a law in 1996 considerably restricting workers' right to strike. In addition, Nazarbayev became increasingly intolerant of criticism of his programs in the popular press. Independent journalists have faced prosecution, including imprisonment, and the government routinely censors the media. Nazarbayev is widely believed to have used intimidation and slander campaigns to silence his political rivals within the government. In addition, a law passed in 2002 severely limits the ability of political opposition parties to participate in legislative elections.

Nazarbayev overwhelmingly won a second term as president of Kazakhstan in January 1999. The election, originally scheduled for 2000, was moved up by more than a year, giving opposition candidates little time to prepare. International observers criticized the election for failing to meet democratic standards. In 2000 the legislature passed a law granting Nazarbayev extraordinary powers and privileges, which are to remain in force even after he ceases to be president.

**Structure and Organization.** There is a great paucity of information regarding the police function in Central Asia generally and Kazakhstan specifically. Policing in Kazakhstan is guided by the Ministry of Internal Affairs. In 2003 the president of Kazakhstan appointed a civilian as minister for the first time in the country's history.

The Ministry of Internal Affairs has reportedly been undergoing changes in recent years. District inspectors, who were responsible for local policing at the neighborhood level, are said to have been replaced by what is being called sheriffs. Sheriffs are expected to concentrate on crime prevention, which will require them to gather information on local residents pertaining to, for example, juveniles with drug problems and families affected by domestic violence. The ministry has said that this change was necessary to improve the efficiency of the service and tighten security.

Under the reforms the sheriffs will keep their positions for life, unlike the district inspectors, who are required to retire at forty-five years of age. In addition, the state will

give each sheriff an apartment, which after ten years will become his own. The sheriffs are chosen by the communities they serve. They are said to be more powerful than the district inspectors and are reportedly permitted to arrest people indiscriminately.

Corruption is a major problem in policing in Kazakhstan. The minister of internal affairs, appointed in September 2003, assigned high-salaried Internal Security officers in the capital and in all regional police stations around the country ostensibly to report on cases of corruption. He also set up widely publicized phone numbers for citizens to call to report complaints about police. In spite of this move, corruption is likely to remain a serious problem while police salaries are low and resources remain scarce.

The Internal Troops of the Ministry of Internal Affairs are reportedly being strengthened to assist in guarding sensitive locations including correctional facilities. Since the mid-1990s more mobile units have been added to the Internal Troops. This is said to have come about, in part, in response to the growing threat of terrorism in the region.

The Committee for National Security (Komitet Natsionalnoi Bezopastnosti, KNB) is responsible for national security, intelligence, and counterintelligence. The KNB also plays a law enforcement role in border security, internal security, and antiterrorism efforts and oversees the foreign intelligence service, the Barlau. The chairman of the KNB reports directly to the president.

Along with other law enforcement reforms, the government announced the reform of all police academies in the country.

**Salaries.** The minimum salary for police in 2003 was \$40 (5,600 tenge) per month, while the average salary was about \$130 (18,288 tenge). It has been reported that financial incentives are offered to police for the number of criminals they arrest. Reportedly, police officers in the northern Kazakhstani city of Kostanai are paid a bonus of up to \$1,000 to disclose dangerous and especially dangerous crimes. For disclosing less serious crimes, officers are paid from \$70 to \$110. The city's police department reportedly manages to form the bonus fund with savings from budget funds allocated for fuel, municipal services, and by scaling back use of the Internet in their offices.

**Police at Work.** The Kazakhstani president has publicly derided law enforcement agencies for their low efficiency, insufficient protection of constitutional rights and freedoms of citizens, and violations of law. He criticized the chiefs of the agencies for their poor organizational ability and "errors in staffing." He did not mention the lack of motivation by police officers because of low salaries. The president's remarks accurately depict the state of affairs in policing in the post-Soviet period. Police units around

the country are insufficiently equipped to deal with such problems as narcotics trafficking and trafficking in people. Vehicles are in short supply in the fight against organized criminals, who have the latest models of foreign automobiles. Gasoline supplies are frequently inadequate, particularly in the rural regions.

The poor economy provides an ongoing challenge for law enforcement. The official estimate of 15 percent unemployment is considered less than the actual level. In any event, a lack of jobs continues to attract young people into organized crime activities.

**Education and Training.** Lower police ranks are recruited from among military personnel. Commanding officers are trained at the Training School of the Ministry of Internal Affairs, which is an institution of higher education. There are few women in the officer grade.

Kazakhstan has more or less abandoned the Soviet-era antialcohol campaign as an official policy, but the special detention centers continue to function and provide police with one of the many avenues through which to take advantage of their positions. Fines collected are frequently pocketed and on occasion officers rob the individuals they arrest. The medical detoxification center—better known as the "drying out" center—is a Soviet institution that was intended to instill sobriety by giving drunks a night in the cells. Theoretically, the offender is fined and released in the morning. However, there are many abuses surrounding this system.

#### **Transportation, Technology, and Communications.**

**Surveillance and Intelligence Gathering.** The law on surveillance provides prosecutors with great authority to limit citizens' constitutional rights. The KNB, Ministry of Internal Affairs, Financial Police, and other agencies, with the concurrence of the Prosecutor General's Office, maintain their authority under the law to infringe on the privacy of writings, telephone conversations, telegraphic communications, and mail, as well as the inviolability of the home. The law expands that list to include access to confidential bank records, the freezing of bank assets, and explicit authorization to record conversations secretly and to wiretap and record communications by telephone and other devices. The Criminal Procedure Code continues to allow for investigative measures affecting the legally protected secrecy of telephonic conversations without a prosecutor's warrant only in certain urgent cases; in such cases, the prosecutor is notified of the interception of conversations within twenty-four hours.

#### **HUMAN RIGHTS**

Human rights is one of the central areas of concern among both domestic and international nongovernmental

organizations as well as government agencies of other countries.

The Kazakhstani government is headed by a powerful executive branch that generally is not checked by the legislative branch or the judiciary. Law enforcement is seen as the tool for maintaining the president's power base. Reports of widespread abuse by law enforcement officers and members of the other security forces against opposition movements or perceived opposition are common. Accusations include torture, beatings, and general mistreatment of detainees by police on some occasions. Some officials have been punished for these abuses, including the first convictions under the 2002 amendment to the criminal code on torture.

A city court convicted two police officers for torturing a teenager in August 2002. The criminal case was opened one and a half months after the officers had broken the suspect's back during an interrogation. Before the conviction, human rights activists alleged that the court was allowing a senior law enforcement official, the father of one of the defendants, to improperly influence the case. One of the convicted officers was sentenced to one year in prison, the other received eighteen months in prison.

Government officials acknowledge the seriousness of the problem of police abuse and have undertaken some efforts to combat it, for example, by punishing violators through the criminal justice system. According to the government, during the first nine months of 2003 courts considered forty-one criminal cases involving sixty-three law enforcement officers for violations of citizens' rights. Of those cases, nineteen law enforcement officers were convicted, with sentences ranging from fines to imprisonment. Human rights observers believe that these cases cover only a small fraction of the incidents of police abuse of detainees, which they characterize as routine.

Overall, though, serious criticism remains. The United Nations Committee against Torture has expressed concern about the many and continuing allegations of torture and other cruel, inhuman, or degrading treatment by law enforcement personnel; an apparent pattern of failure of officials generally, including the procuracy, to provide a prompt, impartial, and full investigation into allegations of torture and ill treatment, as well as the failure generally to prosecute, where appropriate, the alleged perpetrators; and the allegations that judges refuse to take into account evidence of torture and ill treatment provided by the accused with regard to his or her treatment by law enforcement officials.

In light of Kazakhstan's admission of the widespread use of torture and cruel, inhuman, or degrading treatment by law enforcement agencies to obtain confessions, both in its initial report to the Committee against Torture and in public statements by Kazakhstani president, and

in reports that courts, including the Supreme Court, have continued to admit evidence reportedly based on coerced confessions and to convict people and pass sentences mostly based on such evidence, there was particular concern that people may have been sentenced to death and executed on the basis of confessions made as a result of torture.

One group that has been at the sharp end of police abuse is the Uighurs. The Turkic Uighurs, a predominantly Muslim group, is the largest indigenous group living in the Xinjiang Uighur Autonomous Region in northeast Central Asia. The ethnic Uighur population finds itself increasingly accused of sympathizing with, and even supporting, the banned Islamic opposition movements in Central Asia. Its members often become targets of persecution, including arbitrary arrest, forcible deportation, and ill treatment by the authorities.

## CRIME

As in most states of the former Soviet Union, Kazakhstan experienced a dramatic rise in crime in the years after the collapse of the Soviet Union and then, generally, a period of stabilization. A total of 41,725 crimes were registered in the first three months of 2003, which was 11 percent less than in the same period the previous year. Theft accounts for about half of all crimes. Approximately 170 crimes were committed by police officers. The general crime clearance rate is believed to be nearly 80 percent.

The Ministry of Internal Affairs reported having broken up 26 organized crime groups and 4 so-called bandit formations in the first three months of 2003. Besides the 31 criminal cases initiated on charges of creating and leading organized criminal groups and committing banditry, 330 criminal cases were begun on extortion-related charges. Seventeen abductions were reported by the ministry as well as two hostage-taking cases in this same period.

Crime statistics should always be handled with great care; in the case of Kazakhstan and other former Soviet states, they are relatively meaningless. Locked in an ideological battle with the West, Soviet reality urged the creation of fictitious figures across most sectors of the economy and society to portray a positive image to the outside world. The depiction of crime was one of the most important sectors for manipulation as the Soviet Union attempted to demonstrate the superiority of communism and its promise of the disappearance of crime. According to police officials, the practice of producing fraudulent statistics (*pripiska*) continues long after the demise of the Soviet Union. Latent crime has always been assumed to be rather high.



**Narcotics.** Kazakhstan is a transit corridor for drugs being transported to Russia and Europe. In 2004 the United Nations' estimated that approximately one-third of Afghanistans predicted 4,500 metric tons of opium crop transited Central Asia, with 70 percent of that amount passing through Kazakhstan. The country has also become a corridor for illegal drugs going to Europe from China and other parts of Asia. In 2002 only 400 kilos of the estimated 385,000 kilos of opiates that passed through Kazakhstan was seized, about 0.1 percent of the total.

The main routes for narcotics coming into Kazakhstan continue to run through Tajikistan and Kyrgyzstan, or Turkmenistan and Uzbekistan. Kazakhstan's increasing prosperity has created a new market for artificial drugs like ecstasy and amphetamines shipped in from Russia.

During the first nine months in 2003 there were 49,207 registered addicts in Kazakhstan, almost a 6 percent increase over 2002. Experts estimate that the true number of addicts is about five times the number of those registered. Reports suggest that the huge influx of narcotics from Afghanistan into Russia and Europe has begun to saturate the market and that opiates are beginning to face stiff competition from artificial narcotics. If this is true, narcotics dealers are likely to turn to the less profitable Central Asia market for increased sales and Kazakhstan's drug-use problem may grow. There are approximately 250,000 drug addicts in Kazakhstan, about 1.7 percent of the population.

Marijuana and ephedra grow wild on about 1.2 million hectares of southern Kazakhstan, with the largest single location being the 130,000 hectares of marijuana in Chu Valley. Approximately 97 percent of the marijuana sold in Central Asia originates in Kazakhstan. Production of opium and heroin remain minimal. Local production is mostly limited to in-country use with some smuggling into Russia. This is contrary to predictions in the immediate aftermath of the collapse of the Soviet Union that the region was destined to be a major drug producer. Drugs transiting Kazakhstan impact mainly Russia and Europe, but proceeds from drug smuggling are a potential revenue for terrorist groups.

Nazarbayev, the Kazakhstani president, announced that it would be twenty years before Kazakhstan gained control over its narcotics problem. During the last three months of 2003 the government held extensive meetings on the strengthening of all law enforcement bodies with a view to simplifying bureaucratic structures and eliminating duplication of functions. Other meetings focused on counternarcotics forces. One proposal suggested the creation of a U.S. Drug Enforcement Agency-like office with sole responsibility for fighting narcotics or the transfer of all counternarcotics forces to the Ministry

of Internal Affairs. The Kazakhstani government agreed to participate in a United Nations project to create a Central Asia Regional Information and Coordination Center based in Tashkent, Uzbekistan.

Kazakhstan is making some effort to fight drug smuggling; however, it showed only slight improvement in 2003 over 2002. The first nine-month figures for 2003 show only a moderate increase in seizures of opium and a slight increase in seizures of heroin. Most narcotics seizures were made by the Border Guards. Seizures by Customs were negligible. In November 2003, though, Customs made one large seizure of 340 kilograms of heroin discovered in a train car filled with vegetables stopped at a railway station on the Russian border. Kazakhstan also participated with other Commonwealth of Independent States (Armenia, Belarus, Kyrgyzstan, Russia, and Tajikistan) in a joint operation that netted 116 kilos of heroin and 168 kilos of opium. However, the vast majority of drug seizures in Kazakhstan consist of locally grown marijuana.

**Corruption.** In a poll, 90 percent of respondents claimed daily experience of corruption while seeking government services. A poll of local businessmen rated Customs as the most corrupt agency in Kazakhstan, with every other government agency rated a close second or third.

Corruption of all types remains endemic at all levels of government. In the first half of 2002 more than 2,000 civil servants, including seven senior officials, were disciplined for illegal activities and more than \$32 million was returned to the national treasury. Criminal charges were brought against 340 government employees, including the seven senior officials. In 2001 approximately fifty judges were removed from office for official malfeasance. As of August 2003, an additional twenty judges had been removed for the same reason. By September the Ministry of Internal Affairs had brought criminal charges against seventy of its employees.

In 2001 some Customs and Ministry of the Internal Affairs officers were charged with selling drugs or being involved with drug selling groups. They were tried and sentenced to 2 to 7.5 years in prison. Also in 2001 the Prosecutor General's Office investigated corruption in the Customs Department. Fifty officers were charged with corruption, with twelve of them being charged with other criminal offenses. Customs was reorganized, making the regional Customs offices more responsible for preventing corruption and reviewing their staff periodically. New hires are no longer simply appointed, with no clear administrative procedures. Customs must now advertise and select new officers from among all applicants. Theoretically, those officers found to be free

of corruption and loyal are to be rewarded with promotions.

An investigation of the main office of the Agency for Customs Control in Astana, the capital of Kazakhstan, revealed that nearly half of its 246 staff officers were guilty of abuse of office. In Kazakhstan as a whole, 80 criminal cases were brought against Customs officers, 41 were fired for abuse of office, and 721 officers were disciplined in the first nine months of 2002. Among the various charges brought against officers of all agencies is the selling of confiscated narcotics.

The Kazakhstani government regularly denounces corruption among government officials and, between April 1, 2002, and March 31, 2003, there were 3,370 corruption-related arrests. Most of these arrests were made in the Ministry of Defense, Ministry of Internal Affairs, Customs, and the Tax Inspectorate. Arrests for corruption were up 13 percent during the first nine months in 2003.

In April 2003 the president established a commission to study the problem of government corruption and recommend changes in legislation. The minister of internal affairs vowed to purge all corrupt officers from the ranks of the police and said he would dismiss senior police officials even for tolerating corruption among subordinates. Heads of other agencies are likewise intent on prosecuting corruption within the ranks of their own agencies. Realistically, though, until the extremely low salaries at the lower ranks are increased significantly, it is unlikely that corruption can be eliminated or even reduced in a meaningful way.

**Trafficking in Persons.** The law prohibits trafficking in persons; however, trafficking in persons remains a problem. There are several articles of the criminal code that cover most forms of human trafficking. Article 128 criminalizes the recruitment of any person for sexual or other exploitation and includes all forms of trafficking. It is punishable by a maximum two-year prison term. If a minor is involved, the maximum penalty is five years in prison. If the exploited person is transferred abroad, the maximum penalty is eight years in prison. Article 330, which was added to the code in 2002, prohibits the organization of illicit migration by providing transportation or fraudulent documents, or residence or other services for the illicit entry, exit, or movement on the territory of the country. It also covers the operation of a tourist or excursion agency for the purpose of illicit migration. The criminal code (article 133) also prohibits the sale of children. In August 2003 the Law Enforcement Coordination Council issued detailed guidelines to law enforcement and prosecutors nationwide on how to investigate crimes under these sections of the code.

Prosecutors use other articles of the criminal code to charge suspects whose activities may have included trafficking, such as the illegal involvement in prostitution (article 270), which carries punishment of up to three years in prison, and prostitution connected with organized crime (article 271), punishable by up to five years in prison. Unlike involvement in prostitution (e.g., pimping or running a brothel), prostitution itself is not explicitly prohibited under the law. Under article 125 of the code, kidnapping is punishable by a prison term of up to seven years.

In August 2003 the government appointed the minister of justice to coordinate all the government's antitrafficking activities and created an antitrafficking commission led by the minister that included the minister of internal affairs, the KNB chairman, the prosecutor general, the foreign minister, the education minister, and the Presidential Commission on Women and Family.

Kazakhstan is a source, transit, and destination country for victims of trafficking. Internal trafficking is also a problem. No reliable statistics are available on the number of victims each year, but some nongovernmental organizations estimate that there are several thousand; other sources put the number as high as 70,000 for 1999–2000. Individuals are trafficked to the United Arab Emirates, South Korea, Turkey, Greece, Cyprus, France, Italy, Portugal, Switzerland, Belgium, Israel, Albania, and other countries. They were trafficked from Kyrgyzstan, Uzbekistan, and Tajikistan.

Traffickers primarily target young women in their teens and twenties. Most women are recruited with promises of good jobs or marriage abroad. Travel, employment, and marriage agencies often recruit victims through advertisements promising lucrative jobs in other countries. Offers to participate in international beauty contests also are used. Previously trafficked women reportedly recruit new victims personally. There is also an indication that young and middle-aged men are trafficked from the country, either for sexual exploitation or for labor. Most trafficked persons traveled to their destinations on passports obtained abroad, most often from Russia or Kyrgyzstan.

The government has begun airing a series of public service announcements provided by international organizations indicating the dangers of these activities. Some privately owned media outlets run the series as well. The government also produces its own public service announcements and runs them on official television stations. In most regions of the country nongovernmental organizations report that local officials and law enforcement are willing participants in training programs on trafficking and that officials provide access to schools for the same purpose. The government also supports training

programs for judges and prosecutors on dealing with trafficking cases.

### CORRECTIONAL SYSTEM

In recent years the prison population of Kazakhstan is reported to have declined dramatically. In 2000 there were 96 prisons and 85,000 inmates in Kazakhstan. At the end of 2002 there were a reported 65,000 inmates. Almost a year later, that figure had fallen to fewer than 50,000 inmates in facilities designed to hold 70,000. Other sources put the figure at 58,000. This is a rate of approximately 386 per 100,000 of the general (nonprison) population. (The rate for the United States is around 700.) Much of the decrease is attributed to the 2002 Humanization of Criminal Justice Law, which prescribes punishments other than imprisonment for more than 100 crimes.

Prisoners are permitted to have visitors, although the number and duration of visits depend on the security level of the prison and the type of sentence received. This could range from unlimited visits of short (3 hours) and long-term (up to 3 days) duration for some prisoners to two each of short- and long-term duration a year for prisoners at maximum-security facilities.

Prisoners are held in close proximity, barracks-style facilities. However, a government program to build new correctional facilities and rehabilitate existing facilities continues. In 2003 construction and rehabilitation began on penitentiaries in the Solnechniy village of Eastern Kazakhstan Oblast, the Zhem village in Aktobe Oblast, and the cities of Taraz and Kyzyl-Orda. Plans were finalized and funds committed for a new prison facility in Pavlodar designed to hold prisoners sentenced to life terms. Approximately 50 percent of the prison population serve their terms in facilities that, contrary to the law, are not near their places of residence. There are separate facilities for men and women, and juveniles are held separately from adults. There are no special prisons for political prisoners.

The pretrial detention system has a capacity of 14,900 inmates. Conditions and treatment in pretrial facilities remain harsh, although the ministry is said to actively participate in training seminars on international human rights standards for the directors of such facilities. There is also one maximum-security prison.

The Ministry of Internal Affairs administers police detention facilities, which were separate from facilities for convicted criminals and pretrial detention centers administered by the Ministry of Justice. Although the minister of internal affairs stated in 2002 that the pretrial facilities were a key tool of investigators in uncovering crimes and therefore should stay under them, the president transferred them to the Ministry of Justice; the process was completed by the end of 2003. In anticipation of

their move to the Ministry of Justice, pretrial detention facilities began, on a limited basis, to implement standards similar to those in the prison system. For example, in mid-2003 the first visiting room in a pretrial detention facility opened in Pavlodar.

No comprehensive official statistics on the application of the death penalty in Kazakhstan have been published since 1998. According to official records, in the first eight months of 1998 twenty-four cases of people sentenced to death came before the presidential Clemency Commission, and three received clemency. The same statistics recorded that eight applications out of fifty-six in 1997 received clemency. No executions were reported.

It appears that at least two death sentences were handed down in 1999 and one in 2000, but it is believed that the number of death sentences passed was much higher. According to reports in 2000, between forty and sixty executions are carried out in the country every year. Seventeen people had reportedly been executed in the first ten months of 2000. The report also quoted official statistics from 1996, which stated that sixty-three people had been executed that year.

As of 2005 there was a moratorium on executions in Kazakhstan. The government announced that it was planning to build its first special prison for lifers. Official statistics indicate that up to forty people are likely to be sentenced to life imprisonment in the country every year now that the ban is in place. The \$6 million correction facility was to be constructed in the northern Pavlodar region by 2006. It was to be built in the empty portion of a former chemical factory. Convicts to be held in the new facility will live in cells accommodating up to four inmates and will have a twenty-three-hour lockdown regime.

**Prison Conditions.** Despite the decline in the number of inmates, mistreatment occurs in pretrial detention facilities and in prisons, and nongovernmental organizations and international organizations report that abuse of prisoners began to increase after the head of the penitentiary system was replaced. Following that appointment, approximately one-third of prison administrators were replaced, after which mistreatment in some prison facilities began to rise. The Ministry of Justice oversees the prison system and took an active role in reforms beginning in 2002 to improve prison conditions, including through an extensive rehabilitation program of facilities, and began an extensive program of human rights training for prison system administrators in each region.

Among other problems facing the prison system, guards are poorly paid and often do not have sufficient experience to supervise large groups of prisoners. Violent crime among prisoners is common. As in most other places, resources are scarce. The Kazakhstani deputy

minister of internal affairs pointed out that American innovations and technologies are great, but are difficult to achieve in Kazakhstan on a budget of just slightly more than \$1 million per prison, compared to \$8.5 million for a single correctional facility in the United States.

In the past several years the adequacy of prison diets and availability of medical supplies improved. In addition, the government initiated training programs for prison medical staff. There are 5 tuberculosis colonies and 3 tuberculosis hospitals for prisoners; 6,480 prisoners are housed in the colonies. While the incidence of tuberculosis is believed to have stabilized, HIV/AIDS is a growing problem. The government, with the United Nations Development Program, continues the implementation of a project to prevent HIV/AIDS and other sexually transmitted diseases in penitentiaries.

In one day in 1999, twenty-six inmates slashed open their own stomachs reportedly in protest of prison conditions. However, the prisoners at the facility apparently were not setting a precedent. Nor is theirs the most gruesome of stories to emerge from a penal system where it is estimated that one in ten convicts who enter prison ends up dying there.

Incidents of self-mutilation in prisons to protest conditions increased in frequency and severity during the latter part of 2003. The government reported that in the first nine months of 2003 forty-one incidents of self-mutilation occurred, fifteen of which involved multiple prisoners. Authorities did not release statistics on similar incidents in pretrial detention facilities. On February 11, 2003, one prisoner reportedly died of a self-inflicted wound and thirty-nine other prisoners mutilated themselves during the course of a riot at a prison. One prisoner died as a result of a self-inflicted wound and sixty other prisoners mutilated themselves to protest the severe beatings that they reported receiving for months at the maximum security prison. In general, the government responds to incidents of self-mutilation by insisting that prisoners are simply demanding unreasonable rights or not following the legitimate rules of the institutions in which they were held.

In September 2003 prisoners held at a maximum security colony in Astana began rioting, and relatives reported that scores of Ministry of Internal Affairs officers entered the facility to restore order and severely beat prisoners. Several of the prisoners reportedly attempted suicide as a consequence. In one case, the administration of the facility reportedly refused to call an ambulance. The prison warden did not permit reporters entry into the prison and denied the riot and attempted suicides took place. Later, the head of the prison system confirmed a suicide attempt and told reporters that an investigation would be launched. By the end of the year, there was no evidence that authorities conducted a serious investigation, and the government

brought no charges. The prison administration reported that it took unspecified disciplinary actions.

Observers and journalists report that authorities deny requests to visit detention centers with increasing frequency. The Ministry of Internal Affairs usually denies access to pretrial detention centers. The Kazakhstan International Bureau for Human Rights and Rule of Law visited men's, women's, and juvenile facilities, although it also reported that its requests were denied more often in the second half of 2003. Presumably, this practice will change when all incarceration facilities are under the jurisdiction of the Ministry of Justice.

#### Prison Statistics.

- Total Prison Population: 52,608
- Prison Population Rate per 100,000: 342
- Pretrial Detainees: 15.8%
- Female prisoners: 5.5%
- Juvenile Prisoners: 1.6%
- Number of Prisons: 95
- Official Capacity of the Prison System: 85,025
- Occupancy Level: 61.9%

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Joseph D. Serio

# Kenya

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**Official country name:** Republic of Kenya

**Capital:** Nairobi

**Geographic description:** A country in East Africa, bordering the Indian Ocean, below the Horn of Africa

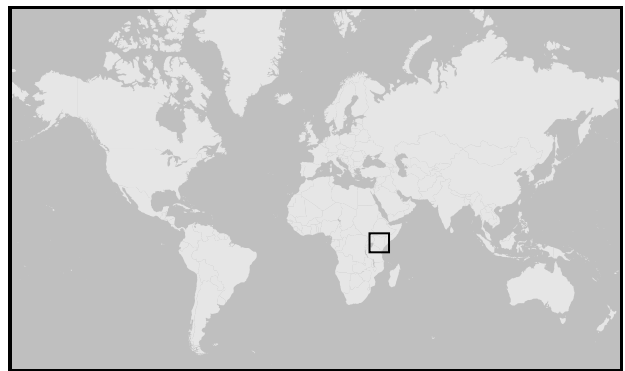
**Population:** 33,829,590 (est. 2005)



## LAW ENFORCEMENT

**History.** The Kenya Police is descended directly from the security guards first formed by the British in East Africa at the beginning of the colonial era. The first organized security force was composed of armed guards called *askaris*, who were hired locally by the Imperial British East Africa Company beginning in 1887 to protect the stations along the caravan route from Mombasa to Uganda. In 1886, after the takeover of the administration of East Africa by the British Foreign Office, the beginning of a genuine police unit under a professional police superintendent took place in Mombasa, the coastal terminus of the trade route. Another independent force, the Uganda Railway Police, was organized the following year to safeguard the construction of the railroad.

The Mombasa Police formed the nucleus of what became after 1902 a reorganized and consolidated British East Africa Police, whose headquarters was moved in 1905 to the rapidly growing city of Nairobi. The Kenya branch of this force was renamed the Kenya Police on the formation of the Kenya Colony in 1920. Expanded during World Wars I and II by sizable levies of Indian and African recruits, the force took on border patrol duties and protection of installations. By the end of the



1940s the Kenya Police possessed all the facilities of a modern police system: a good communications network, a police training school, a crime laboratory, a police kennel, and an air arm.

Under the impact of the Mau Mau emergency from 1952 to 1960, in which the police bore the brunt of operational responsibility, the Kenya Police underwent unprecedented expansion and consolidation. The regular police more than doubled to 13,000 men besides 8,000 men in the Kenya Police Reserve. The quality and capability of the force was also enhanced by the institution of a paramilitary strike force, known as the General Services Unit, a police intelligence apparatus, and a police communications system. On independence in 1963 the Kenya Police was transferred intact to the Kenya government, although a large contingent of British and Asian officers remained on the official payroll for a few more years.

**Structure and Organization.** The Kenya Police is headed by a commissioner of police whose headquarters is in

Nairobi. The headquarters consists organizationally of centralized administrative and communications services and specialized functional branches. The headquarters also serves as the linchpin of the territorial organization.

Under the Police Act, chapter 84 of the Laws of Kenya, revised in 1970, the Police Service Commission and the police commissioner both determine policy and supervise operations. Below the national headquarters in the chain of command are the eight provincial commands, whose jurisdictions are coterminous with the territory of each province and the capital district. Under each provincial command are a number of divisions with headquarters usually in the capital city of the corresponding civil district. Under the division headquarters are the police stations and posts in cities, towns, and other localities. In practice, the outlying provincial units enjoy a good deal of operational autonomy under the general control of the provincial and district commissioners. Mobile units may be dispatched from the headquarters to the subordinate units as needed.

Major arms of the police are the general duty police, the paramilitary General Services Unit (GSU), and the Railways and Harbors Police. Specialized functional units include the Criminal Investigations Directorate (CID), the Intelligence Directorate, a stock theft unit, the Police Air Wing, and a highly rated dog unit, used mainly in urban work.

The GSU is a mobile combat force whose arms include rifles, Bren guns, and light mortars. Formed in 1953 to deal with the Mau Mau uprising, the GSU has retained its role as a specially trained crack internal security force. Operating in conjunction with the Police Air Wing, GSU units are dispatched from strategically located base camps to any point in the country to deal with civil disturbances or other threats to civil disorder. GSU forces consist of some 5,000 men organized into constabulary-like companies stationed in barracks under their own company commanders. Members of the GSU also rotate to staff the 700-member presidential escort. They have their own transportation, communications, and equipment and they operate in the field as self-contained units. Several units are based in the capital and others are in Nakuru and Kisumu. The Special Railways and Harbors Police, commonly known as the Formation, is charged with all police functions relating to the prevention and detection of crimes committed on or against land or water transportation lines or installations. A waterborne marine section has units at Mombasa, Kisumu, and Lake Victoria. Commanded by an assistant commissioner of police with the title of commandant, the force has about 2,000 constables and 400 officers and noncommissioned officers divided into three divisions.

Its independent criminal investigation division is popularly known as the Formation Crime Branch.

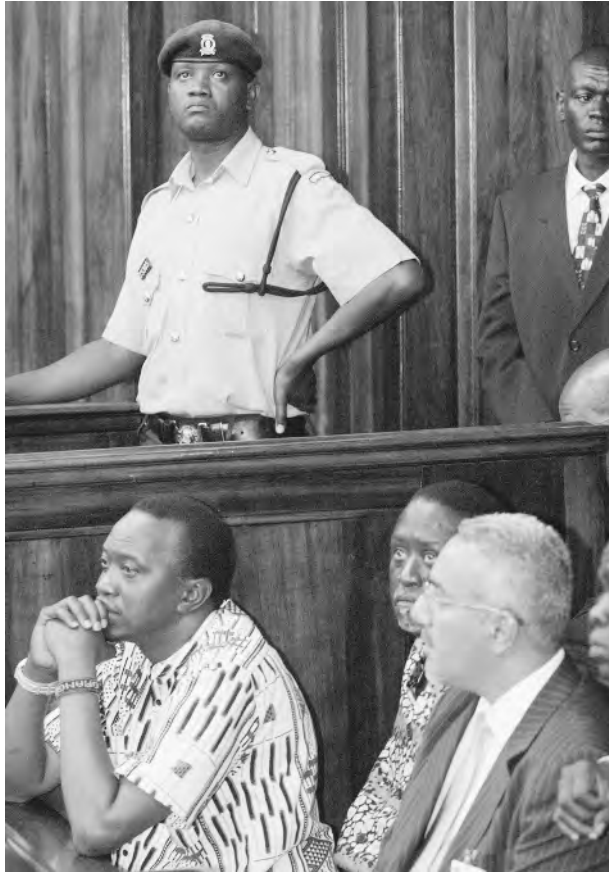
The CID is responsible for all matters relating to criminal investigation, and it maintains all criminal files. It is a plainclothes detective force with discrete branches in the various headquarters and a functional chain of command to the national headquarters. The Intelligence Directorate is concerned with domestic intelligence-gathering and subversive criminal activity.

The Police Air Wing, organized in 1959, got its first operational experience during the *shifita* insurgency in the mid-1960s. With about fifteen aircraft capable of operating from crude airstrips, it performs reconnaissance, communications, supply, and evacuation services for the police.

An adjunct to the regular Kenya Police is the Administrative Police, earlier known as the Tribal Police, which serves as the agent of law and order in rural areas where there are no stations or posts manned by the regular police. Members of the Administrative Police are customarily recruited in the ethnic community where they serve. Although under the administrative control of the district commissioner, and subject to the general direction of the provincial commissioner, members of the Administrative Police are under the day-to-day operational control of the local chief or subchief. The chiefs and subchiefs play a key role in protecting public order and arresting suspected wrongdoers. Regular police are usually called in to handle serious crimes such as murder or other matters beyond the authority of capability of the Administrative Police.

Another auxiliary force, the Police Reserve, was formed in 1948 as a volunteer force to bolster the regular police in emergencies. Unlike the Administrative Police, which is a standing police force, police reservists serve only when called on. The strength of this force, which peaked during the Mau Mau emergency at 9,000, has been declining over the years and is now believed to be less than half that number. Volunteers must be at least eighteen years old and enlist for at least two years.

The Nairobi headquarters is the hub of a nationwide police communications system considered to be among the most advanced in Africa. It includes both radio and radiotelephone links. A self-contained bunker installation capable of withstanding armed onslaught serves as an emergency national communications and operations center. In 1975 a high frequency communications network was established linking patrol cars on major roads throughout the country and the Nairobi metropolitan system with a central control in police headquarters. Most of the over 3,500 police vehicles, from trucks to motorcycles, are equipped with radios. Nairobi is also the



**Kenyan police listen as Justice Joseph Nyamu delivers his verdict on a referendum for a new constitution, November 15, 2005.** The referendum, which was defeated at the polls, was challenged in court by critics who said the government did not follow legal processes in drafting the charter. Opponents also argued that the new charter ignored agreements designed to check presidential powers that were hammered out at a 2004 constitutional conference. AP IMAGES.

site of a regional Interpol police communications station, which opened in 1973.

In 2003 there were 20,759 men and women in the police force, not including administrative and reserve police personnel. Senior ranks and inspectors constituted about 8 percent of the force, noncommissioned officers about 16 percent, and lower ranks 76 percent, a distribution that has remained basically unchanged since independence. An estimated one-third of the total police manpower is assigned to technical and support activities, a relatively high proportion compared to other developing countries.

Police grade structures have not departed from the preindependence patterns set by the British. Appointed officers range from commissioner to cadet assistant superintendent; inspectorate officers from chief to cadet assistant inspector; and subordinate officers from sergeant

to constable. The Administrative Police has a separate rank and pay scale below that of the Kenya Police and includes only noncommissioned and constable ranks. The police personnel system is part of the civil service system. Like other civil servants, police are prohibited from membership in a trade union or moonlighting. Generally, police compensation is fair by local standards.

**Education and Training.** Police recruits are enlisted voluntarily on a nationwide basis by recruiting teams. National policy calls for achieving, as far as possible, an ethnically balanced force, but it is believed that the Kikuyu dominate the force, as they do the other public services. Over the years the educational level of the recruits has improved, and more applicants possess secondary and even higher education qualifications. Police officers enjoy a reasonable degree of social status, although some of their functions, as enforcing tax collection, tend to make them unpopular.

Police recruit and officer training and courses for reservists are conducted at the Kenya Police College, established at Kiganjo, near Nyeri, in 1948. Specialized training is provided at a number of other institutions both inside and outside the police establishment. The Criminal Investigation Directorate Training School at Nairobi conducts courses for the CID; the Kenya Polytechnic Institute, for communications personnel; refresher and other kinds of training, including part-time literacy and continuing education courses for field personnel, are offered at provincial training centers. Six-week courses in weapons familiarization and basic refresher training are provided for the Administrative Police at the Armed Forces Training College at Lanet, near Nakuru, in the Rift Valley. Personnel of the Railways and Harbors Police attend refresher and technical courses at their own training center, but some are sent for more specialized training to the Railways Training College. Supervisory and management training for senior police personnel is provided at the Kenya Institute of Administration.

**Weapons and Uniforms.** The tropical military-style uniform consists of a short-sleeved shirt worn with long or short trousers and a garrison hat, or, for lower ranks, a plastic helmet. The characteristic color is blue-gray. GSU personnel wear a green, camouflage cloth bush jacket and a dark-red beret. Uniformed urban police carry only a baton in the British manner but are issued weapons during emergencies. Plainclothes police are armed with a pistol, and police in outlying posts have a rifle.

#### Police Statistics.

- Total Police Personnel: 20,759
- Population per Police Officer: 1,629

## HUMAN RIGHTS

Members of the security forces, especially the police, commit many human rights violations. They have been reported to commit extrajudicial killings, torture and beat detainees, and use excessive force. Though a number of police officers are arrested for such abuses, most of them are neither investigated nor punished. The Kenya Human Rights Commission documented more than 1,000 cases of extrajudicial killings by the police during the 1990s. Security forces also routinely use torture and physical violence during investigation against detainees and prisoners. Common methods of torture include hanging detainees upside down for long periods, genital mutilation, electric shocks, and deprivation of air by submersion of the head in water. Under a code of silence police officers fail to report brutality by fellow officers, destroy evidence, and threaten witnesses.

## CRIME

**Crime Statistics.** Offenses reported to the police per 100,000 population: 484. Of which:

- Murder: 6.4
- Burglary: 54.1
- Burglary: 76.9
- Automobile Theft: 9.7

## CORRECTIONAL SYSTEM

The Kenya Penal Code is incorporated in chapter 63 of the Laws of Kenya, 1962, as amended by supplementary legislation since 1962. Although considerably changed in detail, the code is substantially the colonial penal code promulgated in 1930. Enforcement of unwritten or customary law in criminal matters was abolished in 1966.

Criminal offenses fall into two categories: felonies and misdemeanors. There are four kinds of crimes in both categories: crimes against the state, crimes against public order, crimes against persons or property, and crimes against morality and religion. Criminal responsibility may be mitigated and extenuated by such factors as self-defense and impairment of mental faculties. Children under seven years are not held criminally responsible and those between seven and twelve years of age receive less severe sentences. The maximum sentence is death by hanging, which is mandatory for those convicted of armed robbery. Whipping with a rod or cane may be inflicted on males, with a maximum of twenty-four strokes for adults and twelve for minors.

Due process requires warrants for arrest. The accused must be taken before a magistrate and charged within twenty-four hours. Minor offenses are prosecuted by complaint and major ones by indictment. The accused

is entitled to counsel at a hearing and may be granted bail at the discretion of the court, except when charged with a capital offense. Habeas corpus is granted only by the High Court.

The corrections system is administered by the Kenya Prisons Service, the Children's Department, and the Probation Department of the Ministry of Home Affairs. Corrections personnel are under the civil service system and have a pay structure and grade parallel to that of the Kenya Police. The central training institution for prison personnel, including recruits and cadet officers, is the Prison Training School in Nairobi.

Penal institutions include regular prisons of general or special purpose, with varying degrees of security; approved schools and remand homes for juvenile offenders; and detention camps. The latter includes temporary barracks or tent compounds, work camps, and prison farms. Overcrowding in all correctional facilities has long been a serious problem, brought about by both a steady rise in the number of persons committed and a trend toward increased legal penalties and longer sentences imposed by the courts. More than half the number committed are classified as persons held for "safe custody," including those held in pretrial or preventive detention, vagrants, debtors, and other nonconvicts.

**Prison Conditions.** The report of the Standing Committee on Human Rights notes that "the condition of prison facilities do not meet the minimum accepted standards for the treatment of prisoners. The human dignity and rights of prisoners are being constantly eroded...through torture and cruel, inhuman and degrading treatment." Former prisoners describing their experiences described prisons as filled with disease, death, corruption, and brutality. Overcrowding has led to the spread of infectious diseases. According to the government, 536 prisoners died in jails in 2003 and 464 in 2002. Police and prison guards subjected prisoners to torture and inhuman treatment. Rape of both male and female prisoners, primarily by fellow inmates, is a serious problem, as is the increasing incidence of HIV/AIDS. Prisoners have to live in unsanitary conditions on a meager diet with little access to safe water. There is little access to health care and medicine. As a result diseases are widespread and the death rate is high. Only one prison facility had a resident doctor while others are staffed by clinical officers or nurses posted from the nearest government hospital. Prisoners are sometimes kept in solitary confinement far longer than the maximum of ninety days allowed by law. Prisoners and detainees are frequently denied the right to contact relatives or lawyers. Even family members experience difficulties in visiting prisoners because of the bribes demanded of them by corrupt guards.



Human rights abuses alleged by inmates and reported by the Standing Committee on Human Rights include torture through application of electric shocks to genitalia, sleep deprivation through continuous exposure to artificial light from a 150-watt bulb, and solitary confinement in flooded cells for up to a week.

By most accounts prisoners receive up to three meals a day. Inmates sometimes are given half rations as punishment for even the slightest offense. The diet is inadequate to sustain health. It consists almost entirely of *ugali* (maize meal), beans, and occasionally cabbage or kale. Meat is provided only occasionally and in meager quantities. Water shortages are a problem in some prisons. The Kakemaga prison has not had running water for five years.

Women and men are kept in separate cells. However, women are allowed only one set of clothes, with the result that they are naked during the washing of the laundry. Young teenagers are kept with adults. Youth detention centers are understaffed and overcrowded and inmates have few opportunities for social contact or recreation. The Nairobi Juvenile Remand Home holds more than four times its official capacity. Some young inmates remained in the centers for years, as their cases awaited resolution. Juvenile detainees are subject to corporal punishment. Of the 1,016 juveniles in detention centers, more than 797 are not criminals but victims of neglect or violence in need of care and discipline. They are often placed with hardened criminals who initiate them into a career of violence.

Nearly all prisoners serving more than six months work in the prison industries and farms. Men work in printing services, car repair, tailoring, metal work, and leather and upholstery work. Women are taught sewing, knitting, dressmaking, rug making, basket weaving, jewelry making, and other crafts. By law, each prison maintains a vegetable farm. Literacy and education courses also are available. Prisoners earn up to \$0.62 per year. Prisoners with a good conduct record can, with permission, work beyond the eight-hour day to produce goods from which they earn two-thirds of the profits. The prison system generates substantial profits (which are credited to the

Consolidated Fund). In addition, many prison officials use free prison labor for personal profit.

Wealthy or influential prisoners are permitted dormitory quarters, special furniture, and extra bedding. They also have permission to attend cultural events, have books, and receive more frequent visits and correspondence. They have tags with personal names rather than numbers.

Prisoners other than those under preventive detention or life sentence may have up to one-third of their sentence remitted for good behavior. The records of inmates serving sentences of seven years or more are periodically reviewed by a board that may recommend a suitable reduction of sentence. Besides remission of part of the sentence, the long-term prisoner with a good record may be released three months early on parole to aid his or her reentry into civilian life.

A probation service program provides help to released convicts during the difficult transitional period to civilian life. Halfway houses, accommodating fifteen probationers each, exist in Nairobi and Mombasa. Cooperating with the parole and probation authorities is the Prisoners' Aid Society, founded in the 1950s. It helps prisoners by giving them small loans, purchasing working implements, and providing temporary support for their families until they are able to resume their role as breadwinners.

**Prison Statistics.**

- Total Prison Population: 55,000
- Prison Population Rate per 100,000: 169
- Pretrial Detainees: 39.4%
- Female Prisoners: 3.6%
- Juvenile Prisoners: 1.9%
- Number of Prisons: 92
- Official Capacity of the Prison System: 16,000
- Occupancy Level: 343.7%

*George Thomas Kurian*

# Kiribati

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**Official country name:** Republic of Kiribati

**Capital:** Tarawa

**Geographic description:** A group of islands in the Pacific Ocean, straddling the equator, halfway between Hawaii and Australia

**Population:** 103,092 (est. 2005)

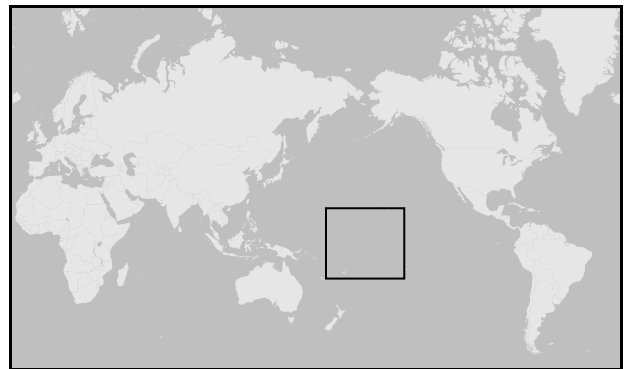


## LAW ENFORCEMENT

**History.** The Kiribati Police have their origins in the Gilbert Islands Police, which came into existence in 1976 following the separation of Gilbert Islands from the Ellice Islands.

**Structure and Organization.** The Kiribati Police are under the command of a commissioner of police, who has authority and presence on all the inhabited islands. The headquarters of the force is at Betio, on Tarawa. Under the commissioner, the line of command runs through superintendents (senior superintendent, superintendent, and assistant superintendent), inspectors, assistant inspectors, sergeants, and constables. The force includes female constables, who deal with sex crimes and juvenile delinquency.

A second police organization called the District Police supports the regular constabulary in certain areas. This force is a decentralized unit of part-time local police officers. It operates under the administrative authority of the area rather than the commissioner of police. The small islands may have only constables on duty and the overall strength may not exceed 200.



For operational purposes, the regular police is divided into four territorial districts serving (1) Ocean Islands, (2) Kiribati, (3) Phoenix, and (4) Line Islands. Small detachments are deployed to each district, where they are assigned to fixed police stations. The Ocean Island district has a single station. Kiribati has three stations located at Betio, Bairiki, and Bikenibeu on Tarawa and fifteen on other islands in the group. The Line Islands district has three stations on Washington, Christmas, and Fanning Islands.

Before independence and for many years after, most of the senior officers in the force were British or Australian expatriates, but now they are all native Kiribatians.

**Education and Training.** Recruits receive basic training in the Police School at Betio. For advanced training, personnel are sent to Fiji, Australia, or the United Kingdom.

**Uniforms and Weapons.** The official uniform is khaki drill with a dark-blue cap that is worn by all ranks. Weapons are not normally carried by the constables.

## *Kiribati*

### **Police Statistics.**

- Total Police Personnel: 250
- Population per Police Officer: 412

### **HUMAN RIGHTS**

The government generally respects the human rights of its citizens and law enforcement personnel respect the constitutional guarantees against abuse and violence.

### **CRIME**

**Crime Statistics.** Offenses reported to the police per 100,000 population: 261. Of which:

- Murder: 5.1
- Assault: 11.6
- Burglary: 38.6

### **CORRECTIONAL SYSTEM**

**Prison Conditions.** Prison conditions are not harsh and conform to international standards. Generally, prisoners are expected to work on public projects, such as road making, seawall repair, gardening, or fishing. Women

prisoners are given light work, such as handicrafts. Prison sentences of more than one month may be reduced by a third for good behavior. Frequently, prisoners are released on parole. There are separate prison quarters for men and women. Children under sixteen are never incarcerated, but juveniles over sixteen and pretrial detainees are housed with convicted prisoners.

### **Prison Statistics.**

- Total Prison Population: 81
- Prison Population Rate per 100,000: 80
- Pretrial Detainees: 6.2%
- Female Prisoners: 0.0%
- Juvenile Prisoners: 0.0%
- Number of Prisons: 5
- Official Capacity of the Prison System: 68
- Occupancy Level: 119.1%

*George Thomas Kurian*

# Korea (North)

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**Official country name:** Democratic People's Republic of Korea

**Capital:** Pyongyang

**Geographic description:** The northern part of the Korea Peninsula north of the 38 parallel

**Population:** 22,912,177 (est. 2005)



## LAW ENFORCEMENT

**Structure and Organization.** The Ministry of Public Security (called the Ministry of the Interior until 1962) is a powerful ministry that oversees a constellation of functions relating to law enforcement, civil order, and national security. Both conventional and secret police are subordinate to this ministry as are traffic control, fire prevention, and the penal system.

Under the Minister of Public Security are four vice ministers, each in charge of several bureaus. Party control over the ministry is extremely tight. The formulation of overall policy and the coordination of party and government functions relating to security are vested in the Justice and Security Commission. Party control is also exercised directly through party cells within the various organs of the ministry itself.

Below the ministry are public security bureaus in each province, public security sections in each city or county, and a number of substations in cities and regions bordering the Demilitarized Zone. A resident policeman or constable is assigned to each village. The public security agencies at the county level are headed by a lieutenant colonel of police, and at the city and province



level by a senior colonel roughly comparable to a chief of police. The usual strength of a county public security station is about 100 men.

One group of bureaus in the Ministry of Public Security includes most of the conventional functions relating to law enforcement. One of these, the Protection and Security Bureau, is the approximate equivalent of a national police force. It operates through its subunits in the county and urban public security sections and perhaps to a lesser extent through rural constables. Its agents investigate crimes, control traffic, register births, deaths, and marriages, authorize passports, and check entry of foreign vessels in North Korean ports. Fire prevention is also a responsibility of this bureau.

All personnel of the Ministry of Public Security are ranked in military fashion. No firm data are available on the strength of the police unit. All cadres above the rank of colonel are trained at the Central Party School.

## *Korea (North)*

A prominent duty of the police is monitoring the movement and activities of all citizens. All North Koreans above the age of eighteen are required to carry an identification card. Changes in place of residence and employment require official permission. Travel within the country is restricted both by positive controls and practical difficulties. An employee has to secure a permit for any trip outside his or her regular place of work. Eating away from home requires ration coupons. At each place of sojourn, a traveler has to deposit his or her documentation with the hotel and register with the local public security authority. All these regulations add to the normal operational burdens of the police.

The Central Domestic Intelligence Agency is the equivalent of a secret service.

### **Police Statistics.**

- Total Strength of the Police Force: 48,839
- Population per Police Officer: 469

### **CORRECTIONAL SYSTEM**

The country's prisons are under the jurisdiction of the Reform Bureau of the Ministry of Public Security. The

number of prisons is now known but the existence of many prisoner camps have been attested by former prisoners. There are ten prison camps according to government reports besides thirty forced labor and reeducation camps.

**Prison Conditions.** Torture is not only legal but is also widely practiced as part of the prisoner regimen. Many prisoners die from torture, disease, starvation, and exposure to cold. Human rights organizations have reported the deaths of over 400,000 prisoners since 1972. Prison conditions are inhuman. Entire families are imprisoned when one member commits a crime. Reeducation through labor is a euphemism for forced labor. Prisoners have been observed marching with leg irons, metal clothing, and shackles. Clothing is issued only once in three years. Prisoners are required to work for sixteen to seventeen hours a day without a break. Chemical and biological warfare experiments are conducted on prisoners. In the 1990s, 20 to 25 percent of the prison population died annually.

*George Thomas Kurian*

# Korea (South)

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**Official country name:** Republic of Korea

**Capital:** Seoul

**Geographic description:** Southern half of the Korea Peninsula in east Asia between the Sea of Japan and the Yellow Sea; it is divided from Japan by the Korea Strait

**Population:** 48,422,644 (est. 2005)



## LAW ENFORCEMENT

**History.** The history of the South Korean police system can be divided into four major eras: the Division of Police Affairs, the Bureau of the National Police Agency, the National Police Headquarters, and the National Police Agency.

*Division of Police Affairs (1945–1948).* At the end of World War II, on August 15, 1945, the U.S. military government was established in South Korea. It is now known as South Korea's Independence Day. On October 21, 1945, the Police Administration Bureau was established at the national level, and a local police department was created in every province under the U.S. military government.

On January 16, 1946, the Police Administration Bureau became the Department of Police Affairs consisting of five bureaus: General Affairs, Public Peace, Criminal Investigation, Communications, and Education. During this period the police ranking system was updated to comprise the following: deputy commissioner general of the Police Administration Department, senior superintendent, inspector general, senior inspector, inspector, assistant



inspector, and policeman. The Provincial Police departments were renamed Police Agencies. On July 1, 1946, a Female Police Department in the Public Security Bureau of the Police Department was created. Female police stations were also established in Seoul, In-Chon, Bu-San, and Tae-Gu, but were abolished in 1957.

*Bureau of the National Police Agency (1948–1974).* On November 4, 1948, the Bureau of National Security was established under the minister of internal affairs. In every city a police agency was formed. During the Korean War the Police Battle Force Headquarters was established in Tae-Baek and in Ji-Ri Mountain on December 16, 1950 (abolished in 1952).

The National Police Hospital was established on December 26, 1953. The Maritime Police Force Squad (December 14, 1953), the Police Aviation Squad (October 2, 1954), and the National Institute of Scientific Inspection Service (March 25, 1955) were also launched.

*National Police Headquarters (1974–1990).* On December 24, 1974, the Bureau of the National Police Agency of the Ministry of Internal Affairs was reshuffled to form the Headquarters of National Security under the direction of the new Government Organization Act. The Police Comprehensive Academy was established in May 1975 to replace the existing school under the National Police College. On April 9, 1976, the Maritime Police Department in the National Security Headquarters was established. In July 1980 regulation of the National Police College was enacted and a college was formed in Yong-In, Kyung-Gi province. In 1982 the National Maritime Police was installed in the Cheong Moo district, Kyung Nam province.

In 1986 the Kim-Po and Che-Ju Airport Defense Squads were extended to International Airport Police Squads. The following year, 1987, the Psychiatry Department in the National Police Hospital was established. On August 15, 1987, the number of combat police officers increased by 5,070 in accordance with the early expansion of 30 companies in the Seoul Olympic Defense Unit.

On September 3, 1987, the Central National Training School was founded according to Presidential Decree No. 12241 and opened on September 18. In 1988 the National Police College was opened to female students in conformity with legislation regarding female officer recruitment.

*National Police Agency (1991–Present).* On July 24, 1991, Presidential Decree No. 13431 was put into effect. The National Police Headquarters was renamed the National Police Agency, the Provincial Police Bureau became the Provincial Police Agency, and the National Maritime Police force became the National Maritime Police Agency. Organizational structures were changed to the following:

- National Police Agency: 1 commissioner general, 1 deputy commissioner general, 4 director generals, 7 bureaus, 5 assistant director generals, 9 directors, and 11 divisions
- National Maritime Police Agency: 1 director, 4 departments, and 11 divisions
- Seoul Provincial Police Agency: 1 commissioner general, 1 deputy commissioner general, 7 departments, 2 directors, 17 divisions, and 7 direct control squads.

On October 17, 1992, the director of foreign affairs was charged with Interpol duties. On August 8, 1996, the position of the National Maritime Police Agency was transferred into the Ministry of the Maritime Affairs

and Fisheries in accordance with Presidential Decree No. 15136.

On September 29, 2000, according to Presidential Decree No. 16975, the Anti-Cyber Terrorism Center was established with five teams (cooperative operation team, report and warning team, inspection service team, and skill development team).

On March 27, 2001, based on Presidential Decree No. 17168 and Administration Order No. 128, the In-Cheon International Airport Police Squad was established under the In-Cheon Metropolitan Police Agency with 3 divisions and 138 officers. In addition, the Kim-Po International Airport Police Squad was renamed the Kim-Po Airport Police Squad of the Seoul Metropolitan Police Agency.

On February 25, 2002, in accordance with the direction of Presidential Decree No. 17521 and Administration Order No. 161, the National Police Agency was reorganized to reinforce the three-shift system at branch offices. Also, the Female Juvenile Section was established in four provincial police agencies.

#### **Structure and Organization.**

*Principal Agencies and Divisions.* As of 2003 the South Korean police became a national police force, comprising of the Central Headquarters of the National Police Agency, the Central Police Organization, 14 regional police agencies, 231 police stations, 2,930 branch offices, and other affiliated institutes including the Police College, the Police Comprehensive Academy, the National Central Police Academy, the Driver's Licensing Agency, and the Police Hospital. The National Police Agency is divided into 6 bureaus, 5 offices, and 1 assistant director general.

In addition, to secure the political neutrality and the democracy of the police, the Police Commission under the Ministry of Government Administration and Home Affairs serves as the highest order consultation/legislative organization.

In spite of the similarity of structure between the police organization and the provincial governments, police stations exist for the security of the people, rather than administrative demand. As security demands increase, more stations and stands are established to meet the needs of the people.

#### *Affiliated Institutes.*

*National Institute of Scientific Inspection:* The National Institute of Scientific Inspection (NISI) under the Ministry of Government Administration and Home Affairs is operated under the supervision of the commissioner general and provides comprehensive forensic services to law enforcement agencies. The NISI has laboratories in Seoul, Bu-San, Jang-Seong, and Dea-Jeon. It employs over 250 forensic scientists, technologists, and

administrative personnel. The NISI examines physical evidence submitted from all South Korean police agencies, the prosecutor's office, courts, and government agencies and provides reports and expert court testimony based on the results of its forensic examinations.

In 1935 the Legal Medicine and Forensic Science Laboratory and Criminal Photographic Section was founded under the Investigation Division of the Kyong-Gi Provincial Police Bureau. In 1955 the NISI was established under Presidential Decree No. 1021. In 1993 the Southern District Office at Pu-San was established. In 1967 the Western District Office at Jang-Seong was established, and in 2000 the Central District Office at Dae-Jeon became operational. The NISI commemorated its forty-fifth anniversary by holding an international seminar on Forensic Science and by founding the Korean Society of Forensic Science.

*Police College:* The South Korean National Police College provides four years of regular educational courses that grants a bachelor's degree in law and in public administration. In 1979 the Police College Law was passed and in 1981 the South Korean Police College opened its campus in In-Chon with a highly competitive acceptance rate (ratio of 224:1) among those who took the national college entrance exam. In January 1983 the campus moved to its present site of Yong-In and produced its first graduates. The first commencement ceremony took place in 1985. The graduates fulfill their military service requirement by serving as commanders of the riot police unit and mobile police forces, and then they are placed in police offices all over the country as police lieutenants. In 1989, out of a 120-student quota, only five female students were admitted. The number of female students increased to twelve in 1996 as a result of a conscious policy change that aimed to use women as a high-quality human resource for police administrative affairs. As of March 2002 a total of 2,063 graduates had earned their degrees and worked in the police force.

*Police Comprehensive Academy:* In September 1945 the Police Training Center began operations, but one year later it was renamed the National Police Academy. During the Korean War it moved to Bu-San and taught war-related subjects. In July 1953 it returned to Seoul. In 1972 the National Police Academy was renamed the Police College and established attached institutions called the Traffic and Investigator Academies. In 1975 the Comprehensive Academy was established and attached to the Police College and then was renamed the Police Comprehensive Academy. In 1979 the Police College was promulgated to a four-year National Police College. In 1982 the Police Comprehensive Academy was separated from the National Police College and is still in operation.

New police officers are educated for a one-year period (e.g., the police cadet course). Inspectors and

assistant inspectors undergo a basic two-week course (e.g., basic education course for inspectors and a basic education course for assistant inspectors). Functional duty education for superintendents and below are for one to two weeks, and inspectors and below are for mostly one week (e.g., Internet course, intelligence and communication specialization, international crime investigation course, human rights protection course, shooting training course, martial arts master course, and hit-and-run accident investigation course). Education is also provided for maritime police officers (e.g., the course for new maritime police officers and the basic education course for inspectors of the maritime police agency).

*National Central Police Academy:* The National Central Police Academy (NCPA) was founded in September 1987 to train newly recruited police officers and auxiliary police forces. It is located in Chung-Ju City, Chung-Nam province, the central part of South Korea. On an area of approximately 245 acres, the National Central Police Academy is comprised of fifty-seven buildings, including two vast state-of-the-art auditoriums supported with contemporary technology, a gymnasium accommodating up to a thousand people, and a computer-training facility able to provide 200 students with Internet access simultaneously. It is a continuously expanding convenient infrastructure that complies with the diverse educational needs of its students. Furthermore, the academy offers room and board to all 4,500 students to provide a comfortable, restful atmosphere during training.

All newly recruited police cadets participate in a six-month training program in the academy; it is composed of three weeks of close-order drills, seventeen weeks of preliminary education including continuous physical training, four weeks of actual on-the-job training, and other extra curricular courses provided throughout. During their onboard period, prospective police officers learn many professional skills and gain the knowledge required to carry out their duties in the field.

In addition, the NCPA is also in charge of educating and training auxiliary police force members who are fulfilling their military obligations as auxiliary policemen. Auxiliary police forces are trained for two to three weeks based on the skills required for frontline duties. The training programs at the NCPA enable all new policemen to cultivate and develop the upright, moral standards required of public servants. Since its establishment, the academy has generated over 46,000 police officers and 260,000 auxiliary police forces.

*Associated Organizations:*

- Police Hospital
- Driver's License Agency
- Police Mutual Aid Fund



## *Korea (South)*

- Korean Ex-Police Association
- Road Traffic Safety Authority
- Weapons and Gunpowder Safety Technique Association

**Retirement Age.** There are two different types of retirement limits: retirement based on age and retirement based on rank. The age limit for superintendent and higher ranks (e.g., senior superintendent, superintendent general, senior superintendent general, chief superintendent general, and commissioner general) is sixty years old and that of senior inspector and lower ranks (e.g., inspector, assistant inspector, senior policeman, and policeman) is fifty-seven years old. The term limit for senior superintendent general is 4 years, for superintendent general, 6 years, for senior superintendent, 11 years, and for superintendent, 14 years.

**Hierarchy and Ranks.** There are eleven ranks for sworn in police officers:

- Commissioner General
- Chief Superintendent General
- Senior Superintendent General
- Superintendent General
- Senior Superintendent
- Superintendent
- Senior Inspector
- Inspector
- Assistant Inspector
- Senior Police Officer
- Police Officer

### ***Police at Work.***

**Service for Citizens:** The South Korean police operate 2,930 police branch offices as local security service centers and provide prompt security service twenty-four hours a day, seven days a week by operating a 1-1-2 dialing system to report crimes. In addition, the police promote service for public welfare in accordance with regional and seasonal peculiarities, such as launching a campaign to protect needy neighbors, promoting good behavior among teenagers, supporting manpower for agricultural industry, and assisting in the restoration of flood damage.

**Prevention and Oppression of Crime:** To deal with crimes that are becoming villainous, intellectual, and more prevalent day by day, as the best investigation center in Korea, the South Korean police are making every effort to prevent crimes by developing scientific investigation techniques, expending advanced equipment, and consolidating crime statistics system. In addition, the

police encourage private security sectors to work with the police and citizens for crime control and prevention.

**Composition of Smooth and Safe Traffic:** In 2002 the number of vehicles in South Korea was about 12 million and the number of driver's licenses was about 20 million. Automobiles are the most important transportation vehicle. The South Korean police are doing their best to administer traffic systems for drivers to navigate more safely on the road by promoting rigid enforcement of regulations and guidance activities.

**Securing of Social Stabilization and Maintenance of Law and Order:** The South Korean police are making efforts to protect the security of the nation from impure forces that overthrow democracy and the market economy structure. The police also maintain social order for the peaceful lives of its citizens.

**Prevention of International Borderless Crimes:** Since the start of the twenty-first century crimes have become more internationalized. Although each country in the world has been combating international borderless crimes, the mobility and intelligence of these criminal groups have developed because of the development of communication technology and the information industry. The South Korean police have strengthened cooperation with other countries' police agencies and shared information for combating international crimes and mutual cooperation.

**Local Police.** The Seoul Metropolitan Police Agency consists of seven departments, two offices, and sixteen divisions. The Bu-San Metropolitan Police Agency is divided into seven departments, three offices, and nine divisions. The Kyong-Gi Provincial Police Agency consists of 3 divisions, 2 offices, and 9 divisions. Other provincial police agencies consist of 3 offices and 6 divisions. Every police station is divided into 1 to 3 levels with 4 to 9 divisions. As of 2001 there were 231 police stations and 2,930 police boxes all across the nation.

### **Special Police.**

**Auxiliary Police.** As of 2002 there were 91,592 police officers (62.4 percent) in South Korea. In addition, there were 50,609 auxiliary police officers, which were riot and temporary-service police forces that substitute police service for military service. These temporaries help to support the regular police force.

**National Maritime Police Agency.** South Korea is a typical marine country surrounded by water on all sides but one. There are continental shelves that are three and a half times as large as the land, 7,938 miles of coastline, and tourist attractions that include 3,200 islands,



*A mock "terrorist" attacks police during an antiterrorism exercise in Seoul, Korea, September 6, 2005. The National Police Agency ran the drill to demonstrate its readiness to combat potential attacks at the annual Asia-Pacific Economic Cooperation meeting, held in Busan in November. The forum facilitates economic growth and cooperation between its 21 member economies. AP IMAGES.*

beaches, and marine parks. The West Sea and South Sea have continental shelves, and the East Sea has an average depth of 5,406 feet. The National Maritime Police Agency (NMPA) located in In-Chon is in charge of the inner sea of the Exclusive Economic Zone with 1 commissioner, 1 deputy commissioner, 4 bureaus, 15 divisions, 2 offices, 1 workshop, and 13 stations with 69 branches and 290 offices of entrance and clearance notice. The NMPA possesses various kinds of patrol boats, disaster response vessels, fireboats, and rescue helicopters.

The maritime police perform rescue activities in pertinent sea areas for South Korea through a centralized chain of command that includes Rescue Coordination and Rescue Subcenters. Pertinent sea areas for South Korea are the districts under the charge of each rescue control center. It covers the area within latitude 30 to 40 degrees north and longitude 121 to 135 degrees east. Cooperation with all agencies concerned strengthens the ability to deal with any emergency such as searching for missing ships, international cooperation systems in search and rescue, and maritime disaster relief.

*Global Maritime Distress and Safety System.* The maritime police agency uses the Global Maritime Distress and Safety System (GMDSS), which is expected to bring an upheaval in the field of maritime communication through the combination of advanced technology (e.g., satellite relay, digital communication, wireless phone, and telex) with maritime and overland communications. The system is expected to quicken rescue operations as distress signals are sensed directly by nearby ships and rescue teams on land. Set up of this system began with ships constructed after February 1, 1992, and lasted for seven years until January 31, 1999. By February 1, 1999, the system was in full operation on every passenger liner and every ship with a gross weight of over 300 tons.

*COSPAS-SARSAT System.* Recognizing the importance of quick and accurate communication in rescue operations, the GMDSS was developed and put into operation (compulsive as of February 1992) with the International Maritime Organization at the core. The international COSPAS-SARSAT is a system jointly developed by the United States, Russia, France, and

## *Korea (South)*

Canada. Devices for search and rescue are installed in low-altitude satellites that collect such useful information as the positions of distressed ships and aircrafts.

**Uniforms and Weapons.** There are eight different uniforms for all police forces.

**Police Officers Killed in the Line of Duty.** In 2001 thirty-eight police officers died on duty. The major causes of death on duty were overworking (58.3%) and traffic accidents (34.5%). The number of injuries on duty was 903.

**Transportation, Technology, and Communications.** As of December 31, 2002, the number of 1-1-2 patrol cars was 3,606.

### **Police Statistics.**

- Total Police Personnel: 146,693
- Police Officers: 91,592 (62.4 percent)
- Riot Police: 50,609 (34.5 percent)
- Civilians: 4,492 (3.1 percent)
- Population per Police Officer: 330

## **CRIME**

According to statistics from the Korean National Police Agency, in 2002 there were 1,833,271 crimes committed. In the last decade the total number of crimes occurring in South Korea increased by a factor of 1.4, from 1,304,349 in 1993 to 1,833,271 in 2002. The total number of crimes taking place per 100,000 citizens increased since the 1993 by a factor of 1.3, from 2,952 in 1993 to 3,801 in 2002. The percentage of total arrests in the past decade (the number of arrests over the number of crimes occurring multiplied by 100; the number of crimes occurring refers to those crimes that took place in the relevant year, and the number of arrests made includes the arrests of suspects that had occurred in the year immediately preceding the year of computation) hovered at 95.7 percent in 1993, the highest rate ever, and 92.4 percent in 2002.

**Criminal Identification and Forensics.** The NISI provides comprehensive, accurate, fair, and prompt scientific support in the investigation of crimes with the goal of reducing violent crimes and thus protecting the public.

## **CORRECTIONAL SYSTEM**

**History.** The history of the South Korean correctional administration is just about as old as the country itself. For instance, in books such as *Sam-Guk-You-Sah*, a

history book about three old kingdoms on the Korea Peninsula, and a volume of *Sam-Guk-Ki Wee-Jee Dong-Wee-Gen*, a history book about an ancient kingdom located in a northern area of Korea, the rule Sok-Joen can be found in the humanitarian laws of Go-Jo-Sun. Sok-Joen was a paid exemption from punishment, similar to a fine. The implementation of a formal correction system was necessary even during this primitive era.

Among three countries in the sixth century, Go-Gu-Rei put penalties such as execution, confiscation of slaves, reparations, and so on. Bak-Je created a position called Jo-Jung-Jya-Pung in the central administrative organization to manage prisons and prison rulers. Shilla also established an office called Jya-Woo-I-Bang-Bu that was responsible for the management of prisons.

During the Korea (name of one of the old countries of the tenth century) dynasty, there were five kinds of penalties: Tae-Hyung (whipping), Jang-Hyung (whipping), Do-Hyung (legally forced removal), You-Hyung (banishment), and Sa-Hyung (execution).

The Cho-Sung dynasty (1032–1910) succeeded the old Korean system and legislated or improved various laws and regulations to meet the standards required for a low-governing country. As a consequence, corporal punishment, such as Do-Hyung or You-Hyung, rather than the death penalty was more frequently used, and the standard of restraint instruments and their use was codified to rule out any abuse of punishment.

During the Japanese period (1910–1945) the Prison Law of Cho-Sun was legislated in 1912. It brought correctional facilities and imposed menial labor on inmates. The fundamental human rights of inmates were not considered by the Japanese government.

In the era of American military assistance (1945–1948) the correctional administration system of Western countries was partially introduced to Korea. In March 1950, after the establishment of the South Korean government, the Correctional Administrative Law was legislated to found the educational correctional administration. Since then, seven amendments to this law have instituted various systems that have contributed to the protection of the human rights of inmates and to their rehabilitation as well.

### **Structure and Organization.**

**Central Organization.** The central organization that has general control over correctional administration consists of a director general, a deputy director general, and directors of the six divisions of the Corrections Bureau under the minister of justice. The deputy director general assists the director general in formulating and implementing corrections policies. Established and

operated under the director general are the directors of the six divisions of the Corrections Bureau.

1. Corrections Division: Overall planning of correctional administration, personal management, training and supervising of corrections officials, amendment of laws and regulations, and public information and international affairs
2. First Security Division: Accommodation and release of inmates, maintenance of security, management of security appliances, and parole
3. Second Security Division: Accommodation, release and treatment of inmates in accordance with public security orders, and management of prison defense guards
4. Prison Industry Division: Planning of prison industry, management and control of prison industry, and deciding income (remuneration) for inmate labor
5. Educational Reformation Division: Education and reformation of inmates, vocational training, and managing voluntary workers from outside
6. Management Division: Budget planning, facility management, clothing and dietary supply, managing the deposited money of inmates, and prisoners' health services

**Local Correctional Institutions.** As the intermediate control organ, the regional correctional headquarters was established in four big cities throughout the nation on November 1, 1991, to improve the management of facilities and to supervise the local-level correctional institutions within their jurisdictions. The regional correctional headquarters are situated in Seoul (central region), Tae-Gu, Tae-Jon, and Kwang-Ju, and are performing midlevel supervision by directly overseeing local correctional institutions within their own jurisdictions.

There had been a total of twenty correctional institutions and one branch when the organization of correctional institutions was established in March 1950, right after the foundation of the South Korean government. Because of the increase of crimes and the demand for more correctional institutions and improved inmate housing and treatment, the number has increased to forty-eight correctional facilities. As of June 30, 2002, there were 4 regional correctional headquarters, 26 correctional institutions, 2 juvenile facilities, 1 women's facility, 1 open correctional institution, 8 detention centers, 2 social protection houses, and 4 branch detention centers.

- Correctional institution: the place where sentenced inmates are housed. The aim of this institution is to

return inmates to society as sound citizens after their service by providing correctional education, reformational programs, vocational training, and so on.

- Detention center: the place where unsentenced inmates are housed for trial. The Seoul Detention Center, the first of its kind, was built in July 1967. As of June 2002, 8 detention centers and 4 branches have been built throughout the nation.
- Social protection house: the place where inmates who are sentenced to social protective custody by the Social Protection Act are housed. The aim of this institution is to return inmates to society as sound citizens after their service by providing correctional education, reformational programs, vocational training, and so on.

An ordinary correctional institution comprises of six divisions under the commissioner of regional correctional headquarters: the General Affairs Division, the Security Division, the Prison Industry Division, the Supplies Division, the Medical Care and Classification Division, and the Educational Reformation Division. A bigger correctional institution also includes a Classification Division. In the correctional institution, the Prison Industry Division and the Educational Reformation Division play important roles in cultivating the inmates' work morale and rehabilitating the inmates to return to society as sound citizens.

By contrast, in a detention center there are nine divisions, that is, six divisions as above plus three more divisions: the Court Appearance Division, the Visitation and Deposit Division, and the Personal File Division. The major function of a detention center is to incarcerate the inmates under trial, keeping them in custody and prohibiting any elimination of evidence until the settlement of the decision. Therefore, the Court Appearance, the Personal File, and the Visitation and Deposit Divisions are featured components of the detention center's operation because the facility incarcerates offenders on remand.

**Correctional Staff.** The total number of staff serving at all correctional institutions in South Korea was 12,484 as of June 30, 2002. Of them, 218 officers worked for the Corrections Bureau, the regional correctional headquarters, and the Training Institute, and 12,266 officers worked for local-level correctional facilities throughout the country. This was 137 more officers than the previous year. Headed by the director general, the Corrections Bureau of South Korea employed 10,959 sworn in officers and 1,388 nonuniformed ones.

There were only 7,185 correctional staff in 1980. However, this number gradually increased and reached 8,574 in 1988. By introducing the three-shift working system to security staff in the local correctional facilities,

the Corrections Bureau hired 2,100 correctional officers at one time in 1989. The number of all correctional staff increased to 10,780, which greatly contributed to alleviate the work assignments of correctional officers and to improve the treatment of inmates. The increased number of correctional officers after 1990 attributed to the construction of new correctional facilities such as Ul-San, So-Won, and In-Chon Detention Centers and the Yui-Joo Correctional Institution.

**Inmates.** The daily average number of inmates accommodated in correctional facilities in South Korea was 48,755 at the end of 1980. The number of inmates gradually increased to 52,050 in 1985, and reached a maximum of 60,166 in 1995. Especially during the time of economic crisis in South Korea from 1998 to 1999, the number of inmates grew to more than 70,000 because of the increase of property crimes. Since the recovery of the economic situation, the number decreased to 68,000 at the end of 1999, and it reached about 61,500 in June 2002. At the end of June 2002 the total number of inmates was 61,470. Among them, the number of convicted prisoners was 38,238 (62.2%) and that of unconvicted inmates (on remand) was 23,232 (37.8%). The number of all inmates accounts for 0.13 percent of the total population.

The number of inmates has rapidly increased since 1998 because of the economic crisis in South Korea. The number of inmates on remand and that of detainees guilty of not paying fines increased unexpectedly because of one of the worst economic situations faced by the nation.

**Composition of Inmates by Sex.** The number of female inmates was 3,282 at the end of 1996, which comprised 5.6 percent of all inmates. This number was an increase in comparison with 4.8 percent in 1986. Meanwhile, male inmates numbered 50,228 in 1986 and increased to 56,061 in 1995, showing an increase of 11.6 percent. By contrast, female inmates numbered 2,505 in 1986 and 3,254 in 1995, showing a rapid increase of 33.4 percent. This growth can be attributed to increased female participation in social activities. The number of female inmates is expected to gradually increase in the future.

The percentage of female inmates to all those unconvicted in 2001 was 7.5 percent, while that to those convicted was 3.5 percent. This figure may imply that prosecutors are usually lenient toward female offenders, being reluctant to indict them in comparison with male offenders.

**Composition of Inmates by Age.** In terms of age, inmates between 20 and 40 years old comprise a large majority—more than 70 percent. After 1993 most inmates were between 30 and 40 years old, a change

from years past when inmates between 20 and 25 years old were the highest percentage. At the end of 2001 the proportion of inmates between 30 and 40 years of age was 32.2 percent; between 20 and 25, 18.3 percent; and between 25 and 30, 16.5 percent. These figures indicate that the number of inmates under 20 years old has gradually decreased, while that of inmates between 30 and 40 years of age has recently increased. In the case of those between 40 and 50 years of age, the number in 1992 (3,547) increased in 2001 (9,146), which indicates an increase of 260 percent over those ten years.

**Recent Changes and Accomplishments.** The Bureau of Corrections of South Korea has actively improved the custodial environment and enhanced inmate treatment to achieve the objective of innovating correctional administration. Since 1998 the bureau has exercised many efforts in the provision of laws and ordinances and in the introduction and operation of new correctional programs, with the most emphasis made on ensuring inmates' human rights and furthering their reintegration into society. The contents of these innovations are as follows:

**Improvement of Custodial Environment.** To ensure that inmates live in a safe and secure institutional environment, the Bureau of Corrections has improved cleanliness inside accommodation wards and has pushed forward in renovating old correctional facilities and building more institutions to alleviate prison crowding. In addition, every inmate's cell is equipped with a television set so that inmates receive useful social information and necessary cultural knowledge. In particular, during the 2002 World Cup, most inmates watched soccer matches on television.

**Enhancement of Inmates' Human Rights.** To improve inmates' human rights, the bureau proclaimed the principle of guaranteeing inmates' human rights in the revision of the Penal Administration Act. Other provisions were also stipulated in the revision, such as restrictions on the use of restraints, suspension of disciplinary punishment, the guarantee of the right of petition, and so on. The following are also provided in the revision to guarantee inmates' human rights and to improve their treatment: use of telephone, permission for newspaper subscriptions, the lifting of restrictions on the number of correspondence, reserved visiting, and so on.

**Inauguration of the National Human Rights Committee.** In May 2001 the government enacted the National Human Rights Committee Act and enforced it in November 2001 to protect and increase basic human rights. Therefore, any inmate who feels that his or her human rights have been violated with regard to correctional treatment can at any time appeal to the committee in writing. The committee, deeming it necessary, can at any

time investigate the correctional facilities concerned, thus greatly contributing to the enhancement of inmates' human rights.

*Information Education and Foreign Language Course.* Since March 2000 every correctional institution has established an information education room that is equipped with computers within the institution. The plan is to have all the more than 30,000 convicted prisoners involved in one of the available information education courses ranging from basic to advance according to their capability.

In addition, since October 1999 state-of-the-art foreign-language labs have been established in five correctional institutions in the nation. Two hundred and forty inmates are currently studying English, Japanese, or Chinese, some of whom get excellent marks on the TOEFL and the Japanese Competency Test. Four inmates passed the Chinese tour interpreter test in September 2002.

*Establishment of College Courses within Correctional Institutions.* Many correctional institutions operate the Air and Correspondence High School courses and the Qualification Examination for College/High School Entrance courses so that inmates may continue their academic career during incarceration. Each year a number of inmates pass these qualification examinations with outstanding marks. The Self-Taught Bachelor's Examination is devised to help people who cannot enter a university or college to get a bachelor's degree through rigorous self-study. Against all odds, twenty-nine inmates passed this examination, which is difficult even for the general public, from 1998 to 2000. The number of inmates who passed the examination increased considerably to twenty in 2001 alone. A technical junior college course opened within Chong-Joo prison in May 2000, so that those inmates enrolled could develop information-related skills and qualifications, including data processing and a junior bachelor's degree when graduating.

*Up-to-date Vocational Training.* To promote inmates' chance of employment after release, correctional institutions abolished outdated occupational courses and introduced training for new vocations including CNC lathe, animation, information communication, and so on. Vocational training was conducted for sixty-six types of occupation in 2001, and the number increased to seventy-two in 2002. A total of 4,530 inmates are currently engaged in vocational training in the nation.

*Employment Arrangements for Released Prisoners.* In May 2002 the Prisoner Employment Arrangement Conference was established in each correctional institution to actively accelerate employment support for released inmates, mainly those who acquired vocational skills during their sentence. The conference consists of members from the Department of Labor Regional Employment Security Center and the Korean Industrial Manpower Agency, correctional members, and correctional officers.

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*Seung Mug Lee*

# Kuwait

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**Official country name:** State of Kuwait

**Capital:** Kuwait City

**Geographic description:** A country in the Arabian Peninsula at the head of the Persian Gulf, between Saudi Arabia and Iraq

**Population:** 2,335,648, of which 55% are foreigners (est. 2005)



## LAW ENFORCEMENT

**History.** The first Kuwaiti police force was set up soon after the British takeover of the emirate in 1899. It was a small force of eighty men designed to protect the port from thieves. Over the years it grew in numbers and in the scope of its operations until it became the Department of Public Security in 1938.

**Structure and Organization.** The national police force is divided into three territorial departments and ten administrative departments. The three territorial departments correspond to the three governorates of Hawailii, Al Ahmadi, and Al Kuwayt, in each of which the police are headed by a director of security. Under him there are a number of district police commands, each headed by an area commander appointed by the governor. The director of security of the Al Kuwayt governorate is a full colonel, while the other nine area commands under him are headed by officers with the grades of captain, major, or lieutenant colonel. These officers supervise a total of twenty-seven police stations manned in shifts by three or four police officers and ten or more police officers and police guards.



The ten administrative departments are: Alien Registration, Communications, Crime Prevention, Criminal Investigation, Emergency, General Security, Identification, Public Relations, Prisons and Traffic, and Emergency, including the Fire Service. The police service was opened to unmarried women in 1975.

Police officer grades are the same as in the regular armed forces, except that the highest listed police rank is that of major general. Officer base pay and social allowance scales are the same. The police do not use the rank of warrant officer, but they do have five grades of noncommissioned officers—in descending order, master sergeant, corporal, lance corporal, policeman, and police guard. The pay and allowances for a master sergeant are about the same as for a chief warrant officer in the army, and for a police guard about the same as for an army private. The intermediate police noncommissioned grades are somewhat more highly paid than their army counterparts.



*A Kuwaiti border police officer stands guard near a steel barrier on the Kuwait-Iraq border, August 6, 2005. An Iraqi delegation traveled to Kuwait to discuss issues surrounding increased tensions around the border. During the previous month, Kuwaiti riot police were deployed to the border to control hundreds of Iraqi demonstrators who were protesting the construction of the security barrier. AP IMAGES.*

**Education and Training.** Training for all ranks is provided at the Kuwait Police Academy and Training School.

**Uniforms and Weapons.** Officers wear black uniforms in winter and khaki gabardine uniforms in summer. Other ranks wear dark-blue uniforms in winter and khaki in summer, both with a high closed neck. Officers wear black caps, while other ranks wear blue caps. All personnel on duty wear a pistol and the Combat Police carry a full range of assault weapons.

**Police Statistics.**

- Total Police Personnel: 28,162
- Population per Police Officer: 83

**HUMAN RIGHTS**

Human rights exist in the emirate on the sufferance of the ruler and not as a constitutionally guaranteed right. Thus, the police use all means at their disposal, including physical violence and abuse, to silence critics and to punish the opposition. The judiciary is subservient to the state and a pattern of bias exists against foreign residents, who bear the brunt of police abuse. Foreign workers have fewer rights than citizens. Many work under conditions that, in effect, constitute indentured

servitude. Security forces intrude on every area of life, including religion and communications.

**CRIME**

**Crime Statistics.** Offenses reported to the police per 100,000 population: 1,346. Of which:

- Murder: 1.5
- Assault: 36.4
- Burglary: 75.9
- Automobile Theft: 56.7

**CORRECTIONAL SYSTEM**

Prisons are administered by the director general of prisons under the Ministry of the Interior. The largest prison is the Central prison. Drug offenders make up 70 percent of the Central Prison inmates. The Shuwaikh Deportation facility houses illegal aliens sentenced to be deported. In 2002 the government completed the construction of two new prisons and began building a third.

**Prison Conditions.** Prison conditions meet or exceed international standards in terms of food, access to health care, scheduled family visits, cleanliness, and opportunities for work and exercise. A team of medical specialists attend the



## *Kuwait*

prisons weekly, a psychiatrist is on call twenty-four-seven, and specialized health care is available from local hospitals.

### **Prison Statistics.**

- Total Prison Population: 3,700
- Prison Population Rate per 100,000: 148
- Pretrial Detainees: 18.6%

- Female Prisoners: 14.9%
- Number of Prisons: 6
- Official Capacity of the Prison System: 2,866
- Occupancy Level: 102.8%

*George Thomas Kurian*

# Kyrgyzstan

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**Official country name:** Kyrgyz Republic

**Capital:** Bishkek

**Geographic description:** Located in Central Asia, it borders China, Kazakhstan, Tajikistan, and Uzbekistan

**Population:** 5,146,281 (est. 2005)



## LAW ENFORCEMENT

**History.** At the end of the eighteenth century and the beginning of the nineteenth century Russians slowly took over many of the villages of the Kyrgyz lands. The Kyrgyz tolerated it until they rose up in revolt in 1916, which was heavily put down by the Russian Army. Kyrgyz lands became part of the Turkistan Autonomous Soviet Socialist Republic within the Russian Federation in 1918, then a separate Kara-Kyrgyz Autonomous Oblast in 1924 and, finally, a Soviet Socialist Republic in 1936.

Kyrgyz industry, built on abundant hydroelectric potential and large coal resources, developed rapidly in the 1920s and 1930s. Many nomads were settled in the course of land reforms in the 1920s, and more were forcibly settled during the Stalinist collectivization campaign in the 1930s. By 1940 Kyrgyz coal mines were producing 88 percent of the coal used in the Central Asian republics. Besides coal production, a number of other industries were developed in this period, including nonferrous metallurgy, sugar refining, mercury processing, and various light industries.

Joseph Stalin's collectivization of the land was probably one of the most comprehensive changes



wrought in Kyrgyzstan after the Bolshevik Revolution. Through collectivization the Soviet authorities intended to gain a firmer grip on the somewhat uncontrollable nomadic population. The government saw it as absolutely necessary to gain control of those areas of the Soviet Union that bordered on non-Soviet states. Collectivization was, therefore, more thorough in the border states than in central parts of Russia. In the course of the 1930s, practically all the Kyrgyz were affiliated with a collective or state farm.

With a view to winning the widest possible support among the Kyrgyz population, the authorities appointed Kyrgyz people to leading positions in the collective farms. Since the Soviet power structure could not simply be incorporated into the egalitarian Kyrgyz political structure, some of the leaders had problems in getting support from their own people. They were given an appointment to which they could not say no and at the same time they were often looked on as traitors by family and friends.

The nomads resisted collectivization, but soon had to capitulate in the face of superior force. Those opposing collectivization, mainly large and small landholders, were either killed, imprisoned, or left to starve. The result of this process was the establishment of approximately 300,000 small collectivized livestock enterprises in Kyrgyzstan.

The centralization of the keeping of livestock led to the forcing of many animals into an ever smaller area. The consequent overgrazing laid waste to huge areas and brought about a sharp decline in the number of domestic animals and more suffering by the population.

During the Stalin purges, which reached their height between 1936 and 1938, virtually the entire academic and creative intelligentsia was destroyed, and almost all of Kyrgyzstan's Muslim clerics were imprisoned or executed. One of the most disastrous facets of the purge was the Soviet government's attempt to destroy all books and manuscripts written in the Arabic script, a campaign that destroyed much of Kyrgyzstan's cultural heritage.

These profound challenges to Kyrgyz society, combined with a strong, centralized, Soviet administrative-command economy, produced widespread shortages of resources and a distinct propensity for corruption that exists to this day.

Despite conservative Kyrgyz leadership during perestroika, several groups were founded to fight unemployment and homelessness—some activists going so far as to seize vacant land and build houses on it. Land and housing were in fact at the root of Central Asia's most infamous "ethnic" violence, between Kyrgyz and Uzbeks around the city of Osh in 1990.

Elections were held in traditional Soviet rubber-stamp style to the Kyrgyz Supreme Soviet in February 1990, with the Kyrgyz Communist Party walking away with nearly all the seats. After multiple ballots, Askar Akayev, a physicist, was installed as a compromise president. In August 1991 the Kyrgyz Supreme Soviet reluctantly voted to declare Kyrgyzstan's independence. Six weeks later, Akayev was reelected president, running unopposed. By the end of the year, Kyrgyzstan joined the Commonwealth of Independent States. In May 1993 a new constitution was passed.

Akayev made his priorities the privatization of land, the restoration of Russian as a national language, alongside Kyrgyz, as a means of stemming the continuing exodus of skilled Russians, and the preservation of the Commonwealth of Independent States, which is of great economic value to Kyrgyzstan. Akayev also sought to ensure that Kyrgyzstan remained a secular state and to prevent the spread of Islamic fundamentalism from neighboring states such as Tajikistan. Meanwhile, close ties were established with the neighboring states of

Kazakhstan and Uzbekistan, with whom Kyrgyzstan had forged an economic, social, and military union during 1994. The republic also endeavored to develop close relations with Turkey, with whom it shares linguistic traditions.

A referendum in 1996 endorsed a constitutional amendment that granted the president increased powers. In January 1997 President Akayev signed a decree allowing private ownership of land. He was reelected president in October 2000, although independent monitors criticized the conduct of the election.

**Structure and Organization.** Law enforcement responsibilities are divided among the Ministry of Internal Affairs (MIA) for general crime, the National Security Service (Sbor Narodni Bezpecnosti, SNB) for state-level crime, and the procurator's office for both types of crime. Civilian authorities generally maintain control of the MIA and the SNB and hold full control of the State Border Guard Service.

In the 1990s the republic's police system was largely unchanged from the Soviet era. Still called militia, the police were under the jurisdiction of the MIA. At the time, the force was estimated at 25,000 individuals. Throughout this period the republic's police suffered the same large-scale resignations because of low pay and bad working conditions as have other former Soviet republics lacking resources to support internal security. In April 1995 the national power company shut off power to the Central Police Force headquarters for nonpayment of electric bills, leaving the capital without even emergency police service for five hours. The poor equipment of the police further hampered their ability to respond to crime. Police personnel were frequently implicated in crime. Nearly 700 police officers were caught in the commission of crimes in the two months after Akayev replaced the entire administration of the MIA in 1995.

While the introduction of technology has helped modernize policing in the Kyrgyz Republic to some extent, by and large serious shortages remain and fundamental attitudes are still prevalent. Corruption is widespread, budgetary funds are scarce, and the relationship between the police and the community is strained.

Today, the MIA, policing, armed units, and special forces are believed to number approximately 19,000. The MIA is the largest armed organization in the country, and is much bigger than the 11,000-strong army, which is responsible solely for external defense.

Within the MIA there are nine regional offices, one in each of the seven provinces (oblast) and the cities of Bishkek and Osh. Under them are town and local police departments. These regional offices and their suboffices



*A police officer guards the remains of a shopping mall that was destroyed and looted in Bishkek, Kyrgyzstan, March 26, 2005. The damage was caused by widespread protests that happened two days earlier, when demonstrators clashed with riot police before rushing the presidential compound and forcing President Askar Akayev from power. Opposition to Akayev had grown amid allegations of election fraud, causing him to flee to Russia where he formally resigned as president on April 4. AP IMAGES.*

report to both the MIA and to their respective local authorities such as the governors of the oblasts and town mayors. This dual subordination is dependent primarily on the personal relationships of the local leaders, their relationships with national political leaders, and the informal agreements made among them.

In an effort to improve enforcement against drug traffickers and terrorists infiltrating the Kyrgyz Republic from Afghanistan and Tajikistan, twenty special posts where police work alongside MIA Internal Troops have been established in the region. However, funding for the work is still sparse. The MIA receives less than 25 percent of its funding from the budget. The rest is said to come from a mixture of businesses, protection services, and extortion.

The SNB is responsible for counterespionage and antiterrorist activities. Its functions overlap with the MIA in dealing with economic crime and narcotics trafficking. It is believed to be staffed by 1,000 to 1,200 personnel and has departments throughout the country.

In 2002 a Kyrgyz Rapid Deployment Force was created consisting of special units from the Defense Ministry, National Guard, SNB, Border Service, Interior

Ministry, and the Environment and Emergencies Ministry.

**Police at Work.** In 2003 the legal minimum wage was approximately \$2.30 (100 som) per month. In practice, this wage was insufficient to ensure a decent standard of living for a worker and family. However, industries and employers generally paid somewhat higher actual minimum-level wages. Salaries in the health-care field were among the lowest, averaging \$17 (714 som) per month.

According to the parliamentary committee on state security, the monthly salary of a higher-ranking police officer is around \$22 (1,100 som)—marginally more than an ordinary officer. A junior police officer's pay is less than \$18 (900 som). Generally speaking, police officers are at the bottom of the pay scale, with teachers and health-care workers.

It is estimated that basic needs like food and transportation cost around 1,000 som per month, indicating that it is virtually impossible for police officers to survive on their official salaries. Despite a presidential decree requiring prompt payment of salaries, police pay is often three or four months in arrears.

This makes the decision to engage in corruption for survival an easy one, in turn creating an unbreakable chain of graft. Gaining employment and subsequent promotion in law enforcement in the Kyrgyz Republic often requires sums of money simply beyond reach of any police officer. To secure a job as an ordinary patrol officer or traffic police officer, one might have to pay from \$100 to \$500; to be a deputy head of a district police department in the capital, about \$10,000; and to a deputy chief of police of the capital, about \$20,000. A regional chief's job can cost up to \$50,000.

Obtaining a position like that means being beholden to the hierarchy and finding a way to repay the money that was undoubtedly borrowed to secure the job. For example, traffic police can make up to \$600 per month at a busy intersection by extorting money from drivers. The officer will typically keep half and pass half up the chain. At the higher levels, corruption will involve policy issues and impact serious problems like organized crime or narcotics trafficking. The line between law enforcement agencies and criminal groups is increasingly blurred. Indeed, the president noted that criminals had penetrated the state structures. The State Commission for Drug Control openly admits that some Kyrgyz officials are involved in the drug trade, including members of the MIA and the SNB.

The second common method of securing a promotion is through familial contacts or neighborhood ties. In a part of the world that features extensive family and clan networks, nepotism is rooted in the social structure and is an integral characteristic of organizational behavior. Experience and talent are less important than hiring and promoting people who will protect the interests of the senior officials.

Police can typically work fourteen to sixteen hours a day and longer under conditions that are far from optimal and frequently simply unacceptable. An officer is likely to use his own car for patrols, buy his own cell phone, and type out reports on his own computer.

Although the MIA is trying to modernize the technological base of law enforcement, there is still a long way to go. For example, to secure public safety during celebrations marking the five hundredth anniversary of the national hero, Kurmanbek-baatir, the police in Jalalabad had to borrow mobile phones and other equipment from all over the country. Personal mobile phones are used to keep in touch with headquarters and other officers because of the lack of a radio communications system. The economic situation in the country became so critical in November 2003 that the telephones of the MIA and of local police stations among other agencies were disconnected. It is said that such reportedly temporary measures were cost-cutting efforts to counter a spiraling budget deficit.

Commonly, senior officials expect their people to extort gas from motorists to start the day. Even then, few patrol cars are available. In an area where sixty radios are needed, only eight are available. In this same area, there should be sixty patrols per day, but only fifteen are conducted.

The situation is similar for uniforms. The police force is short of uniforms, including footwear and headgear. Officers have been known to spend a month's salary or more on uniforms and accessories.

One result of such conditions is a high rate of attrition among officers. In 2003 alone, 1,318 police officers quit their jobs at the MIA. The promised reform of 2002, carrying with it a symbolic increase in salaries, was not sufficient to retain members and eradicate corruption in the police. The low pay, poor working conditions, and extensive nepotism have led to a highly inefficient structure.

In 2003 many MIA officials were dismissed and prosecuted for various offenses, including corruption, abuse of authority, and police brutality. There are no statistics on the number of police charged with brutality because the criminal code classifies "police brutality" under articles prohibiting abuse of power and exceeding authority.

According to the MIA, during 2003, 73 criminal cases were opened against 110 police officers, of which 47 were for abuse of power or exceeding authority; 7 cases resulted in convictions and 17 police officers were punished for taking bribes. Disciplinary actions were taken against 2,288 MIA employees, including 1,507 cases of negligence to official duties, 95 cases of being drunk while on duty, and 36 cases of inappropriate behavior and rudeness in treatment of citizens; 248 employees were fired and 122 demoted. Corruption, particularly the payment of bribes to avoid investigation or prosecution, was a major problem at all levels of law enforcement.

**Police-Community Relations.** Corruption, nepotism, insufficient budgets, lack of transparency, lack of accountability, and other factors have contributed greatly to strained relations between the police and the community. A United Nations Development Program survey in 2000 found that 78 percent of respondents considered that "lack of protection, and the cruelty and impunity of the law enforcement bodies" were among the most important problems of the country.

Journalists criticize the press service of the MIA for not being forthcoming with impartial information about police work in the country. The journalists claim that this contributes to the poor opinion that citizens of Kyrgyzstan have of law enforcement.

In most Central Asian countries relations between citizens and the police are often tense. In Kyrgyzstan they reached a low point in March 2002 when police in a town opened fire on peaceful demonstrators protesting the arrest of a local politician. Five people were killed and seventy injured. The police chief and regional governor were dismissed, but it was never determined who gave the order to open fire. Anger at the manner in which the Kyrgyz authorities handled the situation led to protest marches on Bishkek. The population has not fully recovered from this situation.

Unwittingly exacerbating the situation, the Organization for Security and Cooperation in Europe (OSCE) announced the creation of a “constructive partnership” between the police and the population.

Part of this program is to strengthen the capacity of the police to manage public disorder and prevent conflict. Plans call for training in crowd management, negotiating skills, tactics for defusing explosive situations, and the proper use of “less-than-lethal force.” The research center at the MIA will also be provided with resources to monitor tensions in society with the goal of predicting and preventing public disorder.

When OSCE officials visited the Kyrgyz Republic, they were met at their offices by protesters opposing the projects to grant training and equipment to police. Activists complained that the MIA had earned a reputation for brutality and used violence to suppress public unrest as well as surveillance and harassment to deter dissenters. The events of March 2002 and the subsequent lack of accountability by police fueled the protests. Protesters believe that human rights issues need to be central in the overall effort to make the government more transparent to the public.

Another part of the OSCE program is to establish a new service of community inspectors by merging the patrol service and the neighborhood-inspectors’ service. The focus is to be in direct contact with the population and provision of services. The objective is to encourage the population to take a greater interest in crime prevention and to strengthen their partnership with the police.

A clear indication of the problems plaguing the society came when the government announced that a new identity card system would be introduced for foreigners to help protect them from being robbed by the police. Besides the holder’s details, the cards are to contain a reminder to police officers in Russian that they are supposed to treat foreigners in a proper and legal manner. The card also advises holders of steps to take if they are mistreated—for example, requesting an identification from the officer and reporting the incident to the central police authorities.

**Table 1. Kyrgyzstan, Crime Statistics, 1998–2000**

	1998	1999	2000
Total Recorded Crimes	34,287	39,951	38,620
Intentional Homicides, Completed	425	433	413
Assaults	208	208	208
Rapes	268	285	321
Robberies	1,222	1,505	1,497
Thefts	13,097	19,233	18,280

SOURCE: Seventh United Nations Survey of Crime Trends and Operations of Criminal Justice Systems, [http://www.unodc.org/unodc/crime\\_cicp\\_survey\\_seventh.html](http://www.unodc.org/unodc/crime_cicp_survey_seventh.html)

## CRIME

Crime statistics for the years 1998–2000 are given in Table 1.

Crime statistics should always be handled with great care; in the case of the Kyrgyz Republic and other former Soviet states, they are relatively meaningless. Locked in an ideological battle with the West, Soviet reality urged the creation of fictitious figures across most sectors of the economy and society to portray a positive image to the outside world. The depiction of crime was one of the most important sectors for manipulation as the Soviet Union attempted to demonstrate the superiority of communism and its promise of the disappearance of crime. According to police officials, the practice of producing fraudulent statistics (*pripiska*) continues long after the demise of the Soviet Union. Latent crime has always been assumed to be rather high.

According to data supplied by the parliamentary committee on state security, 1,093 crimes, including 120 murders, were reported in the first four months of 2004. Between May 2003 and May 2004, 3,000 people were reported missing and, of the 30 suspected contract killings carried out in the last three years, only one case has been solved.

An estimated 10 percent of crime in Kyrgyzstan is drug-related, according to a 2002 statement issued by the chairman of the Government Commission on Drugs. The number of crimes committed by minors in urban areas is closely linked to this overall percentage of drug-related crime, as more and more minors are using and dealing drugs. In 2001 crimes committed by minors increased nearly 18 percent in the capital Bishkek.

**Narcotics.** The Kyrgyz Republic produces almost no illicit narcotics, but cannabis, ephedra, and poppy grow wild in many areas. Kyrgyzstan is a major transit country for drugs originating in Afghanistan. It shares a common border with China, Kazakhstan, Uzbekistan, and Tajikistan.

Mountainous terrain, poor road conditions, and an inhospitable climate for much of the year make detection and apprehension of drug traffickers difficult. Isolated passes are some of the most heavily used routes for drug traffickers. Government outpost and interdiction forces rarely have electricity, running water, or modern amenities to support their counternarcotics efforts. The Kyrgyz Republic is one of the poorest successor states of the former Soviet Union, relying on a crumbling infrastructure and suffering from a lack of natural resources or significant industry. Unlike some of its Central Asian neighbors, the Kyrgyz Republic does not have a productive oil industry or significant energy reserves.

There appear to be four separate routes for drug trafficking: the Kyzyl-Art route across the southernmost part of the Kyrgyz Republic and onward to Osh and the Ferghana Valley and Uzbekistan; the Batken route stretching to the far western and most remote areas bordering Tajikistan and Uzbekistan; the Altyn-Mazar route that follows a similar path into the Ferghana Valley; and a fourth route overlapping some of these routes and beginning in the city of Khojand on the Tajik border. All these routes originate along the 620-mile Tajik border and consist of footpaths, minor roads, and only a few major thoroughfares. There may be over 100 different paths smugglers use to move narcotics and contraband across Kyrgyz borders.

The south and southwest regions, the Osh and Batken districts, are primary trafficking routes used for drug shipments from Afghanistan. Osh, in particular, is the main passage point for road and air traffic and the primary transfer point for narcotics into Uzbekistan and Kazakhstan and on to markets in Russia, western Europe, and the United States.

Nearly 3,000 kilograms of heroin and 5,000 kilograms of opium pass through the Kyrgyz Republic, only 5 to 6 percent of which is ever seized. Drug traffickers have refined their efforts to conceal and transport narcotics, reportedly using women and children as mules to pass through border stations known not to have female inspectors. The Osh region is a volatile drug trafficking region that the State Commission for Drug Control has declared a high priority target in its counternarcotics efforts.

The Kyrgyz government set up the Drug Control Agency, which is funded by the United States and is sponsored by the United Nations Office for Drug Control. Modeled after the U.S. Drug Enforcement Agency, the 297-man agency has drawn on other Kyrgyz law enforcement agencies for its initial staff and leadership. It has two special units, one in Bishkek and the other in Osh, designed as quick-reaction squads to respond to cross-border trafficking. In reality, however,

the State Commission for Drug Control has been fighting a losing battle against drug trafficking, particularly in Osh, where drug trafficking has become a growing source of income and employment.

The MIA reports that heroin smuggling increased tenfold in the last five years. The number of officially designated drug-related crimes reported in 2003 is 2,569, a 2.1 percent increase over the same period in 2002. The total amount of all types of drugs seized in 2003 was up 12.7 percent from 2002, from 2,763 kilograms to 3,115 kilograms.

Drug abuse is a continuing and escalating problem that has placed a burden on law enforcement and the health care industry. The Ministry of Health reports that over 90 percent of known HIV/AIDS cases are related to intravenous drug use. As of July 2003 there were 5,591 registered drug addicts, including 73 women and 12 people under the age of 18. Of the total number of addicts registered, 3,550 were heroin and opium addicts and 1,420 were cannabis addicts. While the number of official addicts has increased by more than 10 percent since the 2002 report, the actual number of drug abusers is likely to be 10 to 15 times the reported amount.

**Trafficking in Persons.** The law prohibits trafficking in persons; however, trafficking is a persistent problem. Trafficking victims allege that government officials facilitate, or are complicit in, trafficking.

In August 2003 the government passed an amendment to the criminal code to criminalize trafficking. Under the new law, trafficking in persons is punishable by up to twenty years in prison. Trafficking in persons, as defined by the new amendments, includes organizing illegal migration. Within two weeks of the adoption of the amendment, the government launched two separate ongoing investigations into trafficking operations. As of October 2003 one person had been convicted and sentenced to five years in prison.

Other laws are used to prosecute traffickers for kidnapping, trading in children, recruiting persons for exploitation, coercion into prostitution, rape, and deprivation of freedom. The maximum sentence for those prosecuted under these laws is fifteen years. In the first eight months of 2003 the General Procurator's Office investigated nineteen cases of trafficking-related crimes under these laws and was prosecuting twelve alleged offenders.

In 2002, according to the General Procurator's Office, there were eleven cases of trafficking in persons (under articles 124 and 159 of the criminal code) and four cases of recruiting persons into prostitution and organizing brothels (under articles 260 and 261 of the

criminal code). The government prosecuted sixteen offenders, investigated specific cases of trafficking, and provided specialized training for trafficking investigations. The government did not extradite citizens charged with trafficking in other countries.

In April 2002 a presidential decree authorized the implementation of a national Anti-Trafficking Plan of Action, which created a national council responsible for coordinating government efforts to implement the program. However, the government lacked adequate resources to implement many aspects of the program. The agencies involved in the National Anti-Trafficking Plan were the Ministries of Foreign Affairs, Interior, and Health; the SNB; the State Procurator's Department; the State Agency of Migration; and the State Committee for Tourism, Sport, and Youth Policy. The council recommended that the government cooperate with other governmental ministries and departments, as well as with international organizations, nongovernmental organizations, and Interpol. In reality, some ministries were more actively involved in the problem than others, and inadequate training of law enforcement officers in identifying and fighting trafficking in persons hindered their ability to effectively combat the problem.

Although there are no reliable estimates for the number of persons trafficked annually, the International Organization for Migration (IOM) reports that in 1999 approximately 4,000 women and 7 boys were trafficked abroad. Also, a flourishing sex trade draws girls as young as age ten from destitute mountain villages. Slawomir Redo (2004) notes that in 1999, 8,367 women left the country; however, it is not known how many ended up as sex workers. The IOM also reports that in 1999 it dealt with several cases of trafficking and assisted with the return of approximately 250 trafficking victims to their respective country.

The country is primarily a source and transit point for trafficked people, although there have been a few reports of the country being a destination for women trafficked as prostitutes. According to the IOM, the country has become a transit point for individuals trafficked mostly from South Asia, China, and Afghanistan to the West. The exact number of those in transit is unknown. The country is a source for trafficked women and girls, largely to the United Arab Emirates, Turkey, and South Korea for the purpose of prostitution.

Groups targeted by traffickers include young underemployed women who are unable to earn a living, particularly ethnic Slavic women under the age of twenty-five. Poor economic conditions, high unemployment, particularly in the South, and gender inequality make young women and poor workers vulnerable to traffickers

who exploit them by offering lucrative jobs or marriage offers to rich men abroad. Often, women are lured abroad by newspaper advertisements or announcements over loudspeakers in local marketplaces. Women responding to job offers for waitresses, au pairs, or dancers can find themselves abroad without documents or money for return tickets and forced to work for their traffickers.

The IOM reports that traffickers are often persons who previously operated local prostitution networks. Many trafficking victims report that their recruiter was a relative or close family friend. The victims also report that trafficked individuals often became recruiters in the hopes of making more money. Recruiters use networks of returnees, family members, and friends to recruit victims. The IOM also indicates that tour agents, restaurants, and nightclubs supplement their activities by providing young women to foreign prostitution rings. The government has begun to actively investigate firms that send individuals to work abroad to ensure they are in compliance with licensing laws.

Trafficking victims report that, on arrival in their destination country, their identification documents are taken away. Some report that they are punished with gang rape if they try to resist or escape. Many of those who returned from overseas state that they were forced to pay bribes to law enforcement officials to avoid imprisonment. The government does not assist trafficking victims, including those repatriated, with any special services or care facilities, nor does it provide funding to foreign or domestic organizations for services to victims.

## CORRECTIONAL SYSTEMS

Prisons have been transferred to the Ministry of Justice, but there has reportedly been little change in conditions. Little current information is known about the Kyrgyz Republic's prison system. In the Soviet era at least twelve labor camps and three prisons operated in the republic, including at least one uranium mine-labor camp in which prisoners worked without protective gear. The 1995 purge of the MIA included appointment of a new head of the prison system.

**Prison Conditions.** Many prisoners have serious diseases; roughly 2,500 prisoners have tuberculosis and 185 have HIV/AIDS. The main method of HIV/AIDS transmission is from intravenous drug use. The official number of HIV-infected people in the country as a whole was 543 in June 2004, of which 82 percent were drug users.

The health crisis in Kyrgyz prisons is driven in large part by the poor nutrition of the inmates. It is reported that in 2003 the state budget significantly increased the daily food allowance for prisoners from \$0.20 to \$0.50



(8 soms to 21 soms). By and large, prison administrators are unable to properly feed the inmate population. In addition, prison conditions are generally abysmal because of lack of clothing, heating, and medicine. The Ministry of Justice reports that 20 percent of inmates die each year, primarily because of disease and malnutrition.

Male and female prisoners are held separately. Generally, conditions in the women's prison are less overcrowded than in those for men, and inmates are allowed to perform menial labor to earn money needed to provide necessities. Juveniles are held separately from adults. There are no special facilities for political prisoners. Pretrial detainees are held separately from convicted prisoners. Pretrial detention facilities are extremely overcrowded, and conditions and mistreatment are generally worse than in regular prisons.

About forty inmates are crammed into cells built to accommodate a maximum of fifteen to twenty people. Prisoners sleep in turns because there are not enough beds for everyone. Disease runs rampant in these conditions, affecting everyone within its reach. Most of those who do not get outside help quickly become emaciated and die. Only four of the facilities contain tuberculosis hospitals. It is believed that as much as 90 percent of the inmates who die perish because of tuberculosis. The number of prisoners dying from infectious diseases is of huge concern.

#### Prison Statistics.

- Total Prison Population: 16,734
- Prison Population Rate per 100,000: 316
- Pretrial Detainees: 16.5%
- Female Prisoners: 4.9%
- Juvenile Prisoners: 1.4%
- Number of Prisons: 36
- Official Capacity of the Prison System: 21,124
- Occupancy Level: 79.2%

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*Joseph D. Serio*

# Laos

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**Official country name:** Lao People's Democratic Republic

**Capital:** Vientiane

**Geographic description:** A landlocked country in Southeast Asia wedged between China, Thailand, and Vietnam

**Population:** 6,217,141 (est. 2005)



## LAW ENFORCEMENT

**History.** The police services of Laos were reorganized several times between independence in 1945 and 1975. In the process, a number of previously autonomous forces, such as the Gendarmerie and the security forces, were consolidated into a single Laotian police force. The consolidation was complete by 1955, when the United States began a training program. For the next six years the United States furnished advisers, weapons, uniforms, vehicles, communications equipment, and funds to construct precinct stations and the Laos National Police Training Center outside Vientiane. After the program was discontinued, the police were brought back under military control and became, in effect, a paramilitary organization known as the Directorate of National Coordination. In 1965 the police were again reconstituted as a separate organization and renamed the Lao National Police under the civilian control of the Ministry of the Interior.

**Structure and Organization.** The Ministry of the Interior controls all security forces, including the National Police, Security Police, and Border Police.



The communication police are responsible for monitoring telephone and electronic communications. The headquarters of the National Police is the Police Directorate headed by a director general. Below the directorate the force is organized regionally into the metropolitan force of Vientiane and the territorial police of the provinces, under provincial police commissioners. Organizationally, the headquarters is divided into sections dealing with administration, logistics, communications, and training services. Besides the regular uniformed police, three special units exist: the Special Police, the Judicial Police, and the Immigration Police. Only officers of the Judicial Police have the formal power of arrest.

Although all units are under the direct authority of the directorate general in Vientiane, provincial commissioners of police report not only to the central headquarters but also to their respective provincial governors. The provincial commissioners also participate in provincial administrative councils. At the district level, the district chief issues orders directly to the district police branch.

Grades within the police follow French nomenclature, ranging upward from probationary policemen and brigadiers in the ranks to commissioners and controller in the officer ranks. The highest rank is that of director general. Pay and allowances follow military scales, making it easier to transfer personnel from one service to the other. The police enjoy a favorable social standing.

**Education and Training.** The Lao National Police Training Center in Vientiane is the main police training facility. Courses are given in four categories: recruit training, cadet officer training, advanced course for senior staff and noncommissioned officers, and specialist training in such areas as fingerprints and communications.

**Police Statistics.**

- Total Police Personnel: 20,632
- Population per Police Officer: 301

**HUMAN RIGHTS**

Members of the Security Police commit serious human rights abuses, especially against those suspected of insurgent and antigovernment activity. In some cases the police overrule court decisions, detaining defendants exonerated by a judge.

**CORRECTIONAL SYSTEM**

The penal code was promulgated by the French colonial government in 1932 and remains in effect.

The prison system is under the Ministry of Justice. There are two penitentiaries in Vientiane and one in each of the sixteen provinces. In addition, there are police jails in most districts. Prisons hold both male and female prisoners, although they are placed in separate cells. Juveniles are housed with adults.

**Prison Conditions.** Prison conditions are extremely harsh. Food rations are minimal and most inmates rely on their families for their subsistence. Ethnic minorities and some foreign prisoners are treated more harshly than others. Prisoners are often subjected to degrading treatment and held incommunicado or in solitary confinement. A few jails place prisoners in leg chains, wooden stocks, or fixed hand manacles for extended periods. Medical facilities are extremely poor or nonexistent. Some prisoners have died from the lack of medical care. Although the penal code prohibits torture, prisoners are routinely subjected to torture and beatings and forced to endure burning from cigarettes.

**Prison Statistics.**

- Total Prison Population: 4,020
- Prison Population Rate per 100,000: 69
- Pretrial Detainees: 1%
- Female Prisoners: 10.5%

*George Thomas Kurian*

# Latvia

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**Official country name:** Republic of Latvia

**Capital:** Riga

**Geographic description:** Slightly larger than West Virginia, it borders Belarus, Estonia, Lithuania, and Russia as well as the Baltic Sea

**Population:** 2,290,237 (est. 2005)

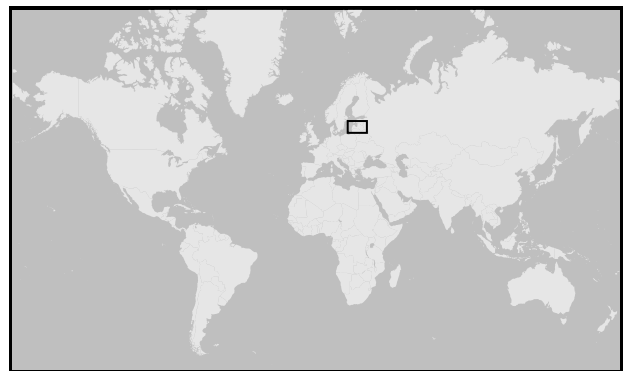


## LAW ENFORCEMENT

**History.** The State Police was established in 1918. At that time, Latvia was devastated by war, and its towns and villages suffered from starvation and poverty. The newly established police had to fight not only for the recently proclaimed independence but also against a wave of bandits and thieves. Many officers were killed or wounded as a result.

Over time, the economic situation stabilized and the level of criminality decreased. By the 1930s the Latvian police was acknowledged by foreign observers as one of the most professional and well-equipped police forces in Europe. The State Police enjoyed the respect and trust of society. The crime rate was comparatively low and the work of the police officer was prestigious and well paid.

After the occupation of Latvia on July 24, 1940, the police ceased to exist. Many officers were executed without investigation or trial. Others were deported from Latvia and spent a considerable amount of time in custody or in settlements. Only a few of them succeeded in avoiding the havoc brought on by the Soviet government, which had annexed Latvia. In more than a few instances, officers hid



for upward of fifty years the fact that they had worked in the police force.

At the end of the 1980s, with the arrival of glasnost, perestroika, and a new political reality in the Soviet Union, the demand for the right to self-determination, civil freedoms, and democracy gradually increased. Ultimately, it led to a demand that the Soviet Union acknowledge the occupation and restore the independence of the Republic of Latvia. Tens of thousands of people participated in meetings, demonstrations, and strikes, sometimes swelling to more than one-third the population of the country. In the spring of 1990, the Parliament was elected in general democratic elections for the first time in fifty years. On May 4, 1990, the Parliament adopted the declaration, "On the Restoration of Independence of the Republic of Latvia."

Efforts of the Communist regime to use the militia to force back the people's movement for democracy and self-determination failed because most of the militia

officers were on movement's side. In January 1991, to preclude the scenario of 1940, inhabitants of Riga made barricades and were ready to stand unarmed against tanks and special military units. As the only armed force that was with the people, the militia not only fought crime but also protected state institutions and other important locations in this period. During the night of January 20 Soviet military Special Forces attacked the Ministry of Interior. The attack failed, but five people were killed, among whom were two militia officers; eight militia officers were wounded. Despite the seemingly critical situation, the independence movement succeeded. On June 4, 1991, the Parliament adopted the law "On Police," and the process of establishing the institution that is now known as the police started.

### Structure and Organization.

*Ministry of Interior.* The principal purposes of the Ministry of Interior are to develop and implement public policy in the fields of crime prevention, to safeguard public order and security, including the state border, to protect personal rights, legal interests, and state security, to tackle issues regarding registration of private individuals, migration control, and citizenship, to provide fire safety, fire fighting and rescue service, and civil defense, and to perform other tasks stipulated as the ministry's responsibility in specific legal enactments.

The operation of the central apparatus of the Ministry of Interior is under the command of the minister and the secretary of the state. The central apparatus contains five departments and individual structural units subordinate to the secretary of the state: Chief Inspection, Secret Regime Division, Personnel Management Division, Internal Audit Department, and Finance and Property Department.

There are more than 20,000 people working in the Interior system, which accounts for almost a third of all employees at state institutions in Latvia.

The police fall under the organizational purview of the Ministry of Interior and are comprised of the State Police, the Security Police, and local government police. The State Police act in accordance with regulations approved by the minister of interior. The Security Police act in accordance with regulations approved by the Cabinet of Ministers. The Municipal Police are incorporated in the relevant local governments.

*State Police.* The State Police are designated to protect the state and society from criminal and other illegal threats to life, health, rights and freedoms, property, and interests. The central apparatus of the State Police organizes and coordinates activities of the State Police divisions, including the Main Criminal Police Department, the Main Public Order Police

Department, the Railroad Police Board, the Pretrial Investigation Board, the Forensic Center of the State Police, and the Police School of the State Police. The central governing body of the police also oversees the Administrative Department, Complaints and Discipline Branch, Personnel and Recruitment Board, Secret Regime Guarantee Unit, Special Correspondence Unit, and Planning and Finance Board.

The State Police are divided into two general branches: Civil Police and Criminal Police. The Civil Police comprise the State Police Central Civil Police administration, the Traffic Police, the territorial, transport, and immigration units, as well as the police precincts. Their function is to guarantee public order, combat crime, and guard specific facilities. The Criminal Police comprise the State Police Central Criminal Police administration and the territorial criminal police. The functions of the Criminal Police include the prevention and disclosure of criminal offenses; the search for persons who are hiding from inquiry, investigation, and the court, evading prison, or are missing; and ensuring the participation of forensic experts in investigatory activities.

The Criminal Police perform their duties in cooperation with the Civil Police and local government police. The Criminal Police acquaint themselves with all the materials located in the institutions of the Civil Police and local government police and take over from the Civil Police the handling of any case regarding criminal offenses.

The administration and divisions of the Civil Police and the Criminal Police are:

- Manage police work in relevant cities, districts, and rail, air, and water transport zones; coordinate the activities of police service and precincts in the prevention and disclosure of criminal offenses, as well as in guaranteeing public safety
- Manage the disclosure and prevention of criminal offenses and searches for criminals and missing persons
- Within their respective jurisdictions coordinate the work of the Civil Police, the Criminal Police, and local government police, and the cooperation of the police with local governments, institutions, organizations, and the public
- Select candidates for training in educational institutions of the Ministry of Interior

In 2003 there were approximately 8,000 personnel serving in the State Police. The financial resources of the State Police are derived from:

- Grants from general revenue of the state budget
- Their own income obtained from entering into contracts with legal persons and natural persons in

accordance with prescribed procedures; and use by the State Police of 80 percent of the income gained from the sale of confiscated property, goods, or other objects that the State Police seized as prescribed by law

**Security Police.** The Security Police are directly subordinate to the Ministry of Interior. This force grew out of the 1993 unification of two government agencies: the government security service, which had been founded in 1990 shortly after independence, and the Department of Information, founded in 1991. Initially called the State Department of Economic Sovereignty, this force became the Security Police in December 1994.

The Security Police operate according to the National Security Law, the Law on Police, the Law on State Security Institutions, and statutes approved by the Cabinet of Ministers.

The scope of activities by the Security Police in the field of state security includes the following:

- Reconnaissance and counterespionage measures against organized and economic crime, terrorism, sabotage, corruption, counterfeiting, and distribution of drugs and other powerful substances (such as chemical and radioactive ones), firearms and other types of arms, the unauthorized circulation of explosives
- Measures of counterespionage and executive activities necessary to ensure protection of the structural units of the Ministry of Interior
- The protection of state secrets according to the sphere of competence stated in the Law on State Secrets

The Security Police organize and take measures aimed at the provision of security (protection) of state officials and representatives of foreign and international organizations and institutions—except the protection of those persons who are to be guarded by the Saeima (the Parliament) and the State President Security Service according to the Law on National Armed Forces.

**Retirement.** A forty-hour workweek is prescribed for police officers. If necessary, a police officer, pursuant to instructions from the chief of the police institution, may be involved in work above the prescribed working hour norms.

Police officers receive a base salary as well as supplements for special service rank, for length of service, and other supplements.

A police officer who has worked in a special service rank less than 10 years receives an annual paid vacation of 4 calendar weeks. After 10 years of service, an officer



**Officers arrest a protestor at a parade featuring Latvians who were members of a Waffen SS unit during World War II in Riga, Latvia, March 16, 2005.** Hundreds of people gathered for a memorial service at the city's Freedom Monument to honor the Waffen SS unit members. The protests centered on the controversy over whether members of the unit participated in Nazi war crime atrocities. Over 80,000 Jews were killed in Latvia during the Nazi occupation throughout World War II. AP IMAGES.

may receive 5 weeks; after 20 years of service, 6 weeks; and after 25 years of service, 7 calendar weeks.

Police officers usually may serve in the police service until reaching the age of fifty. Persons in middle, senior, and higher command positions may extend their service period in the police by a decision of the minister of interior. Persons in other ranks and junior officer positions must receive permission from the chief of the relevant police administration or division chief.

**Ranks.** The highest rank is police general, which is conferred by the Cabinet of Ministers on the chief of the State Police of the Ministry of Interior.

**Inducements and Liability of Police Officers.** For exemplary performance of service duties, a police officer shall be eligible for the following awards and types of service commendations: expression of appreciation; awarding of a valuable prize or monetary bonus; awarding of a paid supplementary leave of up to ten days; awarding of a certificate of honor; or removal before term of a previously applied disciplinary sanction. For heroism and courage and for other distinguished achievements during the performance of duty, a police officer may be

nominated for conferral of a state award of the Republic of Latvia.

For failure to observe the laws, intentionally wrongful use of authority or service status, exceeding the authority of the service, failure to perform the duties assigned, or inadequate performance of such duties, a police officer may be held to disciplinary, administrative, financial, or criminal liability. Holding a police officer to disciplinary liability may not release the officer from possible administrative, financial, or criminal liability. A police officer is subject to the following disciplinary sanctions: a notice, a reprimand, lowering the special service rank by one rank, a warning about unsuitability for the position held, demotion in position, or discharge from service because of unsuitability for police service.

**Police Personnel.** Prospective police officers must be at least eighteen years of age and not older than thirty-five years of age. The police service does not employ individuals who have previously been sentenced for intentional criminal offenses. The police service does not employ a person who is or has been a permanent or temporary staff employee of the security service (intelligence or counter-intelligence service) of the Soviet Union, the Latvian Soviet Socialist Republic, or some foreign state. Such persons may be hired by the police service on a contractual basis for a specified period, if so required by necessity, to carry out specific tasks. A police officer is prohibited from organizing strikes or participating in them.

Staffing levels have suffered because of budget constraints. Hundreds of staff members have been released from service in recent years. Salary makes up about 75 percent of the total budget.

**Police Oath.** On assuming office, police officers take the following oath: "I, [Name], on joining the police service, swear to be loyal to the Republic of Latvia and to fulfill its laws honorably; and promise to act to the limit of my abilities and, if necessary, also risk my life for the benefit of the Republic of Latvia."

**Local Police.** The local government police are incorporated into their local governments but, with respect to questions of the organization of work, cooperate with the State Police. The country is divided into twenty-eight city and regional police districts.

Local police institutions and subordinate units are financed from local government resources, but their supply of material and technical means is provided by local government institutions and the Ministry of Interior.

The duties of local police include:

- Preventing violations of law
- Providing social reintegration assistance to persons who have been released from penal institutions or

who are under treatment for alcoholism or addiction to narcotics

- Guarding and escorting persons arrested and under administrative arrest for administrative violations
- Controlling enforcement of local government regulations as well as the imposing and collection of fines regarding such violations
- Supporting the State Police and Security Police in guaranteeing public safety and fighting crime

**Education and Training.** Training for all ranks and categories of police officers is organized in the Latvian Police Academy, at the Training Center of the State Police, and in other subunits of the Ministry of Interior. The Training Center of the State Police provides initial professional training for those officers who are admitted to rank-and-file and junior command staff positions of the police without previous special training. The Training Center also organizes qualification improvement courses for the rank-and-file and junior command staff officers. In the late 1990s and the early part of the twenty-first century there were about 65 trainees at the full-time department: 15 trainees in the first training stage; 25 police officers in the second training stage, and another 25 police officers are in training in different State Police institutions after the completion of the first training stage. There are about 150 rank-and-file and junior command staff police officers of the part-time department. These students include Traffic Police inspectors, patrol duty officers, junior precinct inspectors, junior Criminal Police inspectors, officers of short-term detention facilities, assistant inspectors of the Accounting, Analysis, and Statistics Group, and others. In recent years qualification improvement courses have been curtailed because of the shortage of allocated funds.

Officers of the State Police have improved their qualifications at training courses and professional trips to other countries. Programs have been conducted in witness protection training in Germany; drug enforcement training provided by Finland, Germany, Belgium, and Sweden; seminars on economic crime given by the European Community; and so on.

**Uniforms and Weapons.** State police uniforms are issued by the Ministry of Interior free of charge to the officer. The Cabinet of Ministers approves the description, design, and identifying insignia of the uniform. Police officers are issued a service identification card, and officers of the Criminal Police carry a special badge. The surname and personal number are attached to the uniform of a police officer in a visible location, and to the uniform of a local government police officer the

identifying insignia and the name of the relevant territory is attached.

A police officer has the right to keep and carry a firearm issued to him or her for use in the line of duty. Regulations and procedures regarding the keeping and carrying of firearms issued to a police officer are determined by the minister of interior.

A police officer is entitled to use a firearm in an absolute emergency to:

- Defend other persons and him- or herself from attack that actually endangers a life or may cause bodily harm, or to avert an attempt to obtain a firearm by force
- Free hostages
- Repel a group or armed attack on police officers or other persons who are performing the duties of the service in guaranteeing public safety and fighting crime
- Repel a group or armed attack on facilities, premises, structures, institutions, and organizations that are to be guarded
- Arrest a person who is showing armed resistance, is surprised in the act of committing a serious crime, or has escaped from detention, or arrest an armed person who refuses to comply with a lawful request to hand over a weapon or explosives
- Stop a means of transport, damaging it if its driver is a danger to the life or physical well-being of others and does not submit to police orders to stop
- Render harmless an animal that endangers the life or physical well-being of a person

Before using a firearm, police must give a verbal warning of intent to do so. If necessary, a warning shot may also be fired. A firearm may be used without warning if:

- An attack is sudden or weapons, military equipment, or any type of mechanical means of transport are used in the attack
- It is necessary to free hostages
- An escape from detention is in progress with the use of a weapon or a means of transport, or detainees are escaping from a means of transport while in motion

For each incident of firearm use, police officials must notify the prosecutor immediately.

## CRIME

The total crime rates for Latvia in 2000 were:

- Total Crime: 50,199
- Murders: 238
- Robberies: 31,060
- Burglaries: 9,871
- Assaults: 825
- Rapes: 104

Crime was a serious problem in Latvia in the early 1990s, as it was in the other Baltic States and elsewhere in the former Soviet Union. The total number of reported crimes increased from 34,686 in 1990 to 61,871 in 1992 and then dropped to 52,835 in 1993. The number of convictions rose from 7,159 in 1990 to 11,280 in 1993. Theft accounted for more than three-quarters of all crimes, although the number of reported cases declined from 51,639 in 1992 to 41,211 in 1993. Murder or attempted murder was 2.6 times higher in 1993 than in 1990. Drug-related offenses more than tripled in this period. Drugs as well as alcohol, weapons, scrap metals, and consumer products were often smuggled into the country.

Subjected to the spread of organized crime from Russia, Latvia cooperated with neighboring Estonia and Lithuania and other countries via Interpol. Although the Latvian authorities were gradually replacing the Soviet-trained police, corruption was and remains a serious concern, particularly in a profession that is still poorly paid. Political corruption and white-collar crime posed significant problems throughout the 1990s and continues today. The lack of funding for salaries, equipment, and even gasoline for police vehicles hampered law enforcement operations; these problems still linger.

**Narcotics.** Around 1997–1998 Latvia's black market started to fill up with heroin, cocaine, LSD, ecstasy, and MDA. These forced out of the market opiate extracts made from local, Lithuanian, and Ukrainian poppies and ephedrine.

Drug production is not a significant problem, though the potential does exist for the manufacture or cultivation of certain drugs. Narcotic substances are frequently smuggled into Latvia via Poland, principally by train, bus, truck, and car. Secret compartments inside gas tanks or built-in compartments underneath car floors, car trunks, doors, and inside engines are common concealment methods. Individual couriers traveling by land frequently conceal drugs in luggage or within their bodies. Amphetamines are trafficked from the Netherlands, Poland, and Estonia, often using the postal system. Heroin is primarily trafficked via Russia. Drugs tend to be transshipped through Latvian seaports; drugs destined for Latvia itself are usually moved in by land, rarely arriving at seaports.



Heroin is sold at “retail” in public places such as parks and city centers or more discreetly in private apartments. The selling tactics and methods constantly change. Larger dealers use intermediaries to limit the clients’ contact with the dealer. Amphetamines are mainly distributed at gambling centers and other areas that attract youth, such as nightclubs and discos. Much of the cannabis trade is believed to be carried out by persons of Roma origin. Distribution is often a family business and an essential source of income. Other members or close relatives of the family continue the business if one family member is detained or prosecuted. Stable organized crime groups also engage in both wholesale and retail trade.

Heroin demand, supply, and usage are believed to have decreased since September 2001. Police officials report that this is because of a disruption in the supply of heroin flowing from Central Asia through Russia to Latvia and points farther west. The quantity and quality of heroin available in Latvia has deteriorated as a result of events in Afghanistan. Both the Taliban poppy ban and subsequent military action disrupted established trafficking networks, which led to a sharp decline in the quality of heroin sold to drug abusers on Latvia’s streets. Trafficking routes appear not to have been reestablished, despite the sharp recovery in illicit opium/heroin production in Afghanistan in 2002 and 2003.

The State Police reorganized its efforts in combating drug distribution in May 2003, placing their domestic drug control unit under the supervision of the Organized Crime Bureau. Police interviews with detainees arrested for drug-related crimes revealed that stable organized crime groups control the narcotics supply and distribution networks in Latvia.

The total number of drug-related crimes increased from 584 in the first eleven months of 2002 to 895 in the same period of 2003. The 2003 drug-related crime statistics include 302 crimes related to drug sales, of which 269 crimes involved small-scale sales, purchasing, possession, and repeated illegal use of narcotics, and only 5 crimes related to large-scale drug contraband. In the first nine months of 2003 drug-related criminal charges were brought against 559 individuals, up from 354 in 2002. In the first eleven months of 2003 the amount of seized hashish, ephedrine and amphetamines, cocaine, and psychotropic substances increased compared to 2002 figures, while the amount of heroin, ecstasy, and marijuana seizures dropped.

The Prosecutor’s Office contended that its ability to prosecute offenders is limited because of three factors: Latvia’s small size makes it difficult to implement an effective witness protection program and thus reduces their ability to infiltrate criminal groups, the current criminal procedures code does not allow for plea bargaining,

and there are limited state resources to fund rehabilitation programs.

Alongside the increased popularity of youth dance music at raves, the dance clubs in the biggest cities have been transformed into distribution centers for amphetamines, ecstasy, and LSD.

According to estimates by medical and police experts, the annual turnover of the narcotics business in Latvia is between LVL 58 million (\$90 million) and LVL 153 million (\$240 million). There are currently about 40,000 drug addicts in Latvia. Latvia has been transformed from being a narcotics transit country to being a narcotics-using country. As a transit country, Latvia has seen, for example, cocaine sent through Latvia to Russia. Latvia needs mobile x-ray machines to check containers and trained dogs for inspecting small cargoes, cars, baggage, and postal packages.

Latvian police note improved cooperation between them and their colleagues in Scandinavia, the European Union countries, and Russia. Joint operations are conducted and deliveries are checked.

The number of employees in the Narcotics Combating Bureau of the Chief Criminal Police Authority has risen from thirty to seventy-two. Regional groups have been formed in port cities and near the outskirts of the big cities. In these places the number of uncovered drug trading outlets has increased. Local police units in other districts of Latvia are also involved in unmasking drug-related crimes.

**Trafficking in Persons.** There is no law that specifically prohibits all forms of trafficking, although in May 2000 the Latvian criminal code was revised to make it illegal to send forcibly a person to a foreign country for the purpose of sexual exploitation. Trafficking in women for the purpose of prostitution is a problem.

Latvia is primarily a country of origin and transit for trafficked victims rather than a destination, although no exact statistics are available. The main countries of destination are Germany, Switzerland, Denmark, Spain, Greece, Italy, and the United Kingdom, and to a lesser extent Cyprus and Israel. Statistics released by European police services indicate that the number of Latvian women involved as victims of trafficking has increased. In 2000, 273 women (not all necessarily involved in trafficking) were deported back to the country. According to authorities in Germany, Switzerland, Sweden, and Denmark, Latvian women make up a disproportionately high number of the women engaged in prostitution in those countries as well as a high number of trafficked women in those countries in general. There is evidence that trafficking in women (including minors) for prostitution abroad is increasing. Traffickers, primarily

organized criminal groups, usually lure victims through offers of false employment in European countries. Many victims are drawn from the economically depressed areas of eastern Latvia. Other victims are recruited through job advertisements, modeling agencies, travel agencies, and nightclubs.

In 2001–2002 the government allocated more resources toward combating trafficking in persons. There is a high-level working group on trafficking, and the Ministry of Interior, including the State Police, is the principal government ministry involved in addressing the problem. The government has allocated funds to increase the number of police officers tasked with fighting prostitution and trafficking.

### CORRECTIONAL SYSTEM

Prisons fall under the direction of the Ministry of Justice.

**Prison Conditions.** Prison conditions remain poor, although some progress has been made in renovating old and unsafe prison facilities; for example, the outdated Doebele Detention Facility has been closed. As in many other countries, prison overcrowding is a problem, particularly in pretrial detention facilities, which stand at about 110 percent of capacity. Restrictions have been introduced on the number of inmates per cell to ease conditions of confinement. According to government figures, regular prisons are filled to 85 percent of overall capacity.

Despite efforts by the Central Prison Administration, inadequate sanitation facilities, a persistent shortage of medical care, and insufficient lighting and ventilation are common problems, all stemming from a lack of resources. In recent years, prisoners have launched a series of hunger strikes to protest new regulations prohibiting the delivery of outside food parcels to both detainees and prisoners in remand facilities.

The government and human rights groups express concern regarding the high number of drug-resistant tuberculosis cases—there were thirty-seven in the Riga Central Prison Hospital in 2000. Although the number of cases continues to decrease, the Riga Central Prison Hospital remains overcrowded at more than 150 percent of capacity.

Overall, 40 percent of all prisoners in the country were awaiting trial at the end of 2000. Unlike convicted criminals, persons in pretrial detention are not allowed to work or go to school and have limited contact with family members; furthermore, they experience considerably worse living conditions than prisoners in general. Pretrial detainees are held separately from convicted criminals, and female prisoners are held separately from male prisoners.

In 2000 the number of HIV-positive inmates in Latvian prisons more than doubled in one year, increasing from 197 cases to 453. Despite calls to increase spending to slow the spread of the virus, the prison system suffers from a lack of financial resources. The level of spending for Latvia's National AIDS Prevention Center has remained at the same level since 1993. In the general (nonprison) population in Latvia the number of HIV carriers increased 86 percent in 2000 to 1,745, according to official figures.

Efforts to improve prison conditions have continued over the past several years, including renovations of buildings and training of guards, and measures to address the problem of tuberculosis in prisons have shown some results. In January 2000 the administration of prisons was transferred from the Ministry of Interior to the Ministry of Justice. Additional resources have been allocated in the national budget for the construction of a new prison.

Nevertheless, the situation in some prisons remains substandard, especially concerning health and sanitary conditions and overcrowding. There is a continued lack of personnel and equipment, and some prison facilities are still awaiting renovation. While there was a slight decrease in the overall number of prisoners in 1999, the proportion of pretrial detainees increased, and pretrial detention periods continue to be long. The situation is particularly serious for juveniles, who are sometimes not accommodated separately, and where the length of pretrial detentions is not always in conformity with international standards. The implementation of social rehabilitation programs continues.

Organizational problems still need to be resolved, including the fact that some prisons are guarded by conscripts from a special regiment of the Ministry of Interior rather than by professional guards.

### Prison Statistics.

- Total Prison Population: 8,150
- Prison Population Rate: 351 (based on an estimated national population of 3.21 million at beginning of 2003)
- Pretrial Detainees: 38.8%
- Female Prisoners: 6%
- Juvenile Prisoners: 4%
- Foreign Prisoners: 0.5%
- Number of Establishments: 15
- Official Capacity of Prison System: 8,996
- Occupancy Level: 90.7%

## Latvia

Recent prison population trend (year, prison population total, prison population rate per 100,000 of national population):

1992	8,340	(314)
1995	9,457	(374)
1998	10,070	(410)
2001	8,831	(373)

SOURCE: International Centre for Prison Studies, [http://www.kcl.ac.uk/depsta/rel/icps/worldbrief/europe\\_records.php?code=149](http://www.kcl.ac.uk/depsta/rel/icps/worldbrief/europe_records.php?code=149)

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*Joseph D. Serio*

# Lebanon

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**Official country name:** Lebanese Republic

**Capital:** Beirut

**Geographic description:** Middle Eastern country bordering the Mediterranean between Israel and Syria

**Population:** 3,826,018 (est. 2005)



## LAW ENFORCEMENT

**History.** Since independence, Lebanon's police force has undergone repeated reorganizations, especially during and after the civil war. The police force that Lebanon inherited from the French consisted of a Gendarmerie organized to police rural areas and a civil police in charge of law enforcement in urban areas. This force was one of the casualties of the civil war. When reconstituted after the civil war, it retained many of its old features.

**Structure and Organization.** The national police force, called the Internal Security Force, is under the command of a director general, who is responsible for its various divisions, such as the Gendarmerie, the Sûreté Generale, the Beirut Police, the Judiciary Police, and the Joint Training Institute. The Gendarmerie is a paramilitary force, with units in all the rural areas as well as a mobile reserve. The Sûreté Generale handles all criminal investigations and is in charge of the forensic laboratory. It also collects information on groups deemed a threat to the state. It is responsible for the issuance of passports and residency permits, the screening and censoring of foreign periodicals, plays, documentaries, television programs, and movies. It is in charge of border posts and operates several detention facilities.



The director general commands ten departments:

- Chief of Staff
- Central Administration
- Judiciary Police
- Territorial Gendarmerie
- Mobile Gendarmerie
- Training and Research Institute
- Security of Embassies, Government, and Public Buildings
- Police of Beirut
- Social Services
- Inspector General

**Education and Training.** Education and training courses are provided at the Joint Training Institute in Beirut.

## *Lebanon*

There are separate schools for commissioned and non-commissioned officers.

### **Police Statistics.**

- Total Police Personnel: 6,339
- Population per Police Officer: 603

### **HUMAN RIGHTS**

Serious violations of human rights are reported, especially in areas where the Lebanese armed forces and the Internal Security Force have little control. Members of the Internal Security Force use excessive force and torture and abuse some detainees.

### **CRIME**

**Crime Statistics.** Offenses reported to the police per 100,000 population: 3,063. Of which:

- Murder: 5.5
- Assault: 209.7
- Burglary: 78
- Automobile Theft: 30

### **CORRECTIONAL SYSTEM**

**Prison Conditions.** Prison conditions are poor and do not meet international standards. Inmates lack heat, adequate toilet facilities, and proper medical care. The head of the national bar association describes the country's prison facilities as unfit for animals. The justice minister states that "torture in Lebanese prisons is real, and mainly occurs during preliminary investigations."

### **Prison Statistics.**

- Total Prison Population: 5,375
- Prison Population Rate per 100,000: 145
- Pretrial Detainees: 53.6%
- Female Prisoners: 3.9%
- Juvenile Prisoners: 3.1%
- Number of Prisons: 31
- Official Capacity of the Prison System: 4,800
- Occupancy Level: 115.3%

*George Thomas Kurian*

# Lesotho

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**Official country name:** Kingdom of Lesotho

**Capital:** Maseru

**Geographic description:** A landlocked country in southern Africa entirely surrounded by South Africa

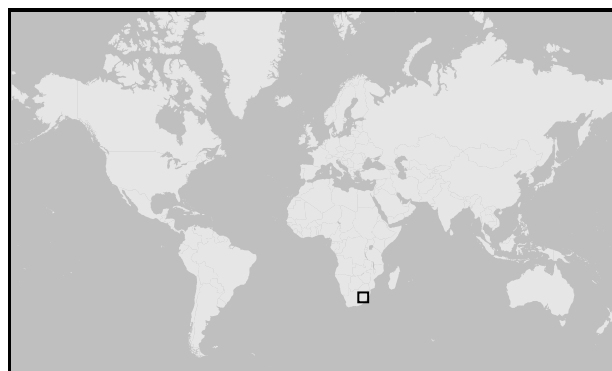
**Population:** 1,867,035 (est. 2005)



## LAW ENFORCEMENT

**History.** The Lesotho (then Basutoland) Mounted Police came into existence in 1872 when Colonel Charles Griffiths, the first governor's agent and later resident commissioner, established it with 110 men under the command of officers who were all sons of local chiefs. The local magistrates were required to supply a quota of men from their districts as troopers. The magistrates themselves were also police officers. Each man was required to provide his own pony and was supplied with a yellow cord uniform. Originally, the duties and responsibilities of the force were limited. It protected the colonial functionaries and acted as interpreters and messengers.

In 1878 the first European officers were commissioned with military ranks, which continued to be used until 1958, when police ranks were adopted. However, in 1972 military ranks were reintroduced into the force and are still used today. Because Lesotho has no sizable military, the police often perform military as well as law enforcement functions. Thus, the police fought alongside the military in the Gun Wars of 1880–1881, in World Wars I and II, and in Bechuanaland (now Botswana) in 1949 and 1952. Until 1946 the police were also responsible for prisons.



After World War II the police force expanded rapidly and various specialized branches came into being. In 1946 the Old Pioneer Camp under Badge Hill became the Police Training School. In the same year the Criminal Investigations Department was formed. In 1953 the Special Branch and Signals Section was formed. The Special Branch later became the Intelligence Branch and in 1978 became an autonomous command under the name National Security Service. In 1964 the Police Mobile Unit was formed. In 1966, the year when Lesotho became independent, the Protective Security Unit was established as part of the Police Mobile Unit. In 1967 the Stock Theft Unit was formed to deal with the crime of stealing cattle that is particularly serious in Lesotho. In 1974 the Police Community Relations Division and the Narcotics Squad were established.

Until 1977 the Lesotho Mounted Police was under the overall command of the commissioner of police. In that year the force was broken up into three divisions:

## *Lesotho*

1. Police General Unit, which now operates under the name of the Lesotho Police Service
2. Police Mobile Unit, later renamed Lesotho Paramilitary Force
3. Intelligence Branch, now known as the National Security Service

Each of these three divisions is commanded by a major general. The Lesotho Police Service is the largest of the three in terms of personnel strength.

### **Structure and Organization.**

*The Lesotho Police Service.* The headquarters of the force is in Maseru and comprises the following branches:

- Administration (including finance and stores)
- Police Training College
- Traffic Department
- Signals Branch
- Women Police
- Stock Theft Unit

The force is commanded by the commissioner of police, who reports directly to the prime minister, who is also the minister of defense and internal security.

For police administration, the country is divided into four district commands that, in turn, are divided into nine subdistricts. The topography of Lesotho is mountainous and in much of the country roads, even bridle paths, are nonexistent. Most police officers carry out their normal patrols either on horseback or on foot.

Women were first recruited as police officers in 1970. As of 2005 women make up 28 percent of the police force.

*National Security Service.* The National Security Service is responsible for the collection, assessment, and dissemination of intelligence relating to the national and internal security of the kingdom. It is headquartered in Maseru under the command of a major general. There are district headquarters and other branches of the service in all major towns.

*Criminal Investigation Department.* The Criminal Investigation Department is responsible for the following areas:

- Investigation of all types of serious crime
- Publication of most wanted lists and maintenance of lists of stolen property and wanted persons
- Compilation of criminal statistics
- Fingerprinting and photographs and forensic operations

- Licensing of firearms
- Interdiction of illegal diamond trafficking
- Stock theft prevention and detection

**Education and Training.** The Police Training College is located on the outskirts of Maseru. It is headed by a superintendent of police. The period of training is 6 to 9 months for graduate recruits and 9 to 12 months for nongraduate students. Since 1982 recruitment has been restricted to applicants with at least a secondary education.

**Uniforms and Weapons.** In 1880 the first official police uniform was adopted. It was a military dress with riding breeches. At independence, the present-day khaki tunic with trousers was introduced as summer dress and navy-blue shirt with black trousers was adopted as winter dress. The head gear is a wide-brimmed bush hat.

### **Police Statistics.**

- Total Police Personnel: 1,953
- Population per Police Officer: 956

## **HUMAN RIGHTS**

The government generally respects human rights. However, there are allegations of torture of suspects by security forces and use of excessive force against detainees by the police.

## **CRIME**

**Crime Statistics.** Offenses reported to the police per 100,000 population: 2,357. Of which:

- Murder: 50.4
- Assault: 156.9
- Burglary: 250.4
- Automobile Theft: 30.8

## **CORRECTIONAL SYSTEM**

The country has one major prison in Maseru and at least one in each of the territorial divisions. The Prison Service, established in 1946, is headed by a director of prisons.

**Prison Conditions.** Most prisons are overcrowded and in disrepair. As a result, there is overcrowding and lack of basic amenities. Prisons are regularly inspected by local committees made up of tribal chiefs, ministers, business people, and lawyers. Prison conditions are also monitored by the International Committee of the Red Cross.

### **Prison Statistics.**

- Total Prison Population: 3,000
- Prison Population Rate per 100,000: 143

- Pretrial Detainees: 35.3%
- Female Prisoners: 3.9%
- Juvenile Prisoners: 3.4%
- Number of Prisons: 14
- Official Capacity of the Prison System: 2,200
- Occupancy Level: 116.0%

*George Thomas Kurian*



# Liberia

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**Official country name:** Republic of Liberia

**Capital:** Monrovia

**Geographic description:** Country in West Africa on the North Atlantic Ocean

**Population:** 3,482,211 (est. 2005)

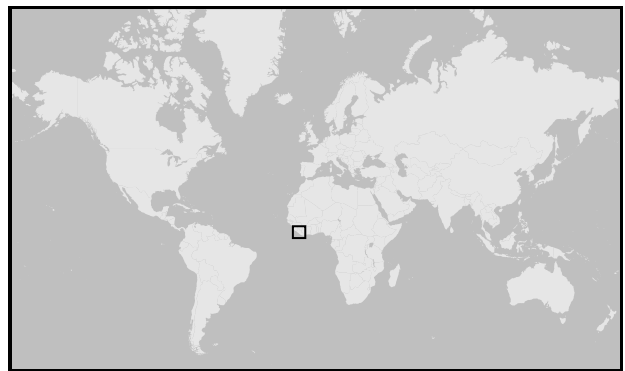


## LAW ENFORCEMENT

**History.** The Liberian National Police Force was established in 1924. Until then law enforcement and internal security were entirely in the hands of the Liberian Frontier Force, as the national army was then called. However, the army—which became the Liberian National Guard in 1962—continues to be involved in police matters. In 2004 the Liberian Police was renamed Liberia Police Services.

**Structure and Organization.** Liberia's principal law enforcement agency is the Liberia Police Services. Three other organizations have functions closely related to law enforcement. The Executive Action Committee is the president's advisory group on security matters and is charged with counterintelligence and control of subversive activities. The Liberian Joint Security Commission is a policy body that coordinates the armed forces and the police services. The National Bureau of Investigation is closely patterned on the U.S. Federal Bureau of Investigation.

The Liberian National Police is both a local and a national force. The police headquarters in Monrovia is under the jurisdiction of the attorney general and is



commanded by a director appointed by the president. All police officials hold honorary military status, with the director holding the rank of a colonel.

Central headquarters consists of two principal operating components: Operations Office and Technical and Administrative Services. The latter, headed by an inspector, performs administrative services for both the headquarters and the field units, known as regional posts. It also operates the Police Academy. The Operations Office directs the active police forces. Headed by a senior inspector, who is the country's third-ranking police officer, after the director and the deputy director, its centralized control ensures a firm rein on all operational field components, both municipal and rural.

The Operations Office is composed of four main staff sections. The Criminal Records and Identification Division maintains statistics on crime and criminals and serves as the national repository for all identification data. The Traffic Division controls the traffic police. The



*An officer provides support to people gathered at a voting station in Monrovia, Liberia, October 11, 2005. The voting represented the first time citizens were able to elect a president, following a fourteen-year civil war that killed tens of thousands of people and created widespread poverty. AP IMAGES.*

Patrol Division oversees the officer on the beat and the rural constable. The Criminal Investigations Department is a plainclothes detective force.

Directly under the Operations Office are the two major field elements of the force: Monrovia Police and County and Provincial Police. The former is headed by a deputy inspector with jurisdiction over all police operations within the capital. The latter is under the charge of an inspector who controls all the regional posts throughout the country. There are eight of these county headquarters, located in each of the county administrative capitals. Normally, each regional post is headed by a deputy inspector. In practice, the outlying rural units enjoy a considerable degree of autonomy as a result of the shortage of supervisory personnel, distance from the capital, and limited communications capabilities. However, the chain of command is clearly defined and implicitly followed. The largest of the field units is Montserrado County.

Grade structure generally conforms to the pattern in the United States. Police ranks below director and deputy director range from patrolman to senior inspector.

Advancement follows a progressive course through sergeant, lieutenant, captain, and inspector, and there are also several specialist grades. Each regional post commander generally has a lieutenant and three or four sergeants besides patrolmen.

Police pay, although not high, compares favorably with equivalent professions and is considerably higher than that of the National Guard. Installations and physical facilities, however, are antiquated and jerry-built. Many police stations are converted residences, and few have security facilities for holding detainees. Most police vehicles are old and in need of replacement. The rolling stock of the regional posts consist of one or two cars and a motorcycle, but the vehicles often are out of commission, awaiting maintenance or spare parts. There is little portable or mobile communications equipment, and local messages are sent over the telephone or by messenger. The Police Academy, however, has modern communications equipment and houses the Interpol Communications Center. All West African Interpol traffic passes through this station.

*The National Bureau of Investigation.* The National Bureau of Investigation (NBI) was organized in 1958 as the Bureau of Special Services under the guidance of U.S. consultants. In 1961 it was combined with the Executive Mansion Special Security Police, until then affiliated with the National Police. The combined units became the National Bureau of Investigation and in 1962 it was removed from the jurisdiction of the Department of Justice and placed directly under the president. Duties assigned by law to the NBI include personal protection of the president, cases involving narcotics, counterfeiting, and immigration violations, malfeasance by public officials, and political surveillance.

Operating out of its headquarters in the capital, the NBI has three field offices in Buchanan, Harper, and Gbarnga. Most of its activities are concentrated in the national capital, with agents making field trips to the interior as required. The headquarters is organized into service and operational subdivisions and has a small inspection staff and a training section.

There are two service elements, designated Administrative Services and Technical Services. The latter includes an air wing section. In the operational area two main subsections are concerned with investigation and security, respectively. The first conducts investigations of individuals and organizations and conducts surveillance and covert antsubversive operations. The Security Division, the largest NBI component, incorporates the Executive Mansion Special Security Police, which guards the official residences and government buildings. Members of the Executive Mansion Special Security Police hold military rank and constitute the only uniformed element within the NBI.

Within the NBI there is a special grade structure. A recruit starts out as an agent and advances to special agent, special agent in charge, and senior special agent in charge. The two top positions are director and assistant director, the former post being filled by the president. Pay for NBI agents is somewhat higher than for the police, and officers assigned to the executive mansion receive a 20 percent bonus.

**Education and Training.** Police training is provided at the Police Academy, located in Paynesville, outside Monrovia. It was established in 1961 with U.S. aid. Police personnel are recruited from all parts of the country on a voluntary basis. The Mende are strongly represented because of their special aptitude for police work. All men entering the service receive formal basic training. The school also conducts two six-month refresher courses annually.

**Uniforms and Weapons.** Police officers are armed with pistols, but patrolmen carry only a nightstick and a

whistle. NBI agents always carry pistols. They have a typical army-type blue uniform.

#### **Police Statistics.**

- Total Police Personnel: 2,094
- Population per Police Officer: 1,663

#### **HUMAN RIGHTS**

With the outbreak of the second civil war, the human rights situation in Liberia has deteriorated. Both the security forces loyal to President Charles Taylor and the rebel forces vied with each other in committing as many murders as possible. Many people simply disappeared, especially ethnic Mandingos suspected of antigovernment sympathies. Security forces frequently tortured, beat, and otherwise abused and humiliated citizens. They also used arbitrary arrest and prolonged detention as tools to terrorize the population. As fighting spread, government forces killed large numbers of civilians by shooting them, burning them alive, slitting their throats, and burning their villages. The use of torture was widespread in interrogating captives in conflict zones.

#### **CORRECTIONAL SYSTEM**

The Penal Law serves as the formal criminal code, replacing earlier legislation known as the Criminal Code. The Penal Law applies only to what are known as Civilized Liberians. Aborigines come under the Aborigines Law.

Two categories of offenses are recognized: felonies and misdemeanors. Some of the most grave felonies, including murder, treason, slave trading, arson, rape, and robbery, are further classified as "infamous crimes." The Penal Law also established broad categories of offenses, such as crimes against the state, crimes against person, and crimes against property. In matters of punishment the courts are given some latitude, but types of punishment and maximum sentences are strictly defined. Flogging is permitted for aborigines.

The 1956 Liberian Code of Laws acknowledged rehabilitation as the goal of prison administration. There are twenty institutions classified as prisons: three in Monrovia, including Central Prison, Municipal Jail, and Belle Yella Camp, and seventeen county, district, and magisterial jails dispersed throughout the country. Control and direction of these facilities are marked by a lack of uniformity and central guidance. There are no general regulations for prison administration, and records are poorly kept, if at all. Some are run by military personnel, some by the Department of Justice, and some by the police. The two largest prisons are Monrovia Central Prison and Barclay Training Center. A third prison is at Kakata.

**Prison Conditions.** There is no classification or segregation of different types of prisoners. People charged with felonies and misdemeanors, people who are sentenced and awaiting trial, male and female, juvenile and adult often are placed in the same institution and, in some cases, in the same cell or dormitory. Escapes are reported to be fairly frequent, particularly from labor gangs in the rural areas. No statistics are maintained on prisoners. The only record kept on prisoners is the ledger of commitment. No records show the number of inmates at any given time or their dates of release. Most prisons are old and in a state of disrepair. They range from concrete structures to mud huts with thatched roofs. Nearly all are overcrowded and unsanitary. Only the Central Prison and one other jail have plumbing, and in most others the floors are used for

sleeping as well as for toilet purposes. In some jails the prisoners sleep on 2-by-5-foot spaces on cement floors. Illumination and ventilation are poor, with only the door as an opening. Political prisoners are tortured and flogged. The civil wars have worsened the conditions in the prisons. There are no teachers, social workers, vocational training programs, or medical personnel. Only a bare subsistence diet is provided, usually a cup of rice per day, occasionally supplemented by some dried fish. In rural prisons, inmates raise their own food, while others depend on the kindness of friends and relatives. No prison has workshops or handicraft facilities.

*George Thomas Kurian*

# Libya

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**Official country name:** Great Socialist People's Libyan Arab Jamahiriya

**Capital:** Tripoli

**Geographic description:** North African country on the Mediterranean, between Tunisia and Egypt

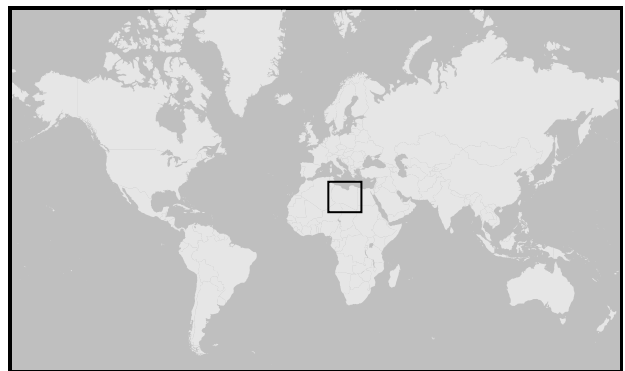
**Population:** 5,765,563 (est. 2005)



## LAW ENFORCEMENT

**History.** A system of policing existed under the Turkish regime. Following the Italian mandate in 1912, an Italian system was introduced. Shortly after the 1969 coup that brought Muammar Qadhafi into power, the military took over the civilian police. Between 1970 and 1973 a series of ministerial decrees were passed, completely reorganizing the *shurtah* (or the police). In 1970 the regional police forces were integrated into a unified organization under the Ministry of the Interior. The police were stripped of their historic paramilitary status and realigned as a civilian function.

A decree of the ruling Revolutionary Command Council (RCC) on March 22, 1970, established the General Directorate of Administration, the General Inspection Department, the Public Affairs Directorate, and the Central Security Bureau. Law 11 of March 10, 1971, created new separate agencies to handle civil defense and firefighting. Separate ministerial decrees between 1970 and 1973 established the Police Supply Department, Wireless and Emergency Department, Identity Investigation Department, Central Traffic Department, Central Department for Criminal Investigation, Arab International



Criminal Police Bureau, Ports Security Department, Police Training Department, and Electronic Computer Section.

**Structure and Organization.** The structure and functions of the police force were laid out in the special police law promulgated by the RCC on January 5, 1972. It redesignated the force as Police at the Service of the People and the Revolution and placed the primary responsibility for law enforcement on the minister of the interior and his deputy. Individual police units were placed under the jurisdiction of the regional police directorates. The law also established a Police Affairs Council, composed of the deputy minister of the interior as chairman, the directors of the central police department, the chiefs of the regional police directorates, and a legal adviser with authority to issue decrees on police matters. In addition, there are specialized departments dealing with criminal research, "morals crimes," juvenile delinquency, and police dogs. A camel corps polices desert areas.

There are two voluntary civilian organizations associated with the police: Police Friends System and Police Children Program. The former is a crime watch program and the latter a program for boys between eight and twelve years of age to assist in directing urban traffic.

Police rank structure follows closely that of the armed forces. Salary levels are determined in accordance with civil service scales. The uniform is khaki in summer and dark blue in winter. A blue peaked cap is worn throughout the year with a white cover in summer. All ranks carry pistols or rifles.

**Education and Training.** The principal training institution is the Police Academy in Tripoli, which also provides refresher courses. Salary levels are in accordance with civil service scales and include a liberal leave policy and fringe benefits.

#### HUMAN RIGHTS

Libya has been accused by Amnesty International of sustained violations against human rights for several decades. Many political dissidents are held incommunicado for years without formal charges being brought against them. Accused do not have a right to a fair public trial and to legal counsel. The Purge Law of 1994 empowers Purification Committees and the Revolutionary Committees to arrest any citizen at will and confiscate their properties.

#### CRIME

**Crime Statistics.** Offenses reported to the police per 100,000 population: 1,065. Of which:

- Murder: 2.1
- Assault: 5

#### CORRECTIONAL SYSTEM

The penal system under the Ministry of the Interior operates central prisons at Tripoli, Benghazi, and Jdeida

Prison, as well as smaller prisons in less populated centers. There are two new prisons at Tripoli and Darnah.

Law 47 of 1975 shifted penal policy from punishment to rehabilitation. Under this law, religious instruction, vocational training, and secondary and university-level education were introduced into prisons. A placement agency was created to help rehabilitated prisoners find employment after their release from prison.

**Prison Conditions.** Security personnel reportedly routinely torture prisoners during interrogations or for punishment. The United Nations Committee against Torture has reprimanded Libya for systematic torture of prisoners. Methods of torture include chaining to a wall for hours, clubbing, pouring lemon juice in open wounds, breaking fingers and allowing them to heal without medical correction, suffocating with plastic bags, applying electric shock, applying corkscrews to the back, hanging by the wrists, suspending from a pole inserted between the knees and elbows, burning with cigarettes, attacking with dogs, and beating on the soles of the feet. Political prisoners are treated with particular severity and in inhuman and degrading conditions and many have reportedly died in prison.

#### Prison Statistics.

- Total Prison Population: 11,790
- Prison Population Rate per 100,000: 207
- Pretrial Detainees: 56.8%
- Female Prisoners: 3.3%
- Number of Prisons: 33
- Official Capacity of the Prison System: 7,000
- Occupancy Level: 139.5%

*George Thomas Kurian*

# Liechtenstein

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**Official country name:** Principality of Liechtenstein

**Capital:** Vaduz

**Geographic description:** A landlocked principality on the Upper Rhine between Austria and Switzerland

**Population:** 33,717 (est. 2005)



## LAW ENFORCEMENT

**History.** The Liechtenstein Security Corps came into being in 1932 with a strength of seven men. It replaced the historic Landweibel. At that time it was the smallest police force in the world. An auxiliary force was formed in 1937.

**Structure and Organization.** The Security Corps is headed by a chief of police under the Ministry of the Interior. The corps is divided into three sections: General, Criminal Investigation, and Traffic, and each is headed by a sergeant major (Feldweibel). The principal grades are:

- Police Chief
- Sergeant Major
- Sergeant
- Corporal
- Lance Corporal
- Police Officer
- Auxiliary

**Education and Training.** Basic training is carried out alternatively in Austria and Switzerland. Auxiliaries are trained locally.



**Uniforms and Weapons.** The uniform for all ranks is an olive-green open-necked jacket and trousers or a green shirt and tie with breeches. The headgear is a peaked cap. On ceremonial occasions, black trousers, white shirt, and gloves are worn. On routine service, police officers carry a Walther automatic 7.65-caliber pistol. Submachine guns and carbines are used during emergencies.

## Police Statistics.

- Total Police Personnel: 50
- Population per Police Officer: 674

## HUMAN RIGHTS

There are no reports of human rights violations by the security forces.

## CRIME

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

- Assault: 114.3
- Burglary: 614.3
- Automobile Theft: 153.6

#### **CORRECTIONAL SYSTEM**

The head of the Prison Administration is the president of the Criminal Court, who reports to the Furstliches Landgericht.

**Prison Conditions.** Prison conditions generally meet international standards. The prison population is small and rarely includes women or juveniles. Independent human rights monitors visit the prison twice a month.

**Prison Statistics.** There is only one prison in the principality, which has an official capacity of twenty-two and an actual population of eighteen. The occupancy level is 81.8 percent and the incarceration rate is 53 per 100,000. Of the inmate population, 41.2 percent are pretrial detainees and 35 percent are foreigners. There are no women or children among the inmates. The prison population is artificially reduced by the fact that long-term prisoners are sent to Austria to serve their time.

*George Thomas Kurian*



# Lithuania

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**Official country name:** Republic of Lithuania

**Capital:** Vilnius

**Geographic description:** Covering an area slightly larger than West Virginia, Lithuania borders Belarus, Latvia, Poland, Russia (Kaliningrad), and the Baltic Sea

**Population:** 3,596,617 (est. 2005)



## LAW ENFORCEMENT

**History.** In 1917, toward the end of World War I, the German kaiser and Russian czar signed the peace agreement at Brest. Russia refused any claims to Lithuania. Germany demanded certain conditions with the acknowledgment of Lithuanian independence. On February 16, 1918, Lithuania declared its independence. A temporary Lithuanian government was established and approved by the mandate of the commission on March 11, 1918. In 1918–1919 Lithuania was attacked by various enemies, including the Poles, Germans, and Russians. For that reason, it decided to set up its own army and law enforcement structure to defend the country and maintain internal order.

The militia was established in 1920 when the first Law on the Militia was passed. The militia existed until 1924, and later the police force was established to maintain internal order. In 1923 the Traffic Police was established. In 1927 a Lithuanian Criminal Police Bureau of Identification was set up and, later, in 1932, a precinct for traffic regulations. The Criminal Police was separated from the Department of Civic Rights



Protection, which was operating in the Department of Homeland Security along with the National Security Department. In 1934 the Vilnius Police School was set up in the capital.

Until 1940 Lithuania had a criminal justice system similar to that of a normal democratic country (courts, police, homeland security service, prosecutor's office, attorney's office, prisons, and many other law enforcement institutions). By June 1940 Lithuania was occupied by the Soviet Red Army. All parties and organizations, which were functioning during the years of independence, were immediately banned. Policing came under the People's Commissariat for Internal Affairs (Narodny Kommissariat Vnutrennikh Del, NKVD), which classified "anti-Soviet elements" into fourteen categories and either arrested and imprisoned them or exiled them to Siberia.

On June 22, 1941, the German Army invaded Lithuania. At that time, NKVD personnel retreated from Lithuania, shooting prison inmates in the woods without

any trials. The Germans occupied Lithuania, putting in place its own law enforcement mechanisms. At the beginning of Adolf Hitler's occupation, the Jewish extermination of those who were accused of cooperation with Communists was initiated. The Germans established concentration camps in Lithuania, where Communists, Jews, gypsies, and others were imprisoned and exterminated. Executions were carried out mostly by the German military police, but sometimes the Lithuanian police troops helped. The primary function of the German military police, military gendarmerie, Schutzstaffeln, Wehrmacht, and other military structures and divisions at this time was to counter the actions of Lithuanian partisans.

On July 13, 1944, the Soviet Red Army invaded Vilnius. Although there were ongoing battles between the Red Army and Hitler's forces, the Soviet regime was immediately reinstated along with the NKVD and the People's Commissariat for State Security. Forced mobilizations of Lithuanian residents by the Soviet Army were started immediately along with the forced collectivization of farms and collection of foodstuffs. This continued until 1950, at which time the Soviet law enforcement system was reestablished—that is, militia, prosecutor's office, attorney's office, people's court, and other institutions. This was a centralized system that worked to consolidate Soviet power after World War II.

From 1944 to 1953 about 20,000 were killed and 180,000 were imprisoned or sent to Siberia. Policemen and lawyers and other law enforcement officers who worked during the years of independence were classified as enemies of the system. In a five-day period in May 1948, 40,000 residents were exiled, and later, 50,000 more.

From the death of Joseph Stalin in 1953 until 1990, Lithuania was under tight control by the Committee for State Security, while other state agencies were engaged in fighting crime. Law enforcement, generally speaking, was highly politicized, often making decisions based on a particular decree of the Communist Party.

For the first time during fifty years of annexation, Lithuania held democratic and free parliamentary elections for the Supreme Council on February 24, 1990. Lithuania had to create its own governing mechanisms, institutions, as well as national legal and law enforcement system. On January 30, 1991, the Law on the Police was passed. On the same day, the Special Purpose Police Unit of the Soviet Police (Otryad Militsii Osobogo Naznacheniya, OMON), was dismantled and existing departments of Internal Affairs were renamed the City and County Police Commissariats. On April 4 the Special Response Unit, Aras, was created and mandated to undertake bomb disposal, hostage negotiation and rescue,

special tactics against armed organized crime groups, and other functions.

In 1991 Lithuania reinstated its membership in Interpol and joined the International Police Association. In 2000 a new Police Procedure Law was passed and on May 1, 2003, a new set of fundamental laws came into effect including the Criminal Code and Criminal Procedure Code of the Republic of Lithuania. The Special Investigations Services was established to fight corruption, and the Financial Crime Services was established to fight economic crime. Detention facilities were transferred from the Ministry of Internal Affairs to the Ministry of Justice. On December 9, 1998, capital punishment was discontinued in Lithuania.

**Structure and Organization.** There are nearly 12,000 police officers who work in Lithuania's law enforcement system, including police training and educational institutions. The Ministry of Interior is responsible for overseeing and implementing policies regarding the protection of public order, public security, crime prevention, protection of civil rights, and the lawful interests of various enterprises, institutions, and organizations.

The Ministry of Interior directs the activity of the police, border police, fire prevention, preliminary investigations, passport and immigration services, the corrective labor institutions, and divisions of the home affairs service. The special VIP Protection Department operates under the supervision of the Ministry of Interior. Its responsibility is to ensure the physical safety of the leaders of the state, as well as of the most important guests visiting Lithuania.

**Salaries.** After the reinstatement of independence in 1990, the Republic of Lithuania passed a number of laws regarding police budget and financing. The police officer's salary was according to position, rank, and qualification category. A certain percentage is added to salaries for the number of years in service. The increase is made after 5, 10, and 20 years in service. Overtime is also added to the salary, covering night shift, holidays, and weekends. Ten percent more is added to the salary for employees whose job requires knowledge of a foreign language (English, German, French, or Spanish). A Lithuanian officer who does not occupy a command position receives the equivalent of between \$500 and \$850 per month. A commanding officer receives from \$850 to \$1,300.

**Retirement.** Rank-and-file officers may serve only until the age of fifty. Midlevel officers may serve until fifty-five years of age. Higher-level officers may serve until the age of sixty. And senior-level officers may serve until the age of sixty-two years and six months.



*An officer takes a picture of demonstrators holding a banner outside the town hall hosting a reception for NATO foreign ministers in Vilnius, Lithuania, April 20, 2005. The banner reads "Stop Russian Colonialistic War in Chechnya," referring to the ongoing violence between Russian forces and Chechen rebels in a conflict where the region seeks recognized independence from Russia. AP IMAGES.*

An officer may apply to the minister of internal affairs requesting that his or her maximum age in service be extended. Permission may be granted if the officer is not more than sixty years old.

**Hierarchy and Ranks.** After reinstatement of independence, the militia was reorganized into police and given the following ranks:

*Police:*

- Colonel
- Senior Police Officer
- Police Officer
- Police Intern

*Inspectors:*

- Senior Inspector
- Inspector
- Junior Inspector

*Commissars:*

- Commissar General
- Chief Commissar
- Senior Commissar
- Commissar
- Commissar Inspector

**Police at Work.** The main goals of the police force are the prevention of crimes and other violations of the law, the disclosure and investigation of crimes, the protection of public order, peace, and security, the protection of civil rights, freedoms, and property, and, within its powers, environmental protection. The police also control traffic safety and offer emergency aid and other means of social assistance to the community.

The unified system of the police force consists of the national and municipal police forces. The structural divisions operate under the authority of the Police

Department of the Ministry of Interior and the Border Police Department of the Ministry of Interior.

Agencies of the national and local police operate under the city (district) police commissars. The city (district) police commissars are appointed by the minister of interior on the recommendation of the police commissar-general.

The national police are comprised of the criminal police, public police, traffic police, transport police, and special purpose squads. On the order of the minister of interior, other home affairs agencies (migration, fire prevention, and so on) may also operate under the auspices of local police commissariats.

The transport police carry out the functions of the criminal and public police within the railway, airline, and water transport systems and in the areas subordinated to them. The traffic police exercise road safety control, investigate incidents of violations of traffic regulations, institute inquiries concerning road accidents, and impose administrative penalties and other measures for traffic violations.

#### Special Police.

**Border Police.** The Lithuanian border police has responsibility for 1,068 miles of border territory. It has 3,649 officers and noncommissioned officers under contract, and 522 military conscripts in a rapid response emergency service. Taking into account nearly 25 miles of swampland along the border and about 62 miles that is actually in the sea, the ratio of personnel posted to the land border is about 3.9 persons per 1 mile.

**Riot Police.** In 1924 the riot police troops were established under the auspices of the Lithuanian public police. Their mission was to help the public police maintain order in the event of special or extraordinary situations. In 1929 the Statute on the Lithuanian Reserve Police was passed, emphasizing that the duty of the police reserve was to disperse prohibited gatherings of people, demonstrations, rebuff armed attacks, quell riots, and fulfill orders from the authorities. Reserve policemen were expected to be in good physical condition and follow military discipline. They were housed in barracks-style dormitories.

After Lithuania became a part of the Soviet Union, the reserve police was replaced by the militia and the function of maintaining control in special circumstances fell to the Internal Troops divisions (Vnutrennye Voiska, VV) under the jurisdiction of the Ministry of Internal Affairs of the Soviet Union. Their mission in Lithuania was to secure important facilities (detention institutions and nuclear power stations) and help police maintain order during riots and other breaches of the peace.

These divisions were formed from the mandatory service conscripts and wore military uniforms with the letters VV indicated on their shoulder straps. Until the reinstatement of Lithuanian independence, there were several Internal Troop training centers in Lithuania. One such center was established in Siauliai in 1970 and trained sergeants for VV divisions from the draftees taken into the army.

As of 2005, the police of Lithuania use mobile police troops, which are a part of the public police, for suppression of mass riots and similar activities. In particular cases, special forces units, which are under the authority of the Ministry of Interior, are used. Special forces units were formed from mandatory service draftees and have been used in the past to secure detention institutions and other important facilities. They no longer secure the detention institutions, but in case of riots or other emergency situations, they help to restore order. Since 1990 the special forces unit, Aras, has performed antiterrorism functions, hostage rescue missions, and the arrest of extremely dangerous criminals.

**Traffic Police.** The water traffic police was established in 1919 and maintained order and security in the ports and other water zones. Since 1924 jurisdiction over maintaining order on the Lithuanian railway system moved from Homeland Security to the railway police. In 1931 traffic regulations were published and traffic control and car accident investigation was assigned to the public police. Specialized traffic control service was established in Kaunas in 1983. Since then, the traffic control police has operated across the entire country.

During the Soviet period the traffic police was under a special division of the Soviet militia, the State Automobile Inspectorate. Afterward, this was replaced by the Lithuanian State Auto Inspectorate. This structure was derived from the State Auto Inspectorate Administration in Vilnius. The State Auto Inspectorate is responsible for traffic administration and organization, driver testing and issuing driver permits and licenses, auto registration, and annual automobile inspection. State Auto Inspectorate officers have the same authority as militiamen and wear militia uniforms and special patches to differentiate from other types of militia.

In 1990 the Lithuanian police took over the entire structure and functional duties as well as the technology from the Soviet militia. Gradually, the Lithuanian Traffic Police Service improved its structure and transferred certain functions out of the police service, for example, annual technical auto inspection, driver training, auto registration, and other functions. The Traffic Police Service became a part of the Lithuanian public police and traffic policemen became all-purpose patrolmen. They not only took care of the traffic but also performed

some other functions characteristic of police patrolmen: keeping the peace, pursuing criminals, and so on. In 1999, by the order of General Commissar of Police of the Republic of Lithuania, "Instructions of the Traffic Police Patrol Activities" were approved. The traffic control divisions changed and improved their structure to better secure traffic safety and preventive measures in the Republic of Lithuania.

**Education and Training.** In Lithuania lawyers were prepared at Vilnius State University. Graduates of the university could work in the Internal Affairs system. Later, the Minsk Higher Militia School was established in Lithuania, which prepared precinct officers, investigators and detectives, undercover officers, and other law enforcement specialists. After reinstatement of independence in 1990, this police school was reorganized into the Lithuanian Police Academy; it was later renamed the Lithuanian Law University.

Studies are organized in three stages. Graduates after one year become ordinary police officers; graduates receiving a bachelor's degree work in the higher hierarchy law enforcement system; and graduates with a master's degree also work in the higher hierarchy or the law enforcement system.

After the reinstatement of independence, Lithuania did not have a consistent system of qualification of advancement within the law enforcement system. Qualification advancement and other training were not always available to police practitioners. After the country became stronger economically, law enforcement officers received different opportunities to be trained, including attending programs abroad. The Education Center was established near the police department, where the police officers from the entire country can advance their qualifications in different areas. According to the order of the General Commissar of the Police, chief or territorial police commissariats create annual plans and carry out training. Trainers and lecturers are usually experienced executives of the units or guest speakers from different educational institutions who are competent to teach the subject. Each police officer is required to study the regulations and standards related to his or her work.

Klaipeda has opened a police school where customs officers and precinct officers or lower-rank officers are prepared for work in the law enforcement system. Private colleges have started training law professionals and many of them pursue careers in the law enforcement system.

In 1991, by the decision of the Republic of Lithuania, a statute was passed covering police and other law enforcement officers' conditions of recruitment, service, social security benefits, and the order of discharge. The statute says that recruitment into the law enforcement system is performed voluntarily on the selection basis; the

candidates have to be no younger than eighteen years old and no older than thirty years old. They must know the Lithuanian language. And they must swear an oath to serve the Republic of Lithuania and to keep state secrets. Naturally, they must be citizens of Lithuania, be in good physical condition, and possess a good character.

Police officers that serve 20 years and have reached the age of 40 may retire. Police officers who attain 50 years can no longer continue in the service and have to retire or have to ask the minister of interior to extend their service time for 1, 2, or 3 more years. As a result of this regulation, many experienced officers leave the police and other law enforcement structures. After some time the above mentioned statute did not meet the requirements of the force and, therefore, was changed. In 2003 the legislature passed the Statute on Internal Affairs. The statute addressed issues of selection and recruitment for law enforcement agencies including conditions of service, social security benefits, a new rank system, age of retirement, and discharge from work.

**Uniforms and Weapons.** In 1990, after the reinstatement of independence, the militia was transformed into the police. The approved uniform of the Lithuanian police is the following: the police general commissar and chief commissars have a daily set, a woolen dark-green fabric with green shirt, and a parade/holiday set with white shirt. All the commissars' ties are dark red with a silver pin.

Police officers' uniform sets are made for men with pants; for women, either pants or skirts. The police officers also get seasonal clothing like raincoats, coats, and gloves.

Since 1990 the following has been the primary weapons and equipment used by the police:

- Kalashnikov AK U-74, 5.45 mm
- Makarov PM, 9.2 mm
- Margolin pistol, 5.6 mm
- Kalashnikov AK-74 with optical sight, 5.45 mm
- MP5/A5, 9 mm
- CZ-75c, compact 9mm
- CZ-75, 9 mm
- Scorpion, 7.65 mm
- Winchester 12 gauge
- Helmets TS-4, shields, bulletproof vests, handcuffs, rubber truncheons, gas, and Motorola radios

**Transportation, Technology, and Communications.** After reinstatement of independence, all assets of the militia were

transferred to the police. Beginning in 1990 the Lithuanian police gradually replaced the Russian VAZ and other cars with European models. By 2005 the Lithuanian police had more than twenty different models of vehicles including Volkswagen Passat, Golf, Vento, and Transporter; Audi; Volvo; Fiat; Škoda; Ford; Opel; and other brands. The police cars, which are used for operational work, have green stripes on the side and have the police sign on the front door. The emergency strobe light is attached to the roof of the vehicle. The front and back trunks have the word *Policija* (police) on them.

Vehicles for the transportation of detainees and inmates are equipped according to the safety requirements with reinforced door locks, bars on the windows, and a partitioned cabin for the security officers. As of 2005, detainees and inmates were transported primarily in the Renault Midum, but other models were used as well.

The major cities in the country have mobile forensic labs installed in Fiat Ducato vehicles. Some of the police vehicles are equipped with the devices necessary for their line of work. For example, traffic police vehicles have automatic radar devices and video and audio equipment. The police motorcycles are mainly used for escorting honored visitors to the country.

After World War II some of the means of communication used at the front were introduced into the Soviet militia structures, including telegraphs, teletypes, and mobile field phone stations. Only later was the militia supplied with stationary field stations that were used until about 1985. Along with the stationary stations, mobile radio stations were used. Until around 1990, the teletype was used.

Various modifications of mobile phones have been used since 1970. They were installed in the vehicles, powered by the vehicles themselves, and could contact the main station from up to 25 miles away. Through the main station, it was connected to the regular telephone network. In the major cities and districts, automatic telephone switching stations were used from 1985 until 1995. Until 1997 stationary concentric phones were used in police stations. Since 1996 the police have used Motorola radio communication systems as well as both stationary and mobile radio stations.

By the mid-1990s the Lithuanian police started using the new generation of communication technology. Teletype was replaced by e-mail. Radiophones were replaced by satellite connections. The police started using Motorola, Nokia, and Alcatel equipment, among others. Digital connection stations, like Definity by Lucent, were implemented in the police stations. The police offices did not have telephone concentrators anymore; they were replaced by digital phones. The police have been using

satellite security systems Satrack and Mobi Safe for several years.

**Surveillance and Intelligence Gathering.** After Lithuanian independence the documents restricting undercover work changed fundamentally. On July 20, 2002, the Law on Operative Activity of the Republic of Lithuania was passed. This law details the methods and tasks of operative work, with an emphasis on protecting human rights and freedom. The law also provides for the methods of secret surveillance (gaining access to residences and nonresidential facilities), secret members of operative activities, use of cover stories, financing of secret activities, and internal and state controls and restrictions.

In 2003 a new criminal code was passed. Article 154 of the code covers the rules for information transferred through the telecommunications network and the rules of recording this information. Article 158 covers pretrial actions of officers and maintaining the secrecy of an individual's identity. Article 160 covers the rules of covert surveillance. All operative actions are performed in investigating complex felonies and only with the permission of the pretrial judge.

**Police Officers Killed in the Line of Duty.** From 1919 to 1930, 121 policemen died in the line of duty. Some of them died while fighting in military battles, others at the hands of criminals. There is no exact information on how many policemen died during the German and Russian occupations during World War II.

There is no information available regarding the number of militiamen killed when Lithuania was part of the Soviet Union. There were up to several deaths per year; some were killed by criminals, others in the course of other duties.

In 1999–2000 twenty-four police officers were killed in Lithuania. The Soviet Army and OMON Special Forces killed five police officers in the first years after Lithuania reclaimed its independence. All police officers who were killed in the line of duty were granted medals posthumously.

## CRIME

In the first fifteen years after World War II criminology was banned in Lithuania because of the official state ideology that crime was a problem alien to Soviet reality. However, in 1964 criminology was included into the curriculums of the higher police schools and crime control was started to be organized.

A great deal of attention was directed toward theft of state property. For that particular purpose Fight against the Theft of Social Property units were established in the

Internal Affairs. The law punished so-called state property embezzlers much more strictly than those who stole private property. However, the units were not successful in fighting this theft. The theft of state and public property turned into a massive phenomenon across the entire Soviet Union. Rarely did a common Lithuanian working in a factory or on a collective farm (kolkhoz) come home with empty pockets at the end of the day. Those who had access to production material were stealing by the truck or trainload.

Another peculiar law was passed in 1979. The Penal Code of the Soviet Republic of Lithuania contained article 240, which provided up to three years' imprisonment essentially for being unemployed. The unemployed individual would be warned to get a job in one month. The individual who refused was punished or even imprisoned. If a crime of such a bizarre nature was to be considered a criminal offense, there would be no truthful crime statistics for that period. At that time, 90 percent of crimes were solved, which is, of course, unrealistic.

In Soviet society results always had to improve because the society followed the tenets of Communism and there had to come a day when crime would not be an issue anymore. Even the Soviet leader Nikita Khrushchev announced in one of the meetings of the Communist Party that after twenty years crime would be completely eliminated in the Soviet Union. Law enforcement structures were scared of the government and some of the crimes were not even reordered for the sake of better statistics. More than twenty years after Khrushchev's claim and crime was prospering in the Soviet Union.

In 1992–1993 a huge wave of organized crime swept across Lithuania and a considerable amount of state property ended up in the hands of criminals. At the same time, organized crime groups were involved in bloody struggles over zones of influence across the country.

In the course of about 30 years the average crime rate in the Soviet Union increased from 365 crimes per 100,000 residents to 769 crimes. For example, 11,135 crimes were registered in 1971, 21,363 in 1985, and 56,615 in 1992. At the end of the 1990s the level of registered crime stabilized and began decreasing in the new millennium.

**Criminal Identification and Forensics.** After Lithuanian independence new possibilities emerged for the development of criminology and for the adoption of Western concepts. Because of the insularity of the Soviet Union, there were few possibilities to obtain foreign equipment. Forensic centers were reorganized in 1991.

The Institute of Forensics performs twenty-eight types of analysis including handwriting, paternity, technical

documents, photographic, portraits (sketches), ballistics, trace evidence, criminological, biological, bookkeeping, banking, finance, labor economics, automobile, and arson. In 1995 the institute began analysis of computer-related information. The institute publishes numerous methodological publications for investigators, prosecutors, judges, and others.

The Forensic Investigations Center is a part of the Ministry of Internal Affairs and performs analysis of ballistics, arson, handwriting, technical documents, portraits (sketches), food products, and others. Analysis of explosive devices, foreign currency, and food product investigations are performed only in this center. The center has thirty-two stationary labs in various police institutions or stations around the country where forensic examinations are performed.

Medical forensics is performed by the Medical Forensics Center. As of 2005, it performed all types of forensic medical, biological, chemical, histological, osteological, physical, and technical research. In 1989 forensic DNA testing was started.

**Crime Statistics.** Total Registered Crime, 1997–1999

1997	75,816
1998	78,149
1999	77,108

**CORRECTIONAL SYSTEM**

Prisons fall under the direction of the Ministry of Justice. There are several kinds of prisons in the corrections system. Generally speaking, these facilities fall into two categories: open and closed. Open facilities are construction sites, agricultural concerns, industrial plants where the inmates have to work without any compensation. They live in nearby dormitories maintained by the government and have certain restrictions on their movement within the city or region they work. Closed facilities are traditional penitentiary or prison environments.

After World War II tens of thousands of people were forcibly imprisoned and exiled to Siberia and northern Russia primarily to be used in harvesting timber or working the mines. Others convicted and sent to closed institutions could be assigned to virtually any prison in the entire Soviet Union.

The Soviet correctional system had special correctional facilities where alcoholics were treated forcibly for two years. There were two such correctional facilities in the territory of Lithuania. The juvenile correctional system had special correctional facilities for juvenile delinquents until the age of eighteen. However, if a juvenile delinquent reached the age of eighteen during the term of imprisonment, the individual was moved to an adult correctional facility.

If juveniles committed crimes between the ages of fourteen and eighteen, they were sent to the correctional facilities by the court. If a juvenile was systematically in contravention of the law, he or she could have been sent to a correctional facility by the Commission of Juvenile Affairs, which was established by the city or county executive committees. Juveniles also could have received parole, but had to follow the mandatory correctional procedures or attend counseling.

After the reinstatement of independence the Lithuanian correctional system was gradually reformed. The Prison Department and Correctional Affairs Inspectorate were transferred to the Ministry of Justice, bringing the entire correctional system under its jurisdiction. After passage of the new penal code in 2003 the correctional institutions were organized into the following facilities:

- Reformatories
- Prisons
- Juvenile reformatories
- Open reformatories
- Treatment reformatories
- Penitentiary hospitals

The system is supplemented by new punishments. The court can imprison, apply monetary fines, sentence to community service, impose a restriction of freedom short of prison, or grant parole. The new law creates much more humane conditions of imprisonment. The punishment execution code divides convicted individuals into:

- Reformatory—into three groups: lenient regime, ordinary regime, and disciplinary regime
- Juvenile reformatory—into two groups: lenient regime and ordinary regime
- Prison—into two groups: ordinary regime and disciplinary regime

This system of classification guarantees a more secure prison environment for the convicted individuals, facilitates management of the correctional facility, and encourages good behavior. Privileges and benefits are applied to the convicted individual depending on the classification.

Inmates have the opportunity to get high school education, vocational education, and even university education in the correctional facilities; inmates are provided with work. Regional correctional inspectors take jurisdiction over the convicted individuals who are not imprisoned. The inspectors assist the convicts in finding work, a place to live, and provide psychological or some other help.

Juveniles younger than eighteen serve their time in special children's correctional foster homes. Juveniles can be directed to the special children's correctional foster homes by a commission consisting of educators, doctors, lawyers, parents, and other community representatives. Currently, the Republic of Lithuania has nearly completed preparation of the Minimum and Average Juvenile Supervision Law, which covers issues of juvenile supervision.

The penal code of 1961 provided a long enumeration of socialist values that had to be protected by the penal law. As a consequence, places of imprisonment were overcrowded. Usually, individuals convicted for violations of socialist values were released, not after rehabilitation, but by official mass amnesties. Amnesty was the method of cleaning out overcrowded facilities. As a result, the crime rate was increasing.

Immediately after the reinstatement of independence, measures were taken to create the legal basis for the normal functioning of the correctional system. Long-standing Soviet standards were rejected and attempts were made to adopt the European approach.

As of January 1, 2004, the following correctional facilities were operational in Lithuania:

- Kybartai, open institution, 396 beds
- Alytus, correctional institution, 1,554 beds (adult males with previous convictions or who are dangerous recidivists)
- Marijampolės, correctional institution, 1,133 beds (adult males with previous convictions or are dangerous recidivists)
- Panevėžys, correctional reformatory, 540 beds (juvenile and adult females)
- Pravieniškiai, first correctional reformatory, 844 beds (males convicted for first time of premeditated minor offenses)
- Pravieniškiai, second correctional reformatory, 1,247 beds (males convicted of complex serious crimes)
- Pravieniškiai, third correctional reformatory, 706 beds (males convicted of minor offenses)
- Vilnius, first correctional reformatory, 124 beds (for convicted politicians, law enforcement officers, judges, prosecutors, federal control employees, and state control employees)
- Vilnius, second correctional reformatory, 759 beds (for recidivists)
- Kaunas, juvenile infirmary-correctional reformatory, 133 beds in the infirmary and 222 in the



reformatory (juvenile males and females before and after conviction)

- Pravieniškiai, treatment and correctional reformatory, 520 beds (convicts with tuberculosis)
- Lukiškiai, inquisitorial infirmary-prison, 864 beds (pretrial individuals, convicted officers, and those serving life sentences)
- Šiauliai, inquisitorial infirmary, 425 beds (pretrial detention)
- Hospital for imprisoned individuals, 111 beds (for convicts who need isolation and treatment)

The total number of beds in Lithuanian correctional facilities is 9,578.

The Prison Department has five regional correctional inspectorates under its control. These inspectorates have forty-eight sections that organize and execute alternatives to imprisonment (other than monetary fines). In 2004 these inspectorates worked with 11,845 individuals.

As of 2004, there were 2,862 officers in the Prison Department and organizations within its system: 1,848 of them were guards in facilities, 32 were state or federal employees, and 1,219 were contractors.

According to 2003 figures, among inmates, 1,354 were drug/substance addicts and 283 had contracted AIDS. The Prison Department is working closely with the AIDS center and the State Psychiatric Health Center to help in this situation. The cost of housing one inmate per day is 29 litas (about \$10). In 2003, 35.2 percent of convicted individuals worked, 24.4 percent studied, and 4.3 percent participated in some other activities.

**Prison Conditions.** In 1863 there was a major strike in Lithuania. At the time, Lithuania was part of czarist Russia, and after quelling the strike, the government arrested the protesters. In 1864, needing a place to house those arrested, the czarist government built one of the first prisons, in Kaunas.

Later, the same government built several more prisons in Lithuania. The prisons built by the czar have not changed their purpose for more than a century; they are still in use. All the governments of Lithuania, including occupation forces, used those prisons. Until recently, the predominant opinion was that criminals should suffer in prison, and the conditions certainly were suited to suffering. And for that reason, little reconstruction or renovation was done on the facilities. Ventilation was bad, and there were no toilets—only buckets that inmates frequently had to eat and sleep near.

During the Soviet era the number of convicted individuals was high, but because of Soviet ideology,

reconstruction or building of new prisons was not allowed. According to communist philosophy, crime was to be completely eradicated. Renovating and improving prisons would have been an admission that crime would not disappear any time soon. Therefore, reconstruction efforts in Lithuania could only begin after independence. Completion of the renovation of the prison built in 1864, mentioned earlier, occurred in June 2004.

It was noted in June 2004 that all the prisons in Lithuania are overcrowded except for the Kaunas juvenile interrogation-correctional facilities. The Lukiškiai interrogation-correctional facility contains 1,300 individuals, though it is designed to hold 860. The Šiauliai prison has 650 detainees waiting for trial and there are only an estimated 425 beds. A Kaunas police lockup has space for 50, but is always packed beyond capacity.

The interrogation-correctional facility is the most modern place of imprisonment. It is a three-story building with eighty-two cells, each of which houses four individuals. Cells are furnished with light-colored furniture and have an enclosed toilet. On the 7,000-square-meter territory, there are facilities for administration and a courtyard for walking. There are no security towers; armed guards are replaced by security cameras. The third floor has sixteen walking areas. Inmates who have tendencies to harm themselves are placed in a padded solitary confinement cell. A modern institution of this nature costs Lithuanian taxpayers approximately 25.5 million litas (nearly \$10 million).

According to law, inmates have the right to receive the same quality of health care as all citizens of Lithuania. In 2003 the correctional system had 101 doctors and 181 midlevel medical personnel. Thirty-three individuals died during their imprisonment because of illness, thirteen individuals committed suicide, and five were killed.

**Prison Statistics.** On January 1, 2004, the total number of individuals in Lithuanian facilities was 8,063, which was 234 per 100,000 population. Of these, 1,362 were detainees awaiting the court's decision; 6,701 were convicted, 82 of whom received life sentences; 194 were juveniles; 241 were females; and 97 were citizens of foreign countries.

- Total Prison Population: 8,063
- Prison Population Rate per 100,000: 234
- Pretrial Prisoners: 16.9%
- Female Prisoners: 3%
- Juvenile Prisoners (under eighteen): 2.4%
- Foreign Prisoners: 1.6%
- Number of Establishments: 15

- Official Capacity of Prison System: 9,678
- Occupancy Level: 84.2%

Recent prison population trend (year, prison population total, prison population rate per 100,000 of national population):

1992	9,175	(245)
1994	12,782	(344)
1998	13,628	(368)
2001	9,516	(257)

SOURCE: International Centre for Prison Studies,  
<http://www.prisonstudies.org/>

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# Luxembourg

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**Official country name:** Grand Duchy of Luxembourg

**Capital:** Luxembourg

**Geographic description:** A landlocked principality in western Europe nestled between three larger countries: France, Germany, and Belgium

**Population:** 468,571 (est. 2005)

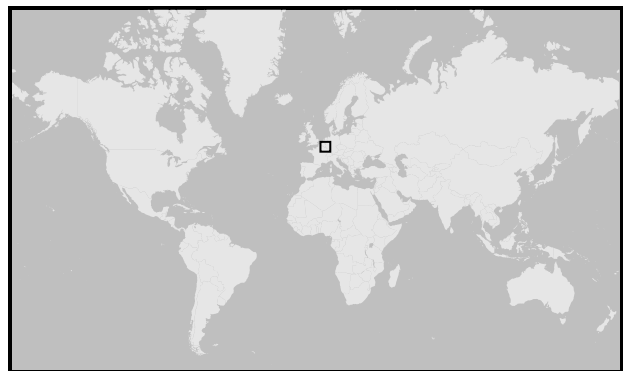


## LAW ENFORCEMENT

**History.** Founded in 963, Luxembourg is located between Belgium, France, and Germany. It became a grand duchy in 1815 and an independent state under the Netherlands. It lost more than half of its territory to Belgium in 1839, but gained a larger measure of autonomy. Full independence was attained in 1867. Overrun by Germany in both world wars, it ended its neutrality in 1948 when it entered into the Benelux Customs Union and when it joined the North Atlantic Treaty Organization the following year. In 1957 Luxembourg became one of the six founding countries of the European Economic Community (later the European Union) and in 1999 it joined the euro currency area.

Encompassing an area of 999 square miles, Luxembourg is divided into two defined regions: Eisléck or Oesling in the north and the Gutland in the center and south.

**Structure and Organization.** The government of Luxembourg is a constitutional monarchy, composed of executive, legislative, and administrative branches. The executive branch consists of a chief of state (Grand Duke), a



prime minister, and a vice prime minister. A Council of Ministers, whose members are recommended by the prime minister and appointed by the Grand Duke, comprise the remainder of the executive branch. The constitution allows the Grand Duke to organize his government, create ministries, divide ministerial departments, and appoint or remove their members. Because of the number of ministerial departments and the number of available government members, many ministers may hold multiple positions.

The legislative branch is composed of a unicameral Chamber of Deputies consisting of sixty seats. The members are elected by direct, popular vote for five-year terms. Acting as an advisory body to the Chamber of Deputies is the Council of State. It has twenty-one members recommended by the prime minister and appointed by the Grand Duke.

The judicial branch consists of the judicial courts and tribunals, administrative courts, and tribunals and



*A policeman overlooks the wreckage of an airplane that crashed in Niederanven, Luxembourg, November 6, 2002. The plane crashed in thick fog during a flight from Berlin to Luxembourg, killing 20 of the 22 people on board. AP IMAGES.*

the Constitutional Court. All judges are appointed for life terms by the Grand Duke.

The country is governed through three administrative districts, identified as Diekirch, Grevenmacher, and Luxembourg.

***Principal Agencies and Divisions.*** Law enforcement in Luxembourg is the responsibility of the Police of the Grand Duchy. Before January 2000, police responsibilities were divided between the Gendarmerie and the old police agency. These two organizations were merged January 1, 2000. All organizational, administrative, training, and discipline of the force are the responsibility of the minister of the interior (Council of Europe 2003).

Leadership of the force is the responsibility of the director general. The Grand Duchy also appoints two deputies from the within the organization recommended by the minister of the interior. Policing operations are provided from a central and six regional policing districts. The central operational center encompasses the judicial police, general crime, organized crime, and economic and financial crime sections. Each regional operations center also has an investigative department that has both judicial and crime investigation officers.

There are three career paths within the Police of the Grand Duchy: higher grades (Cadre Superior), inspectors (Carriere des Inspecteurs), and constables (Carriere des Brigadiers). Within the agency there are 56 higher-grade officers, 1,236 inspectors, and 66 constables. Each rank is further divided into chains of command.

The higher-grade officers have six ranks:

- Director General
- Director General Adjoint
- First Commissaire Divisionnaire
- Commissaire Divisionnaire
- First Principal Adjoint
- Principal Adjoint

Inspectors have five ranks:

- Commissaire en Chef
- Commissaire
- Inspector en Chef
- Premier Inspector
- Inspector Adjoint

## *Luxembourg*

Constables have four ranks:

- Brigadier Chef
- Brigadier Principal
- Premier Brigadier
- Brigadier

The qualifications and conditions for appointment to the various grades are outlined in law. Depending on grade, appointments are made by the Grand Duchy or the minister of the interior.

**Special Police.** Specialization in the Police of the Grand Duchy is based on function or the type of service provided by the unit. The agency is divided into specialized units that provide basic services such as traffic control and enforcement, mobile or foot patrols, airport security, and investigations.

**Education and Training.** Police recruits have to meet the following qualifications:

- Nineteen years of age
- Pass competitive written examination
- Pass interview process
- Security/background check
- Moral qualifications
- Physical qualification
- Residency is required and based on assignment location

The basic training course includes the following curriculum:

- Basic police functions
- Police ethics
- Use of force
- Firearms qualification
- Organized crime
- Drug-related crime
- Domestic violence
- Juvenile delinquency
- Child abuse
- Arrest techniques
- Report writing
- Interview and interrogation techniques

Beyond basic police training, further education and training are provided specific to the officer's career path and may include money laundering, environmental crime,

terrorism, surveillance techniques, preservation of evidence, and use of informants.

**Uniforms and Weapons.** Uniforms are based on assignment. The styling is paramilitary. The primary uniform is dark-blue slacks, French-blue shirt, and a dark-blue kepi.

**Transportation, Technology, and Communications.** For the most part, police of the Grand Duchy use Volkswagen-, Audi-, and Ford-built sedans for police vehicles. The traffic enforcement unit uses BMW motorcycles.

**Surveillance and Intelligence Gathering.** The police of the Grand Duchy have the authority to conduct inquiries into any suspected offense, which includes surveillance activities.

**Investigations and Prosecution of Offenses.** Police investigations are sent to the General State Prosecutor. Once the case is under the prosecutor's consideration the police can only act at his or her direction. If the investigative case is sent to an investigating judge for judicial inquiry, then the police can only act at the judge's direction. The police officers' superiors cannot direct or control the inquiry once it is under consideration by a prosecutor or investigating judge.

### **Police Statistics.**

- Total Police Personnel: 1,511
- Population per Police Officer: 310

### **CRIME**

**Organized Crime.** As of 2005 organized crime in Luxembourg originated from outside the country. The Ministry of Justice has yet to recognize the existence of organized criminal activity or internal corruption, although recent studies indicate a growing need for an investigative arm. Luxembourg authorities have begun to recognize the growing threat of organized criminal activity and are adopting recommendations that include training of their personnel in related organized criminal activity.

### **CORRECTIONAL SYSTEM**

Luxembourg's correctional system is nationally based. There are regional subdivisions but it is administered on the national level.

### **Prison Statistics.**

- Total Prison Population: 655
- Prison Population Rate per 100,000: 144
- Pretrial Detainees: 49.2%
- Female Prisoners: 4.4%

- Juvenile Prisoners: 1.8%
- Number of Prisons: 2
- Official Capacity of the Prison System: 778
- Occupancy Level: 85.5%

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*World Encyclopedia of Police Forces  
and Correctional Systems*

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*Countries*



# Macedonia

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**Official country name:** Republic of Macedonia

**Capital:** Skopje

**Geographic description:** Landlocked country in southeastern Balkans

**Population:** 2,045,262 (est. 2005)



## LAW ENFORCEMENT

**History.** The Republic of Macedonia—known officially by the United Nations, the European Union, and North Atlantic Treaty Organization as the Former Yugoslav Republic of Macedonia—is the smallest and newest Balkan country. It is located in southeastern Europe bordered by Albania to the west, Bulgaria to the east, Serbia to the north, and Greece to the south. Because the Republic of Macedonia also includes the Greek region of Macedonia, tensions between Greece and Macedonia continue, as well as some confusion as to where the border lies. Macedonia is a multiethnic nation. Ethnic Macedonians make up 66.5 percent of the population while Albanians, Turks, Roma, Serbs, Muslims, and Vlachs make up 22.9 percent, 4 percent, 2.3 percent, 2 percent, 0.07 percent, and 0.004 percent, respectively. The remainder is made up of foreign nationals and small minorities, including Croatians, Bosnians, and Bulgarians.

Before Macedonia gained independence from the former Yugoslavia in 1991 and became a democracy, the official name of its police force was *Milicija na Republikiot Sekretarijat za Vnatresni Raboti na Socijalisticka Republika Makedonija* (Police of the Socialist



Republic of Macedonia). Following independence, *Milicija* was changed to *Policija*. The official name eventually became *Policija na Republika Makedonija* (Police of the Republic of Macedonia), commonly known as the Macedonian National Police (MNP).

Since independence, Macedonia has been in an ongoing reform process to develop a democratic, ethnically equitable police force and establish Western-style professionalism and ethics. To this end, in 2000 the country embarked on a law enforcement development program through their National Police Academy under guidance from the International Criminal Investigative Training Assistance Program (ICITAP), a program initiated by the U.S. Department of Justice in 1986. As well as providing a democratic policing curriculum and instructor development training, this program provides initiatives for internal review protocols within the MNP under a newly established Professional Standards Unit (PSU). Working in collaboration with the ICITAP and the

Ministry of Interior, in 2002 the PSU began conducting surveys to determine the feasibility of introducing policing at local community and municipality levels throughout the entire country. It also initiated workshops to develop recommendations and determine how community policing would be defined and integrated. By 2004 municipal-level policing was being implemented and becoming accepted in an increasing number of communities, and two community action teams had been established to partner with police in resolving neighborhood issues.

The MNP code of conduct reads: "I will enforce the law in a humane and adequate manner, without any fear, corruption, or bad intent, and I will never use any unnecessary force or violence" ("Balkan Conflicts" 1998). However, police reform is still necessary, and the greatest challenges to that end include:

- Overcoming the inertia of a Communist-era policing model
- Addressing the issue of police accountability
- Establishing the necessary and consistent political will
- Sustainability

**Structure and Organization.** Macedonia's Parliament, or Sobranje, a single legislative body creates the laws and develops policy. The legal system is based on a civil law system and judicial review of legislative acts. The Supreme Court is the highest court in the country. A hierarchy of trial and appeals courts exists to handle legal cases. Judges for each of these courts are appointed for life by a seven-member judicial council, which in turn is appointed by Parliament. The constitutional court decides constitutional questions and may annul laws that are inconsistent with the constitution.

The Ministry of Interior heads the MNP, including uniformed police, criminal police, border police (shared with the Ministry of Defense), and the state intelligence service, which deals only with external matters. Its director is appointed by and reports directly to the president of Macedonia, with a horizontal link to the government, and is responsible for state security. The Directorate for Security and Counterespionage, which reports to the Ministry of Interior, deals with internal security, organized crime, and counterintelligence. Its director reports jointly to the minister for internal affairs and the prime minister and is appointed by the government on the recommendation of the minister of internal affairs.

**Salaries.** The average salary of a uniformed police officer is between 9,000 and 11,000 denars per month (US\$180–\$200) while inspectors earn between 11,000 and 16,000 denars (US\$200–\$320).

**Retirement Age.** Officers have the right to retire at a very young age although the normal retirement age is 64 for men and is currently 60.5 for women. (Women's retirement age is being raised from 59.5 to 62 over a period of eight years).

**Police-Community Relations.** In cooperation with the Organization for Security and Cooperation in Europe (OSCE) Police Development Unit, the Macedonian police have implemented methods to break down barriers and build trust between the police force and civilian communities by forming citizen advisory groups (CAGs), regular informal meetings between local representatives of an area or village and their local police. In these CAGs, matters of mutual interest and concern, whether police issues or not, are discussed.

Deployment of International Community Police Trainers (CPTs) has also been implemented in which the CPTs work with local police, mayors, and municipal leaders to introduce community policing principles and confidence-building measures. The CPTs assist with community policing training, seminars, and workshops; developing relationships between communities, municipal structures, and local police; as well as identifying police stations needing renovation or supplies.

**Local Police.** There are ten regional offices of the Ministry of Interior, each with a structure identical to that of the ministry as a whole. There are sections for the uniformed police, the police investigators (also called criminal police), and the ministry's civilian work (passport issuance, etc.) According to the Law on Internal Affairs, all section chiefs are appointed by the ministry in Skopje, and by law, local police chiefs are required to provide the local city councils with reports on their work twice a year. Other than these formal reports, there appears to be little to no relationship between the local police and the local government.

**Education and Training.** Police cadets must have completed at least the fourth degree of secondary school, be between the ages of eighteen and twenty-five, and be citizens of Macedonia. They must be mentally and physically fit, have strong moral character, and demonstrate a commitment to protecting the human rights of all people. They must also have regulated their military service and have no criminal record.

Police are educated and trained at the Police Academy and police-operated high schools. At the high schools, schooling is four years; both male and female students are accepted. The subjects taught at the high school level are:

- Law
- Police administration and management



**Police escort Zoran Vraniskovski, a Serbian priest charged with inciting racial and religious hatred, into the district court in Veles, Macedonia, September 20, 2005.** Supporters of the priest believe he was unjustly arrested over endorsing a 2002 proposal that would have put the Macedonian Orthodox Church under control of the Serbian Orthodox Church, a controversy many saw as threatening Macedonian nationhood. Vraniskovski was already serving a two-year sentence and was back in court for alleged misuse of \$240,000 in church funds associated with the Macedonian Orthodox Church. AP IMAGES.

- Criminalistics and criminology
- Other police-related subjects
- General subjects

Graduates are obligated to work for the police force for a minimum of eight years. The high school diplomas earned at these police high schools are recognized as high school diplomas outside the police force.

New police officers receive on-the-job training prior to working independently. In order for candidates to enroll in the bachelor-level police education, they must have been or become employees of the police force first. The proportion of candidates who join the police force for the first time after completing their education at the following levels are:

- High school degree: 60%
- Associate degree: 10%
- Higher professional education degree: 0%

- Bachelor's degree: 30%
- Master's or doctoral degree: 0%

For specialized training, 80 percent of police officers train at a training center only, and 20 percent are trained on the job. Police officers typically receive approximately seventy hours of specialized training per year.

With help, guidance, and training from ICITAP and similar organizations, education and training for Macedonian police is improving. At the Police Academy, cadets receive a more well-rounded education: in addition to other subjects, instruction in policing in democracy, constitutional framework, human rights, use of force, police ethics and code of conduct, policing in a multiethnic society, first aid, domestic violence awareness, gender issues, community policing, patrol procedures, arrest and detention, effective communication, use of firearms, and traffic accident management are part of the curriculum. In a pilot program, the success of which allowed it to be taken nationwide, six components were

added to the curriculum specifically addressing policing at the local level:

- A self-paced community policing curriculum for certifying police officers
- Courses in community leadership
- A bicycle community action team
- A community advisory group
- Local presence of the PSU
- A Citizens' Police Academy (CPA)

The first CPA was successful, with ninety officers graduating in 2004. Also in 2004, the MNP recommended that the first community policing station be established in an ethnically diverse community.

To provide training to the judiciary, the European Commission (EC) established a Public Judicial Institute.

**Uniforms and Weapons.** The traditional standard MNP uniform of camouflage has, for the most part, been replaced with light-blue collared shirts and navy-blue pants, ties, and jackets. Operations in areas such as mountainous regions require the camouflage uniform, however. Police are equipped with body armor and assault rifles, as well as pistols and truncheons.

**Transportation, Technology, and Communications.** Between 1998 and 2005, the European Commission provided the following amenities to the Ministry of Interior and the MNP:

- 29 vehicles to police and customs
- 115 vehicles to the border police services
- Computers to judicial institutions and the necessary user training
- Technical assistance to the Interior Ministry and judiciary
- Integrated communications network for all border crossing points
- Border search and detection equipment
- Passport reading and computer equipment (to the Ministry of Interior)

The United States also donated vehicles and office equipment to the MNP unit that combats trafficking in humans.

Three helicopters are operated by the MNPs Aircraft Unit (*Avijaciska Edinica na Makedonskata Policija*), two of which they have had since Macedonia was part of former Yugoslavia. The third was purchased in 2000, with the US\$5 million the Taiwan government donated. The helicopters are used primarily by the Ministry of Internal Affairs for such tasks as VIP transport, border

monitoring, transport of various cargo and special police units, search and rescue missions, medevac, and traffic surveillance. All helicopters are based at Idrizovo near Skopje, the latter city being the main police base.

#### **Police Statistics.**

- Total Police Personnel: 11,000 (6,000 uniformed and 5,000 civilian officers)
- Civilian Reservists: 11,000
- Police Officers per 100,000 Population: 550

#### **HUMAN RIGHTS**

Procedural violations by police are common, with the most serious abuse being excessive force when arresting a suspect and physical mistreatment of detainees. Arrests are sometimes made without a warrant and suspects beaten until they confess. All too often, suspects are detained past the twenty-four hours mandated by law, are kept uninformed about the reason for their arrest, and denied immediate access to a lawyer. Also, people are often summoned to police for questioning in an illegal practice called "informative talks." Courts and police often collaborate to backdate arrest warrants, courts often ignore complaints of police abuse, and police are seldom held responsible for breaking the law. As a result, many incidents of police abuse go unreported for fear of retribution from police or the courts. The legal affairs bureau has failed to enforce appropriate punishment, even for repeat offenders. While the Macedonian Constitution prohibits torture and other cruel treatment, there have been isolated reports of such incidents.

According to Global Beat (1998), the Center for War, Peace, and the News Media at New York University:

One factor behind police abuse is Macedonia's Law on Internal Affairs, enacted after independence in 1991, which strongly centralized the police force. In contrast to the communist period in Yugoslavia, when local police chiefs were appointed by local governments, today they are appointed directly by the Ministry of the Interior in the capital, Skopje. The police, therefore, are still not accountable to the local population, which encourages a culture of abuse and impunity. Macedonian police also do not receive adequate human rights training. ("Balkan Conflicts")

One of Macedonia's reform programs for its police force is the instruction on practical human rights issues for all uniformed officers. The course has been structured in as practical a manner as possible, with various activities and officer/cadet participation, to educate them in identifying when policing violations of human rights norms most frequently appear, which include: the use

of force, arrest and detention, and arbitrary interference with privacy.

### CRIME

Crime is pervasive in Macedonia, the most pervasive being drug and human trafficking. As Macedonia is just a young nation, its police force has not been as well-trained and regulated as those of more developed countries. However, with new reforms implemented since 2002, the police force and communities are becoming better equipped and educated to deal with crime. Macedonia is the poorest Balkan country, and when police officers are only making the equivalent of US\$300 per month, they can often be motivated to criminal behavior.

**Organized Crime.** Drug smuggling and trafficking, drug-related crimes, money laundering, and trafficking in human beings are the most prominent organized crime problems in Macedonia. While Macedonia is neither a major producer of nor a major destination for illicit drugs, it has nevertheless become vulnerable to drug trafficking and drug abuse in general. Police reforms have begun to deal with the pervasive crime.

**Crime Statistics.** Offenses reported to the police per 100,000 population (2000): 975.8. Of which:

- Homicide: 2.31
- Robberies: 14.57
- Thefts: 662.48
- Major Assault: 10.14
- Rape: 1.3
- Automobile Theft: 14.92

### CORRECTIONAL SYSTEM

The Macedonian corrections system is centralized under the Directorate of Prison Administration within the Ministry of Justice. Each penal and correctional institution, however, is an independent state body.

**Prison Conditions.** The U.S. Department of State reported in 2001 that prison conditions were generally up to international standards and met basic needs for food, hygiene, and access to medical care. The two deaths

reported in custody were contributed to natural causes. Men, women, and juveniles are held separately although crowded facilities sometimes means older juveniles are held with adults. Also, pretrial detainees are held separately from convicted criminals.

### Prison Statistics.

- Total Prison Population: 2,256
- Prison Population per 100,000: 113
- Pretrial Detainees: 10.1%
- Female Prisoners: 2.3%
- Juvenile Prisoners: 1.4%
- Number of Prisons: 8
- Official Capacity of the Prison System: 2,225
- Occupancy Level: 101.4%

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# Madagascar

---

**Official country name:** Republic of Madagascar

**Capital:** Antananarivo

**Geographic description:** Island in the southern Indian Ocean off the southeastern coast of Africa, east of Mozambique; the fourth-largest island in the world

**Population:** 18,040,341 (est. 2005)



## LAW ENFORCEMENT

**History.** Early police traditions go back to British and French rule over the island. The French, who prevailed, ruled Madagascar from 1896 to 1960 and established the National Gendarmerie as the principal law enforcement agency. Assisting the gendarmes was the Civil Police, which maintained law and order in towns and urban areas. Madagascar regained independence in 1960.

**Structure and Organization.** There are six law enforcement agencies:

- National Gendarmerie
- National Police
- Mobile Police Group (*Groupe Mobile de Police*)
- Civil Police
- Civil Service
- Antigang Brigade

All but the National Gendarmerie (which operates under the Ministry of Defense) are outside the command of the National Army (the *Forces Armées Populaires* [FAP], or the People's Armed Forces).



The National Police establishment comes under the jurisdiction of the Ministry of Public Security, which is part of the cabinet. Under the Ministry, there are various departments:

- Directorate of Finance and Administration
- Directorate of Police Intervention Forces
- Directorate General of the National Police
- Directorate of Anti-Corruption
- Directorate of Judicial Police
- Directorate of Public Security
- Directorate of Financial and Economic Crimes
- Directorate of Immigration and Emigration
- Central *Commissariat* of Antananarivo Police

The National Police is the principal law enforcement agency, providing police services throughout all municipalities. It is equipped with automatic weapons, armored

cars and aircraft, and its units are connected to the central command by a modern system of radio communications. Although part of the defense establishment, the National Gendarmerie's command structure is entirely separate from that of the army. The Gendarmerie is responsible for policing in rural areas. The Maritime Police is also part of the Gendarmerie.

The Civil Police maintains law and order in towns and urban areas. The head of each prefecture has at least one small contingent under his control. They are less well trained and equipped than the National Gendarmerie. The Civil Service is a paramilitary force. It is a reserve element of the defense forces, and its commanders are military officers in uniform although its operations are nonmilitary. It participates in rural economic and social development programs.

**Education and Training.** There are two training institutions for the various elements of internal security forces. The first is the National Superior Police School in Antananarivo for officers, and the other is the National School for Police Inspectors and Agents for noncommissioned personnel.

#### Police Statistics.

- Total Police Personnel: 5,880
- Population per Police Officer: 3,110

#### HUMAN RIGHTS

The security forces have a poor record of respecting human rights. During the conflict between presidential contenders Didier Ratsiraka and Marc Ravalomanana, law enforcement personnel loyal to both sides committed human rights abuses, including abduction of opponents as well as illegal arrest of suspects and their detention without judicial warrant. Human rights groups have cited numerous instances of violence, theft, and vandalism. Forms of torture, including beating detainees with rifle butts and burning them with lighted cigarettes, have been reported.

#### CRIME

**Crime Statistics.** Offenses reported to the police per 100,000 population: 112. Of which:

- Murder: 0.6
- Assault: 12

- Burglary: 0.7
- Automobile Theft: 0.1

#### CORRECTIONAL SYSTEM

Prisons are under the control of the director of Penitentiary and Surveillance Administration under the Ministry of Justice. Each province has a central prison for prisoners serving sentences for less than five years. There are also twenty-five lesser prisons for persons awaiting trial and those sentenced to less than two years. Courts at the subprefecture level have jails where prisoners serve sentences of less than six months. The largest prison is the Central Prison at Antananarivo, which has a women's section. Hardened criminals and those serving sentences of more than five years are sent to one of the prisons on one of the small coastal islands, such as Nosy Lava or Nosy Be.

**Prison Conditions.** Prison conditions are harsh, reflecting the nation's general poverty and political violence. Prisoners do not receive adequate food rations, and families are expected to supplement them. Prisoners without relatives go for days without food. Prison cells average less than 1 square yard of space per inmate. Lack of adequate medical care causes a high incidence of malnutrition and a host of infections, many of which are fatal. Prisoners are used as forced labor. Women are sometimes abused and raped, as they were not kept separate from men. Pretrial detainees and juveniles also are kept in the same quarters as hardened criminals.

#### Prison Statistics.

- Total Prison Population: 19,000
- Prison Population per 100,000: 106
- Pretrial Detainees: 65.4%
- Female Prisoners: 3.4%
- Juvenile Prisoners: 1.4%
- Number of Prisons: 97
- Official Capacity of the Prison system: 13,000
- Occupancy Level: 146.2%

*George Thomas Kurian*

# Malawi

---

**Official country name:** Republic of Malawi

**Capital:** Lilongwe

**Geographic description:** Landlocked country in southern Africa, east of Zambia

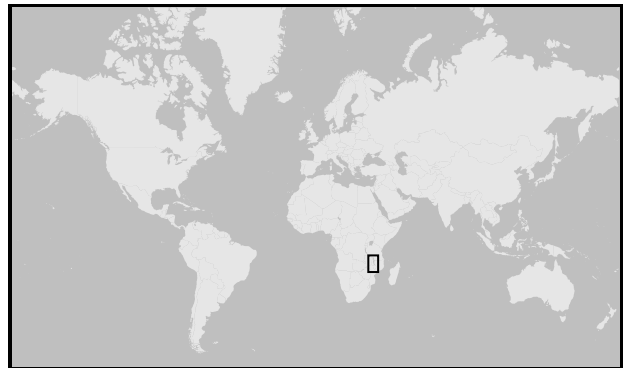
**Population:** 12,158,924 (est. 2005)



## LAW ENFORCEMENT

**History.** The Malawi Police Force traces its origins to 1921, when it was set up by the British. It was reorganized in 1946 prior to independence.

**Structure and Organization.** Under the constitution, the Malawi Police Force is placed under the control of the Police Service Commission. The national police headquarters is at Lilongwe, and there are regional headquarters at each of the three regional capitals. There are four territorial divisions: Central, Southern, Northern, and Eastern, each under a commissioner. There are also stations in each of the country's twenty-four districts and thirty-seven substations, and police posts are scattered throughout the country. All constables, as regular police personnel are called, are under the national headquarters. There are no separate municipal or local forces. Along with its routine operational and patrol units, the force has a Criminal Investigation Division and a Special Branch for the collection and analysis of intelligence data. The Immigration Service is also part of the police. The Police Service Commission, composed of an ombudsman, civil servants, and legal officials, oversees the police and confirms promotions and appointments and conducts disciplinary hearings.



Major ethnic groups, such as the Chewa, Lomwe, and Nyanja, are strongly represented in police ranks. The Ngoni, who make up only 1.2 percent of the population, are disproportionately represented because of their martial traditions. Residents of northern and west central Malawi are also heavily represented in the lower ranks while southerners were predominant in the higher ranks. Women were admitted to the police force in 1971 and now are fully represented.

### Special Police.

**Police Mobile Force.** The Police Mobile Force is a quick reaction force to quell riots and uprisings. Its members are equipped with rifles, light machine guns, and riot gear and move in trucks and lighter vehicles, such as motorcycles. Mobile Force units are stationed at the national headquarters at Lilongwe and at each of the four regional headquarters and are connected by a radio network. Police patrols cover all major towns night and day. Tours lasting as long as a week include visits to most



rural settlements. Lake Malawi is patrolled by Malawi Police Force boat and air wings.

**Education and Training.** After an initial four-year enlistment, members of the force can sign up for continuing service until they qualify for a lump-sum retirement payment at age forty-five, or they may extend their service further to qualify for retirement benefits. Recruits are trained at Kanjedza, near Blantyre, where the basic police course lasts six months. Selected police officers are given special training at Zomba national headquarters. There is an additional police training school at Limbe.

#### **Police Statistics.**

- Total Police Personnel: 6,700
- Population per Police Officer: 1,814

#### **HUMAN RIGHTS**

Police use of excessive force or negligence results in a number of deaths of detainees. Beating and abuse of detainees is part of police culture. Arbitrary arrest and detention are common procedures. Wires rather than handcuffs are used to restrain prisoners.

#### **CRIME**

**Crime Statistics.** Offenses reported to the police per 100,000 population: 850. Of which:

- Murder: 3.1
- Assault: 82.2
- Burglary: 13.1

#### **CORRECTIONAL SYSTEM**

Prisons are administered by the chief commissioner of the Malawi Prisons Service in Zomba under the Ministry of Home Affairs and Internal Security.

**Prison Conditions.** Malawi's prisons are substandard and fall far short of international requirements in terms of overcrowding, sanitation, nutrition, and health facilities. Many prisoners succumb to HIV/AIDS without proper care. Women are kept separately, but juveniles and pretrial detainees are housed together with convicted criminals. The constitution provides for an Inspectorate of Prisons, but its recommendations are generally never heeded nor implemented.

**Prison Statistics.** The central prison is at Zomba, and other large prisons are at Lilongwe, Kanjedza and Mzuzu. The government also runs a prison farm for first offenders and a small school for juvenile offenders.

- Total Prison Population: 8,566
- Prison Population per 100,000: 70
- Pretrial Detainees: 23.5%
- Female Prisoners: 1.2%
- Juvenile Prisoners: 9.2%
- Number of Prisons: 23
- Official Capacity of the Prison System: 5,500
- Occupancy Level: 155.7%

*George Thomas Kurian*

# Malaysia

---

**Official country name:** Malaysia

**Capital:** Kuala Lumpur

**Geographic description:** Three geographically separate territories separated by the South China Sea: Malay Peninsular, bordered on the north by Thailand; and the two states of Sabah and Sarawak on the north coast of the island of Indonesia

**Population:** 23,953,136 (est. 2005)



## LAW ENFORCEMENT

**History.** The Malaysian police force predates colonial rule. Even during the fifteenth century, there was a royal official known as *temenggong* whose duties included arresting criminals, building prisons, and executing convicted miscreants. A police force under the *temenggong* patrolled the city streets at night. In the rural areas, the village headman carried out police duties. When the Portuguese conquered Malacca in 1511, they retained this system. Neither the Dutch nor the British, who followed the Portuguese as rulers, made any significant changes. However, the British began to use Indians, especially Sikhs, as police.

The modern Malaysian police force dates from 1806 when the British formed a police force in Penang. In 1824, a similar force was established in Malacca. The Perak Armed Forces was established in 1867, followed by similar organizations in Negeri Sembilan, Selangor, and Pahang. These forces operated independently until 1896 when they were amalgamated into the Federated Malay States Police. These units were trained by

noncommissioned officers of the British Army. The unified police force was engaged in constant patrols against the armed retainers of local territorial chiefs and in putting down insurrections and rebellions in various states. By 1920, all states in the peninsula had police forces. Increased immigration by Chinese and Indians in the early twentieth century brought new problems in urban law and order. Police had to cope with urban criminal gangs, with banditry and terrorism in outlying areas, and with the problem of suppressing Chinese secret societies responsible for new forms of organized crime. As a result, the police began to develop sophisticated facilities for criminal investigation, detection, and apprehension. A fingerprint registry was established in 1904.

When the Japanese occupied Malaya in 1942, they used the Malayan police to support their operations. When the Japanese left in 1945, organization and operations of the police were disrupted, and much of the police force was no longer trusted by the people.

On their return, the British found that they needed to extensively retrain the force. In 1946 the Federated Malay States Police and independent forces of the other states were integrated into the Malay Union Police, renamed the Federation of Malaya Police in 1948.

During the prolonged emergency from 1948 to 1960 when public order was threatened by Communist insurgents, police forces in the Malay Peninsular increased sevenfold—to 75,341 (31,164 regular police and 44,177 special constables). They were given greater authority under centralized state control, and increased attention was given to recruitment, training, and equipment. The police were required not only to fight the Communist terrorists as a paramilitary adjunct to regular armed forces but also to develop a role in gathering intelligence.

Law enforcement in Sarawak before the arrival of the first white raja in 1841 was rudimentary and was limited to tax collection. People in outlying areas were not subject to any significant central control. Under the white rajahs, a police force initially took the form of troops led by the raja himself. Subsequently, a separate group was formed to perform more conventional duties in the towns. In 1932 these two elements were combined to form the Sarawak Constabulary. When the last of the white rajahs ceded the Sarawak to the British in 1946, the British made a major effort to improve the quality and efficiency of these forces by putting increasing emphasis on regular police work rather than paramilitary training and procedures. The Sarawak Constabulary was reorganized as regular police with responsibility for civil police duties. Two units were created: the Field Force to patrol the jungle and rural areas and the Special Force to deal with investigation and control of subversion. In Sabah, the British created an organization similar to that in Sarawak after Sabah was ceded by the British North Borneo Company in 1946. On the amalgamation of Sabah, Sarawak, and the Federation of Malaya into Malaysia in 1963, the three separate police organizations were merged into a single national police force called the Royal Malaysian Police (RMP) under federal authority and control.

### Structure and Organization.

**Federal Level.** At the federal level, the Ministry of Home Affairs is responsible for police activities in accordance with the Police Act of 1963. The RMP is commanded by the inspector general of police, whose powers and responsibilities are delineated in the Police Act of 1967, who reports to the minister of home affairs, and who is assisted by a deputy director general. The Inspector General's headquarters has four departments:

- Internal Security/Public Order (IS/PO)
- Management

- Crime Investigation
- Special Branch

Each department is headed by a director with the rank of commissioner of police and who is immediately subordinated by field commanding officers who implement policy. Other police units perform support or conventional police tasks, such as directing traffic, and maintaining communications. The RMP also has a women's contingent that deals with crimes relating to women or children and maintains various kinds of volunteer units, the largest of which is the People's Volunteer Reserve that supplements the regular force, particularly in times of national emergency.

The major operating units of RMP are the:

- Police Field Force (PFF)
- Federal Reserve Units (FRU)
- Criminal Investigation Department (CID)
- Special Branch
- Marine Police

**Police Field Force:** The PFF is controlled by the IS/PO, which has primary responsibility for all public order situations involving suppression of riots and disturbances. The PFF was formed to undertake punitive operations against Communist guerrillas and armed uprisings by other criminal elements operating from bases in the jungle. To facilitate the process, the inspector general is cochairman with the chief of the armed forces staff in the Operational Planning Committee at the national level. PFF functions include patrolling the frontiers and other sparsely populated areas. The unit is organized into brigades, battalions, and companies that can be deployed on long-term, deep-jungle operations either independently or, especially in internal security matters, in conjunction with the armed forces. The PFF is also utilized in support of the General Duties Police in crime prevention measures, disasters, and public order situations. Its seventeen battalions are organized into north, central, southeast, and east brigades. Units are supplied with scout cars equipped with machine guns and radios. The force has a platoon of women police trained in jungle warfare. The unit is headed by a senior assistant commissioner of police as deputy director of administration and logistics.

**Federal Reserve Units:** The FRUs, also responsible to the IS/PO, are run by a finance and logistics director and deputy director of operations. These are self-contained, specifically designed, and highly mobile units of specially trained police for the suppression of riots, dispersal of unlawful assemblies, protection of important national and foreign dignitaries, and crowd control. They also assist in rescue work during local or national disasters

and may be deployed on special tasks in aid of the CID, the Special Branch, or District Police.

*Criminal Investigation Department:* The CID was created in 1970. Its director is responsible for the prevention and detection of crime and the apprehension and prosecution of criminals. He has two deputy directors. The deputy director of administration and prevention deals with matters pertaining to administration, criminal records, fingerprints, and railways. The deputy director of planning and operations deals with the analysis of crime at both national and international levels, the latter through links with Interpol; technical and forensic investigations into the more complicated criminal events, secret societies, and antinarcotic measures. It also maintains a dog unit and oversees the detective establishment.

*Special Branch:* The Special Branch is the equivalent of a secret service and is responsible for the collation and dissemination of security intelligence conveyed regularly to the prime minister and the cabinet. This intelligence service operates at district, field, and headquarters level.

*Marine Police:* The Marine Police patrol territorial and coastal waters to prevent, detect, and investigate breaches of the law, including piracy; protect fishing and other marine craft; assist in maritime search and rescue efforts; and police areas accessible only by water. The Marine Police are particularly active off Sarawak in supporting anti-insurgency operations, delivering materials to ground forces, patrolling, and maintaining blockades. Their vessels consist mainly of patrol and speed boats.

*State and District Levels.* The Police Commissioners of Sabah and Sarawak and the chief police officers in each state in the Malay Peninsula are responsible for the day-to-day command and administration of police forces. The country is divided into thirteen contingents/components headed by the commissioners of police in Sabah and Sarawak in the Borneo states and chief police officers of the states of Kedah/Perlis, Penang, Kuala Lumpur Federal Territory, Selangor, Negeri Sembilan, Melaka, Johor, Kelantan, Terengganu, and Pahang. Each of these commanders has a headquarters staffed somewhat comparably to the office of the inspector general, with some local modifications based on geography and population. There are three categories of commanding officers in terms of rank:

- Commissioners in Sabah and Sarawak and the chief police officers in Kuala Lumpur, Perak, and Kedah/Perlis have the rank of deputy commissioner of police.
- Chief police officers of Penang, Pahang, Kelantan, Johor, and Negeri Sembilan have the rank of senior assistant commissioner of police



*An officer removes a suspicious package from the Australian Embassy in Kuala Lumpur, Malaysia, October 5, 2005. Security in the area was raised after other suspicious packages were found at U.S., British, French, and Russian embassies in Malaysia. The following day, six other foreign ministries received similar packages. All were determined to be fake threats. AP IMAGES.*

- Chief police officers of Melaka and Terengganu have the rank of assistant commissioner of police

The next level of command is that of the officer in charge of a police district, who is responsible to the commissioner/chief police officer for the command and control of his district. The police district is not always on an equal level with an administrative district. There are seventy-four police districts in the Kuala Lumpur Federal Territory. The lowest rank is that of an assistant superintendent of police in small or rural districts. However, the rank may go up to that of an assistant commissioner of police for the more important urban industrialized districts, such as Ipoh or Petaling Jaya. The lowest level of command is that of an officer in charge of a police station. Each police district is divided into a number of station areas under a junior police officer. There are more than five hundred police stations crisscrossing the

country. Each station area is divided into a number of beat and patrol areas.

**Education and Training.** The composition of the police force reflects the general ethnic makeup of the nation. Most police in the Malay Peninsular are Malay Muslims; in Sabah and Sarawak, most of the lower ranks come from the native ethnic groups. Indians and Chinese are present in all branches, but more visibly in the CID and Special Branch. The force is well trained, and pay and morale are high.

Although local conditions vary, there are three methods of joining the police force. Candidates with at least six years of primary school are recruited as constables, those holding the Malaysia Certificate of Education are recruited as probationary inspectors, and university graduates are recruited as probationary assistant superintendents.

The police training school in Kuala Lumpur offers basic training for constable recruits and refresher courses for junior officers. Higher-level courses are given at the Police College in Kuala Kubu Bharu. There are separate schools for CID and Special Branch personnel, and paramilitary training for the PFF is given at Ulu Kinta in Perak. Unit training is also given where needed. A number of police officers from other countries in Southeast Asia attend the Royal Malaysia Police College, and members of the RMP attend courses in Australia, the United Kingdom, and the United States.

**Uniforms and Weapons.** Police officers normally wear a full khaki uniform with a bush jacket. Depending on the duties or branches in which they serve, members of the force wear colors as follows:

- Police Field Force: jungle green
- Federal Reserve Unit: dark blue
- Marine Police: white
- Traffic Police: dark-blue trousers or white shorts
- Women Police: light blue-gray

**Transportation, Technology, and Communications.** The RMP has fleets of mobile patrol vehicles equipped with radio communications deployed in all districts, major towns, and urban areas for round-the-clock, intermittent, or special patrols. In addition, highway patrols are deployed.

**Police Statistics.**

- Total Police Personnel: 29,248
- Population per Police Officer: 818

**HUMAN RIGHTS**

Human rights are generally respected. However, the police commit a number of extrajudicial killings and on occasion, torture, beat, or otherwise abuse detainees. Detained suspects are denied legal counsel prior to being formally charged. Police use the Internal Security Act to arrest and detain many persons, including members of the opposition party, without charge or trial.

**CRIME**

**Crime Statistics.** Offenses reported to the police per 100,000 population: 604. Of which:

- Murder: 3.1
- Assault: 25.9
- Burglary: 155.6
- Automobile Theft: 20.8

**CORRECTIONAL SYSTEM**

The penal code devised by the British for the Straits Settlements is still in force, with some modifications and amendments. Some elements of Islamic justice have been incorporated, such as whipping. The death penalty may be imposed for a number of crimes, including drug trafficking.

Penitentiaries and jails are run by the Prisons Service under the Ministry of Home Affairs. There are separate prison departments for each of the three constituent states of Malaysia, but they all report to the director general of the Prisons Service. There are 17 corrections facilities in the Malay Peninsular, 7 in Sabah, and 6 in Sarawak. Penal institutions range from conventional, walled compounds to open farms and detention camps.

In the Malay Peninsular, first offenders and well-behaved prisoners are sent to the Central Training Prison at Taiping. Regional training prisons at Penang, Alor Setar, Kuala Lumpur, and Johor Baharu house recidivists. Young male offenders are sent to reform schools in Teluk Mas, Ayer Keroh, and Melaka; girls are sent to a school in Batu Gajah. The Pulau Jerejak Rehabilitation Center and the detention camps at Taiping and Muar hold detainees awaiting trial. A special prison at Seremban receives all classes of prisoners. Local prisons for offenders charged with lesser crimes are maintained at Sungei Petani for young males; Kuantan for adult males; and Kuala Lumpur, Georgetown, Alor Setar, and Pengkalan for females. There is a modern prison complex in Kajang, Selangor, which includes the Prisons Department headquarters and a prison officer's training facility.

Sarawak has a central prison and a women's prison at Kuching, regional prisons at Simanggang, Sibul, Miri,

## *Malaysia*

and Limbang and detention camps for men and women at Kuching. Sabah has a central prison, a women's prison, and a detention camp at Kota Kinabalu, regional prisons at Sandakan and Tawau, a minimum security prison at Keningau, and a reform school.

**Prison Conditions.** In 1953 Malaysia adopted the United Nations' (UN) Standard Minimum Rules for the Treatment of Prisoners and the UN Body of Principles for the Protection of All Persons under Any Form of Imprisonment or Detention but has consistently ignored them. In 2001 the UN Human Rights Commission called for Malaysian prison authorities to provide standard medical treatment and food for prisoners, as well as light, ventilation, and bedding. Torture and inhuman or degrading treatment have been reported. Overcrowding is a major problem. Conditions are particularly harsh in prison camps for illegal immigrants where deaths have been reported as a result of abuse. Juveniles are kept separately but they mingle with adults

during communal activities. Children as young as ten are kept in prison for offenses such as petty theft or school fights.

### **Prison Statistics.**

- Total Prison Population: 42,282
- Prison Population Rate per 100,000: 177
- Pretrial Detainees: 39.1%
- Female Prisoners: 8.4%
- Juvenile Prisoners: 3.3%
- Number of Prisons: 45
- Official Capacity of the Prison System: 33,200
- Occupancy Level: 127.4%

*George Thomas Kurian*

# Maldives

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**Official country name:** Republic of Maldives

**Capital:** Male

**Geographic description:** An archipelago of coral islands grouped into atolls in the Indian Ocean, south-southwest of India

**Population:** 349,106 (est. 2005)



## LAW ENFORCEMENT

**Structure and Organization.** The national police is the National Security Service, which combines the roles of a militia, *gendarmerie*, and army. It is administered by the Ministry of Public Safety.

### Police Statistics.

- Total Police Personnel: 500
- Population per Police Officer: 698

## CRIME

**Crime Statistics.** Offenses reported to the police per 100,000 population: 2,353. Of which:

- Murder: 1.9
- Assault: 3.3
- Burglary: 36.1

## CORRECTIONAL SYSTEM

Prisons on the archipelago are administered by the Ministry of Justice. The three major prisons are at



Gaamaadhoo and Dhoonidhoo on North Male Atoll and Maafushi on the South Male Atoll.

**Prison Conditions.** Prisons are built to conform to international standards but generally do not meet those standards, with some prisoners housed in crowded and unsanitary facilities. Spouses are allowed privacy during visits. Women are segregated from men and juveniles from adults. Guards are trained to respect international conventions. There have been reports of mistreatment—including beatings—of people in police custody, particularly in Maafushi Prison.

### Prison Statistics.

- Total Prison Population: 1,098
- Prison Population Rate per 100,000: 310
- Female Prisoners: 26.6%
- Number of Prisons: 9

*George Thomas Kurian*

# Mali

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**Official country name:** Republic of Mali

**Capital:** Bamako

**Geographic description:** Landlocked west African country southwest of Algeria, occupying a region known as Sahel

**Population:** 12,291,529 (est. 2005)



## LAW ENFORCEMENT

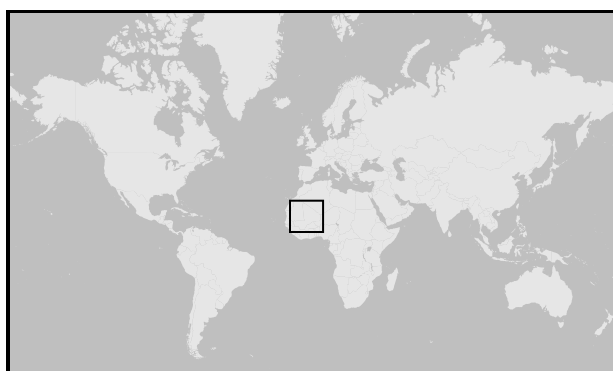
**Structure and Organization.** The Malian police are organized along French lines into three units:

- *Gendarmerie*
- National Guard
- Civil Police

The *Gendarmerie* and the National Guard are under the Ministry of Defense. The Civil Police are under the Ministry of Internal Security. The police and the gendarmes share responsibility for internal security; the police are responsible for urban areas and the gendarmes for rural areas.

### Police Statistics.

- Total Police Personnel: 7,266
- Population per Police Officer: 1,681



## CRIME

**Crime Statistics.** Offenses reported to the police per 100,000 population: 10. Of which:

- Murder: 0.7
- Assault: 1.5
- Burglary: 0.8
- Automobile Theft: 0.3

## CORRECTIONAL SYSTEM

**Prison Conditions.** Prison conditions are substandard. Most prisons, including the newest one at Bamako, are overcrowded, and medical facilities and food supplies are limited. Outside the Bamako prison, men, women,



adults and children are housed in the same facility. The government permits visits to prisons by human rights monitors.

**Prison Statistics.**

- Total Prison Population: 4,040
- Prison Population Rate per 100,000: 33

- Pretrial Detainees: 67.2%
- Female Prisoners: 2%
- Juvenile Prisoners: 1.2%
- Number of Prisons: 58

*George Thomas Kurian*

# Malta

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**Official country name:** Republic of Malta

**Capital:** Valletta

**Geographic description:** Island in the central Mediterranean, south of Sicily

**Population:** 398,534 (est. 2005)



## LAW ENFORCEMENT

**History.** The Malta Police Force was formed in 1814 when, at the conclusion of the Napoleonic Wars, Malta was annexed by the United Kingdom. The force underwent considerable reorganization following independence in 1964.

**Structure and Organization.** The police force is commanded by a commissioner based in Floriana and assisted by three assistant commissioners, one of whom is responsible for administration, one for operations, and the third for criminal investigations. The assistant commissioner for administration is in charge of liaison and coordination with other government departments and agencies, public relations, legislation, prosecutions, personnel, customs, and stores and equipment. The assistant commissioner for operations is in charge of public meetings, traffic operations, transport, fire fighting, mobile squad patrols, and telecommunications. The assistant commissioner for criminal investigations is in charge of state intelligence, security, crime investigations, immigration, Interpol, weapons office, crime statistics, criminal records, police dogs, police training, research, and planning. Under the assistant commissioners, certain branches, such as the Traffic Branch



and the Security Branch, are commanded by senior superintendents. The Traffic Branch includes the Traffic Section, the Fire Brigade, Transport Section, Mounted Section, Traffic Citations Office, and the Licensing Bureau. The Security Branch is composed of the detective and uniformed sections of the Criminal Investigation Department.

The force is deployed over 77 police stations, which include 57 on Malta, the main island, 19 on the island of Gozo, and 1 on the island of Comino. The stations are grouped into divisions and districts. There are 5 police districts, each one under a senior superintendent. Divisions are under a senior police officer.

The principal grades in police service are, in descending order:

- Commissioner
- Assistant Commissioner

- Superintendent
- Senior Inspector
- Inspector
- Probationary Inspector
- Sergeant Major First Class
- Quartermaster
- Sergeant
- Sergeant Major Second Class
- Sergeant First Class
- Sergeant Second Class
- Sergeant Third Class
- Constable First Class
- Constable Second Class
- Constable Third Class

**Education and Training.** Education for all ranks is provided at the Police Training School at Valletta. Assistance in police training is received from the United Kingdom and the European Union.

**Uniforms and Weapons.** The winter uniform consists of a dark-blue tunic and slacks, a dark-blue peaked cap, black boots, a light-blue shirt, and black tie. The summer uniform consists of khaki slacks and tunic, the winter cap with a khaki cover, khaki shirt, and black tie. During hot summer days, the police may wear half-sleeved shirts. The force is generally unarmed, and patrolmen carry only wooden billy clubs.

**Police Statistics.**

- Total Police Personnel: 1,678
- Population per Police Officer: 238

**HUMAN RIGHTS**

The government generally respects human rights, and the law and the judiciary provide effective means of dealing with individual instances of abuse.

**CRIME**

**Crime Statistics.** Offenses reported to the police per 100,000 population: 1,841. Of which:

- Murder: 3
- Assault: 35.2
- Burglary: 1,079.2
- Automobile Theft: 243.9

**CORRECTIONAL SYSTEM**

The prison system is administered by the director of the Department of Correctional Services.

**Prison Conditions.** Prison conditions meet international standards. The prison is visited regularly by independent human rights observers.

**Prison Statistics.**

- Total Prison Population: 283
- Prison Population Rate per 100,000: 71
- Pretrial Detainees: 29.7%
- Female Prisoners: 3.9%
- Juvenile Prisoners: 1.1%
- Foreign Prisoners: 35%
- Number of Prisons: 1
- Official Capacity of the Prison System: 300
- Occupancy Level: 94.3%

*George Thomas Kurian*

# Marshall Islands

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**Official country name:** Republic of the Marshall Islands

**Capital:** Majuro

**Geographic description:** Group of atolls and reefs in the North Pacific Ocean between Australia and Hawaii

**Population:** 59,071 (est. 2005)



## LAW ENFORCEMENT

**History.** For forty years, the Marshall Islands was a U.S. dependency. The law enforcement was therefore the responsibility of the United States until independence in 1986. The National Police is patterned after U.S. local police departments and follows U.S. regulations and traditions. On independence, the police force was transferred to the republic.

**Structure and Organization.** The National Police is under the Ministry of Internal Affairs and is headed by a director. There are police stations on each atoll headed by a superintendent. There are few police vehicles, and most policemen conduct their duties on bicycles or on foot.

### Police Statistics.

- Police Officers per 100,000 Population: 268.52

## HUMAN RIGHTS

Capital punishment is not permitted for any crime in the Marshall Islands. Although victim impact is considered by



the criminal justice system, no legislation currently exists to ensure victim participation during criminal proceedings.

## CRIME

The Marshall Islands participates in the sixteen-member Pacific Islands Forum in compliance with United Nations rules that require counterterrorism awareness. The myriad of small, impoverished islands in the South Pacific are thought to be hotbeds for networks of organized terrorist cells. Such operations flourish in venues such as the Marshall Islands due to the lack of uniform legislation and human, financial, and technical law enforcement resources.

## CORRECTIONAL SYSTEM

There are detention centers on the main islands and a main prison on the Kwajalein atoll.

**Prison Conditions.** Prison conditions are spare but meet international standards. Male adults and juveniles are

housed separately, but female adults and juveniles are housed together. In 1990 prisons were at 154 percent of capacity; however, under international pressure, that rate was reduced to 96 percent by 1994.

**Prison Statistics.**

- Total Prison Population: 43
- Prison Population Rate per 100,000: 73
- Pretrial Detainees: 34.8%

- Female Prisoners: 4.7%
- Juvenile Prisoners: 2.3%
- Number of Prisons: 1
- Official Capacity of the Prison System: 32
- Occupancy Level: 128.1%

*Charles Johnson*

# Mauritania

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**Official country name:** Islamic Republic of Mauritania

**Capital:** Nouakchott

**Geographic description:** Large country on the west coast of northern Africa on the Atlantic Ocean, and bordered by Western Sahara and Algeria to the north, Mali to the east, and Senegal to the south

**Population:** 3,086,859 (est. 2005)



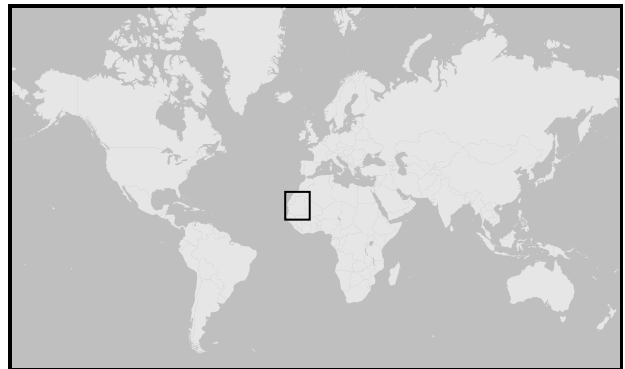
## LAW ENFORCEMENT

**History.** The French colonial administration, which began in 1914, introduced a *Gendarmerie* system in the 1920s, but it was mostly confined to the coastal and southern regions and towns. The country gained independence in 1960.

**Structure and Organization.** There are three law enforcement agencies:

- *Gendarmerie*
- National Guard
- National Police

The *Gendarmerie* is a specialized paramilitary group under the Ministry of Defense responsible for civil order in and outside of metropolitan areas. The National Guard performs police functions in areas in which the National Police are not present. It and the National Police are under the Ministry of the Interior. Originally organized in two companies, one for the east and one for the west, the *Gendarmerie* was reorganized in 1963 after independence into two companies in the capital and



brigades in each *departement*. Police headquarters is attached to the army headquarters in Nouakchott. One of the two companies in Nouakchott is the Presidential Guard, officially called the Escort and Security Squadron.

The National Police is a nationwide force that exercises ultimate command through the governors of the twelve regions. It is a highly centralized system under a unified command structure. The civil force is organized hierarchically in three ranks in ascending order: policeman, inspector and commissioner. Each prefect and town mayor has a certain amount of discretion and authority in deploying the police under his command.

**Education and Training.** Training for all ranks is provided at the Police Academy in Nouakchott.

### Police Statistics.

- Total Police Personnel: 3,440
- Population per Police Officer: 897

## **HUMAN RIGHTS**

Mauritania is an authoritarian state in which the security services are used by the government to intimidate and suppress dissent. Arbitrary arrests and abuse of prisoners are used by the three law enforcement agencies, and the government rarely, if ever, brings offending personnel to justice. Minority groups, such as the Fulani, Soninke, and Wolof, are singled out as targets of police brutality.

## **CRIME**

**Crime Statistics.** Offenses reported to the police per 100,000 population: 95.4. Of which:

- Murder: 0.8
- Assault: 27.0
- Burglary: 7.3
- Automobile Theft: 2.5

## **CORRECTIONAL SYSTEM**

Prisons are administered by the director of Penitentiary Administration under the Ministry of Justice.

**Prison Conditions.** Serious overcrowding in prisons outside Nouakchott, along with lack of proper sanitation

facilities, contributes to diseases and a high prison death rate. Medical supplies are inadequate and in short supply. Rich or influential prisoners bring their own food and medicines. Despite regulations against beatings and torture, prisoners are subject to abuse and degrading treatment. Female prisoners are treated much better than men. They have separate facilities, and a private foundation provides a program of education for female prisoners and another program of training for female guards. Another foundation provides substantial aid for juvenile offenders.

## **Prison Statistics.**

- Total Prison Population: 1,185
- Prison Population Rate per 100,000: 38
- Pretrial Detainees: 12.5%
- Number of Prisons: 18
- Official Capacity of the Prison System: 800
- Occupancy Level: 169.3%

*George Thomas Kurian*

# Mauritius

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**Official country name:** Republic of Mauritius

**Capital:** Port Louis

**Geographic description:** Island off southern Africa in the Indian Ocean south of Madagascar. Includes the islands of Mauritius, Rodrigues, Agalega Islands, and the Cargados Carajos Shoals (Saint Brandon)

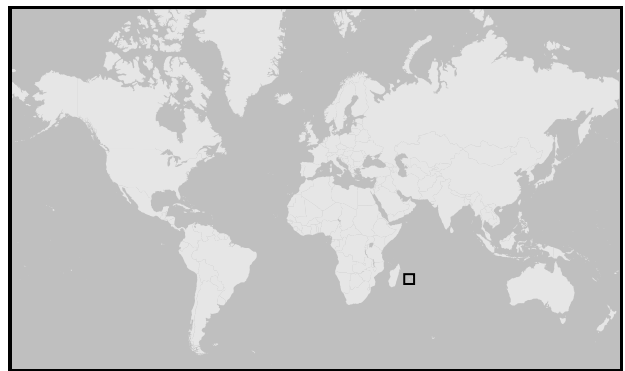
**Population:** 1,230,602 (est. 2005)



## LAW ENFORCEMENT

**History.** The modern incarnation of the Mauritius Police Force (MPF) has its origins in the colonial experience. Initially settled by French sugar planters dependent on African slave labor, the island was coveted by British imperialists during the Napoleonic Wars as a strategic outpost in the Indian Ocean. On November 29, 1810, the French garrison in Port Louis surrendered to a British amphibious force thus relinquishing effective control, and Mauritius became part of the British colonial empire. Although the Franco-Mauritian planters were permitted to retain their estates, when the British government abolished the slave trade in 1835, it became necessary to find an alternative source of labor. Subsequently, the planter class turned to a system of indentured servitude recruiting extensively from the Indian subcontinent. Within a few decades, the demographic composition of the island shifted to reflect the substantial number of Indian migrants, mostly Hindus and, to a lesser extent Muslims, who responded to the island's labor needs.

A national police force was created in 1859 with a separate unit for Port Louis and modified by the Police



Ordinance of 1893 as the MPF under an inspector general and from 1934 a police commissioner. The role of the MPF during the colonial era, in keeping with the objectives of British imperial policy, was to support the British administrative structure, maintain public order, and preserve what was essentially a feudal social structure. Organized like other colonial forces, the higher echelons of the command structure consisted entirely of British officers responsible for directing resources and maintaining discipline. Indigenous patrol officers executed routine law enforcement, but no native Mauritian could aspire to any rank higher than sergeant. Wary of giving the Indo-Mauritian majority any authority, the police service drew its officers primarily from the Creole sector of the population. Consequently, on the eve of independence, despite the multiethnic character of the nation, the MPF represented a Creole occupational enclave. When the British withdrew in 1968 giving Mauritius its independence, communal tensions erupted in several months of sectarian violence that, in the face of police ineffectiveness, required the intervention



of British paramilitary forces. The violence motivated by the fear of exclusion from an Indo-Mauritian-dominated government produced a substantial outward migration of minority communities, including many long-serving Creole officers. As Indo-Mauritians rushed to fill the vacancies, the cumulative effect was to create a police service that reflected a more accurate representation of the nation's diverse ethnic composition. In an island society where communal sensitivities assume great importance, the multi-ethnic character of the police force facilitated the legitimacy of the MPF, but it also made it subject to political manipulation, as evidenced by frequent administrative changes.

At independence, with the exception of the capital, Port Louis, Mauritius was a nation of tranquil coastal and scattered interior towns, and the establishment of the MPF reflected this social reality. Excluding the Special Mobile Force (SMF), the entire police establishment totaled 1,758 officers. Since most citizens relied on bicycles or horse-drawn transportation, only sixty-four officers were assigned to the Traffic Branch. The two police districts that encompassed the Port Louis metropolitan area were patrolled by a mere 316 officers. Furthermore, only eleven individuals occupied ranks higher than superintendent, suggesting a relatively simple command structure (*Annual Report of the Mauritius Police Force* 1968). By 1980, in the aftermath of the turmoil that had accompanied the immediate postindependence period, the police establishment had more than doubled, totaling 3,805 members. Most of this growth was among the lower ranks. Of the total, almost 3,000 were constables, nearly 450 were sergeants, and 68 were part of a newly created women's police service (*Annual Report of the Mauritius Police Force* 1980). A decade later, the MPF establishment had increased to 6,117 supervised by the commissioner of police assisted by 4 deputy commissioners, 12 assistant commissioners, and 36 superintendents. By this time, a parallel women's service with its own administrative structure headed by an assistant superintendent was beginning to emerge (*Annual Report of the Mauritius Police Force* 1990).

**Structure and Organization.** Mauritius is an extensively policed society, and the modern MPF invites controversy by having to navigate between its legal mandate to enforce the rule of law and its political role as the most visible agency of state authority. Overall supervisory responsibility for the MPF is exercised by the commissioner of police, who acts under the authority of the prime minister. The commissioner is assisted by 5 deputy commissioners who supervise each division. Next in rank are the 13 posted assistant commissioners in charge of several specialized units (e.g., Port Police, CID). The divisional command structure also includes 37 posted superintendents and 61 posted assistant superintendents in charge of operations, prosecutions, and public relations.

The 16 posted deputy assistant superintendents form the link between the gazetted ranks and the Inspectorate. Police stations are supervised by either chief inspectors (97 posted) or inspectors (274 posted), depending on size and magnitude of responsibility. Sergeants and constables are the lowest ranks in the hierarchy of officers and form the direct-service component of the MPF.

Day-to-day patrol operations are organized into six territorial divisions, consolidating what had been ten police districts:

- Northern
- Eastern
- Southern
- Central
- Western
- South/North, consolidating the two districts that served Port Louis, which covers the entire capital area

Within these divisions are eighty police stations and posts that provide a police presence in every major population center and many smaller communities.

**Principal Agencies and Divisions.** The MPF consists of 8 branches and 9 units. The branches are:

- Anti-Drug and Smuggling Unit (ADS)
- Central Investigation Division
- Helicopter Squadron
- National Coast Guard
- Passport and Immigration Unit
- Rodrigues Police
- Special Mobile Force
- Special Supporting Unit
- Traffic Branch

The units are:

- Antipiracy Unit
- Complaint Investigation Bureau
- Crime Prevention Unit
- Emergency Response Service
- Police Family Protection Unit
- Police Band
- *Police de tourisme*
- Police Medical Unit
- Port Police

**Salaries.** The salary schedule for the various police ranks is established by the Pay Research Bureau and ranges from Rs 11,800 (US\$389) per month for a constable to Rs 60,000 (US\$2,123) per month for the commissioner of police. In addition, a variety of allowances are available for eligible officers: those serving with the ADS are awarded a “risk allowance” of Rs 840 (US\$30) per month, and investigators assigned to the CID are granted a “detective allowance” and a “clothing allowance” totaling Rs 660 (US\$23) per month.

**Retirement Age.** In accordance with legislative enactment, all civil servants, including police officers, must accept mandatory retirement at age sixty.

**Police-Community Relations.** Despite a mission statement that requires officers to enforce the law fairly and impartially and to uphold fundamental human rights, the MPF’s emphasis on discipline and order does not merge comfortably with community-oriented policing. To its credit, the MPF has tacitly acknowledged its uneasy relations with the public by instituting an Emergency Response Service (ERS) Bike Patrol in April 2001 to facilitate “contact policing” (*Annual Report* 2001, p. 19). Its central aim, however, is merely to supplement mechanized and foot patrols by assisting in traffic regulation and crime prevention. The department also maintains a Complaints Investigation Bureau (CIB) that responds to citizen complaints about police misconduct. Although this unit is under the administrative control of the commissioner’s office, the CIB is required to report all complaints it receives to a judicial board of inquiry within forty-eight hours.

#### **Special Police.**

**Special Supporting Unit.** The Special Supporting Unit (SSU), or Anti-Riot Squad, is charged with assisting the regular police in controlling civil disturbances whenever circumstances expand beyond the control of the latter. It also secures sensitive venues, conducts missing person searches, tracks wanted criminals, and provides escort for dangerous prisoners. Originally constituted in 1937 as a “Police Reserve” by British police administrators in response to a series of labor strikes, the detachment assumed its modern form just prior to independence. Consisting of five operational units and a posted strength of 383 officers, the SSU is based at the line barracks (police headquarters) in Port Louis.

**Anti-Drug and Smuggling Unit.** Since 1986 the ADS has focused on the growing problem of possession and trafficking in illegal substances. Apart from marijuana, which is easily cultivated amid the cane fields and on remote areas of the island, and opium, a fixture in Mauritius since the colonial period, Mauritius is the only

African country with a heroin problem (MacDonald 1996). There is not only a visible addict population, but Mauritius is also easily accessible to Indian suppliers. Employing aerial surveillance and often operating jointly with the SMF (the parliamentary force), the ADS has been modestly successful in eradicating indigenous marijuana plants. Intercepting the importation of heroin, however, has been a more elusive goal. Heroin arrests primarily have been confined to house searches and street arrests.

**Traffic Branch.** With three major roads all converging in Port Louis, the role of the Traffic Branch in relieving congestion is critical. In a small island nation where there are more than a quarter of a million licensed vehicles, the police are actively involved in directing the flow of traffic, attending to road accidents, and citing motorists for traffic violations. Apart from uniformed officers who move traffic along in Port Louis and the interior cities to the east, a mobile patrol on motorcycles is deployed along the major arteries in each of the six police divisions to monitor traffic during peak hours and enforce ordinances pertaining to parking, speed limits, and driving while intoxicated.

**Education and Training.** All regular police recruits are obligated to enroll in a six-month training period offered on a revolving basis that includes instruction in routine drills, riot demonstrations, courses in self-defense and first aid, and lectures on general duties and specific areas of law enforcement (e.g., crime-scene investigations, legal implications of the 1970 Geneva Convention). Female recruits undergo separate but similar training augmented by instruction in grooming and public relations. Development courses for newly promoted sergeants and inspectors are designed to enhance the station-level administrative command structure. For officers assigned to the ERS Bike Patrol and those designated for assignment as police prosecutors, special training programs cover the duties unique to those positions. SSU personnel receive special training in crowd control techniques, escort duties, driver education, and mountain climbing exercises. SMF recruits must undergo a rigorous twenty-two-week basic military training period at SMF headquarters in Vacoas.

**Uniforms and Weapons.** The conventional MPF uniform is a light-blue, short-sleeve shirt with dark-blue trousers (skirts for female officers) and matching cap with gold trim. The insignia appears on the cap brim and both shoulders. The officer’s rank can be determined by the chevrons that appear on the epaulets. SSU officers are attired similarly except for a distinctive blue beret and combat boots. An olive-green khaki uniform identifies members of the SMF.

In accordance with their British legacy, regular officers do not carry firearms or any other weapon except for a baton in the course of their normal duties.

### Transportation, Technology, and Communications.

Most vehicles in the MPF fleet are cars (482) and motorcycles (327), the former equitably distributed throughout the various stations and the latter deployed along the major arteries. The 298 jeeps and 168 vans are mostly employed by the SMF and SSU. The MPF also has seventy-six trucks and an assortment of earth-moving equipment (e.g., mobile cranes, excavators, backhoes) at its disposal, which is useful for rescue operations and clearing debris from the roads when cyclones strike the island. The Helicopter Squadron maintains and operates four helicopters. Based at Sir Seewoosagar Ramgoolam (SSR) International Airport, the two aircraft that form the Maritime Air Squadron are used to conduct search and rescue missions, coastal sorties, and logistical support to the Mauritian territorial islands of Agalega and Rodrigues. The National Coast Guard maintains a fleet of vessels consisting of an Indian naval ship acquired in 1974, 5 Mandovi marine-class boats, 2 Zhuk-class patrol boats, 2 smaller patrol boats, and a Canadian designed, diesel powered, 42-ton ship constructed by a Chilean shipyard and purchased in 1996 (Murthy 1996).

By all measures, the communications and technology capacity of the MPF is rudimentary. The Communications Branch (PCB) consists of a telephone exchange, and a wireless section that oversees the installation and maintenance of mobile, static, and portable telecommunications, facsimile machines, generators, and public address equipment. A Forensic Science Laboratory (FSC) conducts chemical and biological examinations mostly related to crime-scene investigations, drug identification, and testing for blood alcohol levels. There is no capability for conducting DNA analyses. The MPF has come late to computerized law enforcement: In 1999 the department initiated an automated database of fingerprints taken from suspects and crime scenes. The following year, the Automated Finger Print Identification System became the centerpiece of a newly established Information and Technology (IT) Unit, the expanded capacity of which included the coordination and implementation of computer-assisted technology. As of 2001, the link between the main system and the six divisional headquarters became fully operational. The IT Unit would eventually integrate administrative, stores, and payroll records as well as automotive licensing into a single computerized system.

*Surveillance and Intelligence Gathering.* Internal security is the jurisdiction of the National Security Service (NSS). The NSS was established in May 2001 after its predecessor, the former National Intelligence Unit, was dissolved by legislative enactment. The NSS is supervised by a director-general who reports directly to the commissioner. In the absence of any obvious external

threat to the nation's security, the surveillance of potential domestic challenges to state authority seems to be its principal mandate.

**Police Statistics.** The approved establishment of the MPF is 8,276, 97% of which is consigned to patrol, traffic, and other direct services to the public.

- Total Police Personnel: 8,697
- Police Personnel per 100,000 Inhabitants: 720
- Women's Police Service: 488

### HUMAN RIGHTS

Mauritius is a long-standing parliamentary democracy with all the institutions usually associated with democracies: an elected legislature and executive, an independent judiciary, a free press, and constitutionally guaranteed rights. With a few exceptions, the police generally respect the human rights of the citizenry. The CIB received 186 complaints in 2003 alleging police brutality, most often during attempts to obtain confessions. The most controversial of such cases in the recent past occurred in February 1999 when Kaya, a popular Creole singer, died in police custody, touching off a week of rioting and looting. However, the law prohibits inhumane treatment, and normally, the authorities comply. Moreover, in most instances when someone is taken into custody, the police allow prompt access to family and legal counsel. With regard to freedom of assembly, the commissioner of police must issue a permit for any public demonstration. In 2003, with one exception (later overturned on judicial appeal), no request was denied, and the right of free association has usually been respected in practice ("Mauritius" 2004).

### CRIME

**Criminal Identification and Forensics.** Detecting crime and gathering evidence is the responsibility of the Central Criminal Investigation Division (CCID). It handles all cases of fraud, bribery, homicide, and sexual assault. The CCID has at its disposal a number of support units trained to conduct forensic analysis and maintain records. The Fraud Squad investigates major property crimes, and the Major Crimes Investigation Team inquires into all cases of homicide. The Technical Support Unit and the Scientific Support Service based at Rose Hill conduct crime-scene investigations to secure fingerprints and take photographs, which are stored at the Crime Records Office in police headquarters. There is also a Handwriting Section, which maintains samples for identification in cases of forgery, swindling, and document alterations. Cases involving trace evidence, ballistic tests, drug analysis, arson investigations, and examination of postmortem specimens

## *Mauritius*

are the responsibility of the Chemistry and Biology Sections of the Forensic Science Laboratory. Victims of sexual assault are normally examined by police medical officers.

**Crime Statistics.** Offenses reported to the police per 100,000 population: 3,030.25. Of which:

- Homicide: 2.19
- Rape: 2.28
- Robbery: 98.3
- Burglary: 133.54
- Assault: 909.7

### **CORRECTIONAL SYSTEM**

The prison system is under the authority of the commissioner of prisons; the largest prison is at Beau-Bassin.

**Prison Conditions.** Although prison facilities are overcrowded, conditions and sanitation generally meet international standards, with sufficient provision of food, water, and medical care available. Women are held separately from men, juveniles from adults, and pretrial detainees from convicted prisoners. Prisoners with HIV/AIDS are held separately from the general prison population. International organizations are permitted to visit prison facilities.

### **Prison Statistics.**

- Total Prison Population: 2,464
- Prison Population Rate per 100,000: 205
- Pretrial Detainees: 34.3%

- Female Prisoners: 5.6%
- Juvenile Prisoners: 0.4%
- Number of Prisons: 9
- Official Capacity of the Prison System: 1,741
- Occupancy Level: 141.5%

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*Frederick P. Roth*

# Mexico

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**Official country name:** United Mexican States

**Capital:** Mexico City

**Geographic description:** Third-largest country in Latin America, south of the United States, in Middle America bordering on both the Pacific Ocean and the Gulf of Mexico

**Population:** 106,202,903 (est. 2005)



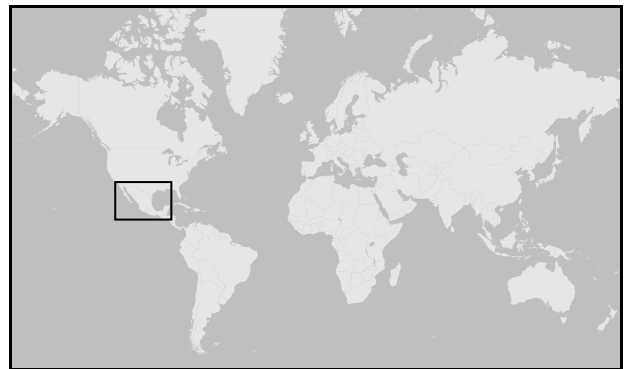
## LAW ENFORCEMENT

**History.** A rudimentary police system existed in Mexico in the nineteenth century. Originally, the police were under the control of the Public Ministry. Its agents were called *fiscals* because one of their principal functions was the collection of fiscal levies imposed by attorneys of the Crown. Later, they were charged with suppressing crime and initiating procedures in criminal cases. They were assigned to police stations where they worked with local police and the judicial police.

**Structure and Organization.** There is no one particular dominant police force in Mexico. The structure of police organizations is complex, and organization changes frequently. Police forces exist at the federal, state, and municipal levels through many overlapping layers of authority. Each state has its own police department and a judicial police. Larger cities have a judicial police.

### *Principal Agencies and Divisions.*

**Federal Police:** There are three federal-level forces: The Federal Preventive Police (*Policía Federal Preventiva*, PFP), established in 1999, is responsible for public security and



crime prevention and combat across the country. The Secretariat of Public Security of the Federal District (*Secretaría de Seguridad Pública del Distrito Federal*, SSP), which does not operate on a national level, oversees a combined force of more than ninety thousand in the Federal District and is responsible for public safety and order in central Mexico City, which experiences the highest crime rate and level of insecurity in the country. The Federal Agency of Investigation (*Agencia Federal de Investigaciones*, AFI), established in 2001, is charged with investigating federal crimes. This agency replaced the corrupt Federal Judicial Police (*Policía Judicial Federal*, PJJF), and efforts to develop and maintain an uncorrupt agency continue.

The PFP is the primary force and was established after the Mexican Senate ordered the creation of a national police force combining the Federal Highway Police, the Federal Fiscal Police, and the Federal Immigration Police. The PFP is attached to the *Secretaría de Seguridad Pública* and is divided into several divisions:

- Preventive
- Riot
- Auxiliary
- Traffic
- Investigation (formerly called the Secret Service)

Slightly less than half of the preventive police work in the Sectoral Police Division, which is distributed geographically into six main regions, with usually three precincts in each and a number of sectors within each precinct. The rest of the preventive police are organized into five main divisions. The Metropolitan Division consists of the Public Transit Police, Tourist Police, Grenadiers, Feminine Police, and the Emergency Rescue Squad. Another division is the Special Squadron, which comprises helicopters, motorcycles, the task force that deals with terrorist threats, and the Alpha Group, which fights drug trafficking. The Federal Highway Police patrol the federally designated highways and investigate auto accidents. Other government agencies and ministries are empowered to maintain their own police forces; these include the Ministry of Public Health, the National Railway of Mexico, the Ministry of Hydraulic Reserves, and Mexican Petroleum. The Federal District has its own police force under the secretary of public security.

The main components of the federal police are the central office for classification of offenses, licensing and traffic control office, prevention of juvenile delinquency division, radio patrol service, special investigations service, and special services. Federal police has its own rescue elements: the Urban Services and Land and Air Rescue Squadron, equipped with motor vehicles, boats and aircraft. The police force is organized on military lines and has a paramilitary role. It consists of thirty-three battalions, of which thirty-one are numbered. The 2nd is the preventive police; the 4th, 5th, 6th, 9th, 12th, 14th, and 22nd are auxiliary; the 31st is the auxiliary private police. A reserve force, the 18th, is administrative, and the 28th is the women's police. The unnumbered battalions are the Grenadiers and the transport battalion. The Grenadiers are a riot control force, which includes a motorized brigade and an internal security squad.

*State and Municipal Police:* Mexico's thirty-one states maintain both preventive and judicial police forces, which enforce state law (*fuero comun*). The state police enforce state laws within their jurisdiction and assist the federal police in enforcing federal laws. Large cities have special units, such as the Park Police and the Foreign Language Police. The number of state-level preventive police is approximately ninety thousand and judicial police approximately 26,185. The judicial police is the law enforcement agency charged with investigation and prosecution related to local crimes.

Of Mexico's 2,395 registered municipalities, approximately 340 have no police force. Police forces are concentrated in larger municipalities, with approximately 69 percent of preventive police located in the eighty-seven largest cities. This means that the approximately 25 million residents in areas of fewer than 2,500 people lack official police forces and rely on community volunteers to police their towns. Municipal police lack technical equipment, carry outmoded firearms, must supply their own bulletproof vests and often other necessary equipment. Salaries are poor.

*Police at Work.* In large urban areas there are many precincts, called police delegations; a typical delegation has between 200 and 250 preventive police attached to it. The delegation is under the command of a *comandante*, usually an officer with the rank of a captain. (All police ranks correspond to military ranks.) Lesser officers, usually lieutenants, are in charge of each eight-hour shift and are assisted by first sergeants, second sergeants, and corporals. Most of the men operate out of the command headquarters called a *comandancia*, but part of the company is stationed at fixed points throughout the police delegation, usually at small two-person kiosks accessible to the public. Assisting the preventive police are auxiliary police who patrol the streets on the night-shift only. Agents of the Public Ministry assigned to the delegation have their offices at the *comandancias*. Many of the *comandancias* also have a first-aid facility on the premises with a doctor or medical technician in attendance. Many of the *comandancias* have two kinds of cells: large communal cells, usually without bunks, holding numerous persons sentenced for misdemeanors (with separate cells for men and women) and small cells with bunks to confine persons under arrest for felonies during preliminary investigation. Mexico City has twenty such *comandancias*.

**Special Police.** Currency and banking offenses are investigated by the Special Investigation Department of the Bank of Mexico. The Bank and Industrial Police is a separate organization that protects banking institutions and includes two specialized units, the Mounted Police and the Patrol Squadron. Numerous small, private police forces are employed by banks, department stores, hotels, and similar institutions or assigned to them by the commercial police branch of the police force. The police assigned to department stores have the right to arrest debtors and keep them locked up in the stores until the debt is paid.

**Education and Training.** Recruitment is a major problem for the Mexican police, and police units in all jurisdictions are understaffed. Education and training are provided at all levels. The General Directorate of Police and Traffic operates a police academy where intensive courses of from



*Police in Mexico City conduct patrols on rollerblades in front of the seventeenth-century Metropolitan Cathedral located in the city's main square, January 14, 2005. The officers are members of a division that patrol the city of over 8.5 million people by also using bicycles and horses. AP IMAGES.*

four to six months are given to selected new recruits and advanced training is provided to officers and police. The Federal Highway Police runs a small training school for its personnel. The Technical Institute of the Public Ministry gives graduate courses in criminology. A few states have academies for state police. The best are those in Nuevo Leon, Jalisco, and Mexico City. Courses at state academies usually last for four months. In smaller localities, police are appointed on the basis of political patronage.

#### Police Statistics.

- Total Strength of the Police force: 350,000
- Population per Police Officer: 295

#### HUMAN RIGHTS

Corruption is widespread in police ranks and combined in many cases with immorality and incompetence. Bribes are commonplace and even demanded for the performance of some tasks. There is also a close relationship in some parts of the country between the police and organized crime, especially with drug dealers. Corruption

is not limited to the lower ranks but extends to the top echelons. Extrajudicial killings and excessive use of force cause concerns to human rights watchers. There are credible reports of disappearances. The police often torture persons to obtain information, prosecutors use such evidence in courts, and the courts admit as evidence confessions extracted under torture. Human rights abuses are particularly severe in the state of Chiapas, where there is an ongoing insurrection against the government.

The government's efforts to improve the human rights situation have led to the creation of an Undersecretariat for Human Rights and Democracy and to the ratification of international conventions and numerous protocols and agreements on human rights issues.

#### CRIME

**Crime Statistics.** Offenses reported to the police per 100,000: 108. Of which:

- Murder: 7.3
- Assault: 30.2

## CORRECTIONAL SYSTEM

The Federal Criminal Code dates from 1931, with later amendments. It modernized previous laws singled out juvenile delinquency for special attention and made new provisions for controlling traffic in narcotics and dealing with corruption, pandering, and espionage. Crimes are broadly categorized as those against persons, property, state, public morals, and public health. Capital punishment was prohibited by the Federal Code of 1931, but the constitution permits it for parricide, abduction, and highway robbery. The highest punishment is thirty years in prison. The most distinctive feature of the Mexican criminal justice system is the writ of *amparo*, which has no exact English equivalent but is roughly similar to a writ of habeas corpus. An *amparo* may be sought by any citizen for the redress of an infringement of his or her civil rights or against the act of any official, tribunal, police officer, legislator, or bureaucrat. The penal system includes 6 federal penitentiaries, 10 federal district prisons, 365 state prisons, and 70 municipal and regional jails.

Prisons are under the jurisdiction of the Secretaría de Seguridad Pública and are divided into federal, state, and municipal facilities. The constitution requires that penal systems focus on rehabilitation and social readjustment of the prisoner through education and training. The largest of the federal prisons are the Penitentiary for the Sentenced, the Lucumberrí Penitentiary, and the Women's Jail. The Federal District also contains 4 centers of seclusion, 3 small jails, and 13 jails in the various *comandancias*. There are 2 federal penal colonies where the most dangerous criminals and those serving long sentences are placed. The most infamous of these is in the María Islands, about 70 miles offshore in the Pacific Ocean. Here, married prisoners are permitted to have their families with them and are provided with thatched houses. Unmarried prisoners live in dormitories. All can move freely around the main island but must attend roll call twice daily. Prisoners work to develop the island's resources and work in lime quarries, salt fields, lumber mills, sisal plantations, and workshops, or engage in agricultural pursuits and cattle raising.

All states have state penitentiaries. Some are old and overcrowded while others are modern and fairly large. Among the best are those in Sonora, Durango, Michoacán, Jalisco, and Mexico City. Many have large staffs, including psychologists, psychiatrists, and other doctors. Every prisoner either works in the shops or on the prison farm or goes to school. There are more than 2,500 municipal prisons, including holding cells. Some are fairly large and have separate sections for women and children, but others are primitive and lack toilet and

water facilities. In some villages, the prisoners work on public projects, such as street cleaning and gardening.

**Prison Conditions.** Life in Mexican prisons and jails generally is less grim than in many other countries. Little friction exists between prisoners and guards, and the guards themselves perform small services for the prisoners in return for tips and bribes. Prisoners with skills are permitted to make items and sell them while others engage in such services as barbering and shoe repairing. Prisoners who can afford it furnish their own quarters and have their own personal servants. Some prisons permit commercial workshops to operate on their premises.

Prisoners usually are on their own during the day to work, relax, or engage in sports or games, as most penal institutions do not have full-time organized recreational activities. There are intramural leagues for baseball and soccer with daily games. Idle inmates frequently fight among themselves. Families and other relatives usually are permitted to visit twice a week, Sundays being one of the days set aside for such visits. In women's prisons and in women's sections of state prisons, mothers are permitted to have their small children with them at all times.

Male prisoners have the right to conjugal visits. Wives usually are permitted to spend up to two hours every week alone with their husbands. Some prisons permit wives to spend the entire night with their husbands, and in others, girlfriends and prostitutes are allowed to visit single inmates. No conjugal visits, however, are permitted for women inmates; only fathers or brothers may be alone with them. Prisoners nearing the end of their sentences are permitted to spend weekends with their families.

Health and sanitary conditions are poor. Many prisoners suffer from HIV/AIDS and tuberculosis, which are the leading causes of death in prisons. HIV-positive prisoners are subject to discrimination and mistreatment. Drug and alcohol addictions are rampant. As many as 80 percent of prisoners are reported to use some form of drug, with heroin being the drug of choice, followed by cocaine. Corruption and poor prison conditions often lead to riots and escapes. Convicted criminals and pretrial detainees are often housed together because of overcrowding, which is a serious problem: in Baja California and Sonora, prisons are more than 181% overpopulated. Juveniles aged eleven to eighteen are held outside the prison system.

**Prison Statistics.**

- Total Prison Population: 201,931
- Prison Population Rate per 100,000: 191
- Pretrial Detainees: 41.9%



- Female Prisoners: 5%
- Number of Prisons: 457
- Official Capacity of the Prison System: 151,692
- Occupancy Level: 125.6%

*George Thomas Kurian*

# Micronesia, Federated States of

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**Official country name:** Federated States of Micronesia

**Capital:** Palikir

**Geographic description:** Island group in the North Pacific Ocean, north of New Guinea and between Hawaii and Indonesia

**Population:** 108,105 (est. 2005)



## LAW ENFORCEMENT

**History.** The Federated States of Micronesia (FSM) was a dependency of the United States as a United Nations (UN) Trust Territory until 1986, and its police system was created under U.S. auspices and is modeled on the local municipal forces in the United States. On independence, these forces were transferred to the republic.

**Structure and Organization.** Each of the four states—Chuuk (*Truk*), Kosrae (*Kosaie*), Pohnpei (*Ponape*), and Yap—has a department of public safety that includes corrections agencies as well. Under the Compact of Free Association, the United States assists local public safety departments in operational matters.

## HUMAN RIGHTS

Capital punishment is not permitted for any crime. Although victim impact is considered by the criminal justice system, no legislation exists to ensure victim participation during criminal proceedings.



## CRIME

The age of criminal responsibility varies; it is eighteen in Chuuk and Kosrae; however, in Kosrae, a sixteen year old may be tried if at the time the crime is committed he or she is considered physically and mentally mature.

**Terrorism.** Micronesia officials participate in the sixteen-member Pacific Islands Forum in compliance with UN rules that require counterterrorism awareness. The myriad of small, impoverished islands in the South Pacific are thought to be hotbeds for networks of organized terrorist cells. Such operations flourish in venues such as Micronesia due to the lack of uniform legislation and human, financial, and technical law enforcement resources.

## Crime Statistics.

- Number of Reported Criminal Offenses: 6,622
- Felony: 1,602

- Misdemeanor: 2,188
- Minor Traffic: 1,799
- Juvenile: 489
- Serious Drug Offense: drugs are generally not a problem; alcohol is a serious problem, believed to be involved in most crimes

#### **CORRECTIONAL SYSTEM**

There are detention centers on most islands and prisons in each of the four states. Prisons are maintained by the Department of Public Safety.

**Prison Conditions.** Prison conditions generally meet international standards. Inmates are sometimes placed on a work crew but are not provided with organized education or therapy programs. Frequent visits are permitted, and the general atmosphere is informal.

#### **Prison Statistics.**

- Total Prison Population: 39
- Prison Population Rate per 100,000: 22
- Number of Prisons: 4

*Charles Johnson*

# Moldova

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**Official country name:** Republic of Moldova

**Capital:** Chişinău

**Geographic description:** Located in Eastern Europe, bordered by Romania to the south and west and Ukraine to the north and east

**Population:** 4,455,412 (est. 2005)



## LAW ENFORCEMENT

**History.** From 1918 to 1940, the police of Chişinău (formerly Kishinev) fell under the direction of the police prefect. In the other cities and districts, the police were under the leadership of city and district prefects. Passage of the Law on the Organization of the General Police on July 21, 1929, brought radical changes in the activities of the police. The law provided for the creation of administrative and criminal police as well as an information service, which was part of the Main Department of Police under the Ministry of Internal Affairs. From 1940, with the creation of the Moldavian Soviet Socialist Republic, a new system of social institutions was developed, the function of which was public order maintenance. In August 1940, by order of the People's Commissariat of Internal Affairs of the USSR, the People's Commissariat of Internal Affairs (NKVD) of the Moldavian Soviet Socialist Republic was formed.

The organizational structure of the NKVD had two levels: the central apparatus; and departments, units, and services. The basic components of the system of internal affairs were the Directorate for the Peasant-Workers Militia, Department of Penitentiary Institutions, Fire



Service Department, Archives Department, State Security Service, and Border Security. The August 1940 order also created six district departments of internal security. In this period, the agencies for state security and public order maintenance were all under the NKVD. In 1941 the state security agency was removed from the NKVD and formed into the People's Commissariat for State Security (NKGB). In March 1946 the NKVD was renamed the Ministry of Internal Affairs (MVD). One of the main events in the evolution of the internal affairs agencies was the establishment in 1956 of the principle of double subordination of police—to local government and to national headquarters of the MVD. In the 1960s the internal affairs system underwent several reorganizations. In 1966 the MVD became the Ministry for the Protection of Social Order. In 1968 it was changed back to its old name, Ministry of Internal Affairs. Among the basic components of the MVD were the Administrative Service, Criminal Investigation, Department for the Fight against Theft

of Socialist Property and Speculation, Passport and Visa Registration Department, State Auto Inspectorate, Fire Service, and Department of Correctional-Labor Institutions.

After the declaration of sovereignty by the Republic of Moldova on June 23, 1990, a new legal status and structure were established, along with restructured responsibilities of the law enforcement agencies, and the process of forming a national system of internal affairs agencies began. On September 13, 1990, the government of the Republic of Moldova passed Decision No. 321, "On the Reorganization of the Internal Affairs Agencies of the Moldavian Soviet Socialist Republic," which provided for the creation of a central police department as well as regional police departments. The new agencies of internal affairs (police) began to replace the militia. The Law on the Police was passed by the legislature on December 18, 1990.

The process of structural reform continues. The police of the Republic of Moldova boast of a law enforcement agency that serves the public and strictly observes the laws to defend life, health, rights, and freedoms of its citizens from criminal and other illegal encroachments.

**Structure and Organization.** The Ministry of Internal Affairs is responsible for the police; the head of the Moldovan Police is the inspector general of police, who is also deputy minister of internal affairs. The Information and Security Service (ISS) controls other security agencies. The Department of Border Guards, Tax Police, and Customs constitute separate agencies. The Parliament has constitutional authority to investigate the activities of the Ministry of Internal Affairs and the ISS and to ensure that they comply with the law. Within the context of an authoritarian executive branch, the legislature has relatively little power.

The ISS can investigate crimes but cannot arrest individuals. Civilian authorities maintain control of the security forces. Some members of the security forces are known to have committed human rights abuses. The Tax Police (part of the national tax inspectorate of the Ministry of Finance since 1998) has preventative and investigative powers in cases of tax-related crimes and breaches of fiscal and customs legislation. It is authorized to conduct certain investigations, check the existence and authenticity of certain documents, inspect registers and accounting documents, and seize goods of unproven origin, the income on which taxes have not been paid, and goods that are illegal to manufacture and sell. When such offenses are disclosed, the Tax Police must inform the relevant criminal investigation units.

There is some coordination among various agencies to provide for the guarding of the state borders. These

agencies include the Ministry of Internal Affairs, Border Guard Troops, the Ministry of Defense, Carabinieri, Customs, and other agencies. However, due to some of the more challenging issues facing law enforcement, such as low salaries, lack of equipment, weak legal mechanisms, and widespread corruption, one must consider that the border is not adequately guarded. Due to the fact that the basic work in protecting the border is carried out by the Border Guard Troops, it is frequently regarded as the most important of the agencies. The Border Guard Troops has in its ranks 5,500 military persons who serve in the headquarters unit, frontier groups, frontier commandants' offices, frontier stations, and state border-crossing checkpoints. In the western sector of the state border, there are about thirty frontier posts and frontier commandant's offices and five international state border crossing checkpoints. In the northern and southern sectors, there are about twenty frontier posts and frontier commandant's offices and twelve international state border-crossing checkpoints. Establishment in the northern and southern sectors was begun later and will be enhanced over time. To the east, the state border in the Transdnestr region is the site of ongoing conflict and requires no less than twenty frontier posts and international state border-crossing checkpoints.

A special battalion, the Fulger, was created by MVD Order No. 677-4 on December 5, 1991, for the purpose of strengthening law enforcement's fight against crime and maintenance of public order. Fulger reports directly to the minister of internal affairs under the Ministry of Interior. The group is part of the system of units of special designation (*spetsialnogo naznacheniya*) made up of three rapid-response forces units, one counterterrorism unit, one technical services unit, and others. The primary function of these groups is to prevent terrorist acts and criminal attacks, detain armed criminals, carry out operational or detective work, prevent civil unrest, and the evacuation and rescue of individuals in emergency situations. These groups frequently work in conjunction with law enforcement officers to prevent street crime, burglaries of apartments and in automobiles, and other such activity.

The Carabinieri Troops were formed on the basis of the law "On the Carabinieri Troops of the Republic of Moldova MVD," which passed on December 12, 1991. The Carabinieri are essentially the analogue of the internal troops of other former Soviet republics. Their basic function is to support the police in maintaining public order; defending basic rights and freedoms of the citizenry; protecting personal property and state holdings; guarding embassies, consulates, and other diplomatic missions of foreign governments; providing guard services for particularly sensitive government installations; and other similar functions.

**Police at Work.** The police of Moldova, as is the case with police in most of the former Soviet states, work

in conditions that do not allow for effective law enforcement. Police salaries are low, reflecting the overall economic situation in the country. In 2003 the average monthly salary was approximately \$57 (818 lei). The average monthly salary was approximately \$66 (941 lei) in the private sector and approximately \$46 (657 lei) in the public sector. Frequently, the government is unable to meet employee payrolls; salaries can fall months in arrears. The severe shortages of gasoline or budgetary resources to purchase gasoline are present in Moldova and throughout the former Soviet Union. There is frequently little gas to fuel police cars in order to patrol or to pursue criminals. Police have been known to ride the bus to answer a police call.

Comparatively speaking, law enforcement agencies at the border regions were much better equipped during the Soviet era and have fallen behind the times. Currently, although the borders are considered by Moldovan officials to be satisfactorily equipped, this equipment by and large dates to the 1980s. The lack of modern surveillance equipment requires increasing the number of personnel to compensate for the absence of modern technical equipment. It is believed that the technical upgrading of border facilities is well beyond the financial capabilities of the Moldovan government.

As of January 2001, the Ministry of Internal Affairs was understaffed by nearly 12 percent. Throughout the 1990s, police officials left the service in search of more lucrative opportunities. In 2000, 1,774 employees left the service; this represented an increase of more than three hundred from the previous year. Since 1998 the number of officials leaving the service has exceeded the number of recruits. Also problematic is the crime rate among police and officials alike. In 2000, 5,459 disciplinary sanctions were instituted against Ministry of Internal Affairs officials. Of these, 3,326 were lodged against police employees, 1,897 against Carabinieri troops, and 236 against staff of educational establishments. Four hundred thirty-one officials were dismissed. Nineteen cases of illegal usage of firearms were registered and, overall, criminal proceedings were instituted against 291 police employees and 113 Carabinieri. During the first four months of 2003, sixty-five criminal cases were instituted against police officers for bribery, robbery, and abuse of office.

**Education and Training.** Historically, there has been little discrimination in the selection of recruits, resulting in the admission of candidates of low caliber. The Ministry of Internal Affairs has expressed deep concern regarding the inadequacy of incoming candidates. Reasons for difficulty in recruiting, at least in part, lie with the low salary, low prestige of police work, unsatisfactory living conditions provided to police, and a failing educational system. The level of professional

training of new recruits through the educational institutions is considered to be low. According to the Ministry of Internal Affairs, the theoretical training of the graduates of the Moldovan Police Academy was once at a level of about 53 percent of what it should be while those graduating from the National Police College were at the 25 percent level. However, in 2001 the International Criminal Investigative Training Assistance Program (ICITAP), established by the U.S. Department of Justice in 1986, began assisting with modernizing technical support and training instructors at the Moldovan Police Academy and the National Police College. The ICITAP also established an internship to facilitate communication between Moldovan officials and law enforcement trainers around the world. In 2002, to help improve police training, the ICITAP assisted in remodeling and providing modern technical equipment to the conference center at the National Police College. This center is accessible to all U.S. agencies.

#### **Police Statistics.**

- Total Police Personnel: 13,431
- Total Female Personnel: 500
- Police Staff per 100,000 Population: 300

Also, Moldova has a paramilitary force attached to the Ministry of Internal Affairs that could number about 2,500, along with a riot police force of about 1,000.

#### **CRIME**

Crime in Moldova, and everywhere in former Soviet republic, rose dramatically following the demise of the Soviet Union. Economic and drug-related crimes, the most visible and predictable results of the deteriorating economic situations in the newly independent countries, have simply overwhelmed the human and financial resources devoted to them. Often, however, the problem is more extensive than what is acknowledged, as many crimes are not registered. For example, in mid-1995, the Moldovan government stated that overall crime had risen by 29% over the previous year. However, the number of motor vehicles "being searched for" was thirteen times the number of vehicles listed as "stolen."

Organized and economic crime grew in dramatic fashion throughout the 1990s. Moldovan authorities estimated that the income of criminal organizations amounted to more than half the total income in the national economy. This income of criminal organizations comes mainly from trafficking in drugs, arms and oil products, prostitution, theft of assets belonging either to the state or to private individuals, smuggling tobacco or alcohol, bank and financial fraud, and tax evasion. Officials estimate that the value of smuggled goods

coming into the country that crosses at the Transdnier region is at least \$900 million.

There are about 2,500 recorded juvenile offenders per year in Moldova. Most of these young people are aged sixteen or seventeen (about 60%), and over 90 percent are boys. While these figures almost certainly mask nonreporting or nonrecording practices, they indicate a relatively low level of juvenile offending countrywide. The majority of juvenile offenders are sentenced for theft (over 60%). Violent offenses are a relative rarity.

**Narcotics.** Drug-related crimes were reported to have increased between 2001 and 2002 by approximately 35 percent. Initially, Moldova was a drug trafficking route for narcotics moving westward to Europe from central Asia and for raw products moving in the opposite direction. However, the finished product now appears to be marketed through the country from both directions. Moldova also grows its own raw product; it is an agricultural country, with a climate conducive to growing marijuana and opium poppies. Estimated annual production of marijuana is several thousand pounds, and between January and November of 2002 alone, authorized personnel destroyed more than seven thousand pounds of cannabis and eight thousand pounds of poppies. Synthetic drugs are increasingly being imported, especially from Romanian traffickers, who are establishing manufacturing enclaves in Moldova for amphetamines and ecstasy in particular. Organized crime in neighboring countries heavily facilitates Moldovan drug trafficking, as it does trafficking in women.

In July 2001 the Service to Fight against Illegal Traffic in Drugs became a division of the department in the Ministry of Internal Affairs that deals with organized crime and corruption. Moldovan law enforcement authorities continue to pursue the fight against drugs. To that end, drug enforcement capabilities were restructured in 2002, with revisions also being made to the criminal code in relation to drug offenses. The Drug Enforcement Unit is dedicated exclusively to antidrug functions, and although its number of personnel decreased following restructure, the quantity of drugs seized remained similar to that of the previous year, and criminal proceedings increased considerably. Changes to the criminal code also permit arrest and prosecution of individuals not directly involved in trafficking but who facilitate those who are. Maximum penalties for drug trafficking were increased to twenty-five years in prison. With the establishment of the Center for Combating Economic Crimes and Corruption, Drug Enforcement Unit personnel increased to 117—twenty-one are employed in headquarters and support services, and the remaining are located throughout the country.

In 2003 Moldovan counternarcotics efforts underwent significant leadership changes, with the Drug Enforcement Unit of the Ministry of Internal Affairs changing directors three times in a six-month period. The number of law enforcement personnel within the Drug Enforcement Unit remained constant, with ninety-five officers in the field and twenty serving in headquarters or support functions.

**Trafficking in Persons.** Trafficking in people is prohibited by law, and sentences for such crimes range from seven to twenty-five years in prison, with the most severe being for trafficking groups and pregnant women, as well as for repeat offenders and abuse of power, kidnapping, use of violence, or trickery in capturing people to be trafficked. Trafficking in children brings sentences anywhere from ten years to life. Regardless, Moldova is a major source of women and children trafficked primarily for prostitution to the Balkans, other European countries, and the Middle East. Some sources report that as many as fifty thousand Moldovan women are trafficked annually to Europe alone for prostitution purposes. Moldovan men are transported to Russia and surrounding countries for use in forced labor and begging. Evidence has arisen that men are also trafficked to Japan. Contributing to the widespread nature of this crime is insufficient resources for border control, as is the high degree of corruption found among migration officials and border guards whose low salaries and often intermittent pay make them particularly vulnerable to bribery in this lucrative market.

The government has stepped up efforts to prevent trafficking of women and provide victim assistance, but these efforts have been slow and primarily focused on legislation and prosecution. Only in 2003 was one full-time staff member employed by the National Committee on Antitrafficking. Local regional committees have been established, and the National Committee requires local governmental and ministerial officials to give updates on their antitrafficking efforts. Also, a special unit has been established within the Ministry of Internal Affairs. This ministry and the Ministry of Labor provide training to investigators dedicated specifically to antitrafficking programs, and Moldova's government has begun cooperating with Interpol and certain countries in preventive efforts. From January to September 2003, 290 trafficking investigations were opened, with 137 directly related to former or present laws. There were nine cases of trafficking of minors, along with other cases of children being taken illegally out of the country, illegal hiring of people to work outside the country, and illegal acquisition of persons for prostitution purposes.

**Crime Statistics.** Crime statistics should always be handled with great care. In the case of Moldova and

other former Soviet states, they are relatively meaningless. Locked in an ideological battle with the West, Soviet reality urged the creation of fictitious figures across virtually all sectors of the economy and society in order to portray a positive image to the outside world. The depiction of crime was one of the most important sectors for manipulation as the USSR attempted to demonstrate the superiority of Communism and its promise of the disappearance of crime. According to police officials, the practice of producing fraudulent statistics (*pipiska*) continues long after the demise of the Soviet Union. Latent crime has always been assumed to be rather high.

Offenses reported to the police per 100,000 population: 893.67. Of which:

- Intentional Homicides: 8.13
- Assaults: 28.4
- Rapes: 4.67
- Robberies: 59.29
- Thefts: 416.16

#### **CORRECTIONAL SYSTEM**

Prisons fall under the direction of the Ministry of Justice.

**Prison Conditions.** The Department of Penitentiary Institutions provides separate facilities for adults and minors. There are 17 adult prisons (8 correctional colonies, 3 settlement centers, and 6 prisons) plus 1 prison hospital. For juveniles, there are 5 Isolation Units, which hold juveniles on pretrial detention. There is also 1 prison for juveniles.

Although human rights organizations and the Red Cross are permitted to visit prisons, conditions are harsh, particularly in Transnistria, where many people are arbitrarily arrested, imprisoned, and tortured. Malnutrition and disease, especially tuberculosis, are serious issues. Prisons generally are overcrowded and lack fresh air, recreational, and rehabilitation facilities, and it is usually left up to local and nongovernmental organizations to supply prisoners with clothes, medicine, and other items.

#### **Prison Statistics.**

- Total Prison Population: 10,729
- Prison Population Rate 100,000: 238
- Pretrial Detainees: 24.4%
- Female Prisoners: 2.8%
- Juveniles: 0.4%

- Foreign Prisoners: 1%
- Number of Establishments: 20
- Official Capacity of the Prison System: 12,105
- Occupancy Level: 88.6%

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*Joseph D. Serio*



# Monaco

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**Official country name:** Principality of Monaco

**Capital:** Monaco

**Geographic description:** Small area in western Europe bordering the Mediterranean Sea on the southern coast of France

**Population:** 32,409 (est. 2005)



## LAW ENFORCEMENT

**History.** In 1867 the prince of Monaco created the office of the *commissaire* of police who was answerable to the mayor for general policing and to the governor general for criminal matters. Eight years later, the office of director of police was created, aided by three *commissaires*. The director was directly under the governor general. In 1902 the force became the *Direction de la Sûreté Publique*, and in 1929 it was placed under a minister of state in the Office of the Counselor for the Interior.

**Structure and Organization.** The *Sûreté Publique* consists of three branches: Urban Police, Judicial Police, and Administrative Branch. In addition to the regular police, the *Carabiniers du Prince* perform security functions.

The Urban Police, or the uniformed branch, is headed by a principal commandant under whom there are four grades of officers: peace officers, chief brigadiers, brigadiers, and agents. Agents are organized in four sections, one of which is Reserve and Emergency. It also includes a motorcycle squad under a chief brigadier. The *commissaire* is assisted by a division inspector and several inspectors.



The Judicial Police, or the Criminal Investigation Branch, is headed by a *commissaire* assisted by a division inspector and several inspectors. It also handles criminal records and Interpol activities.

The Administrative Branch is headed by a *commissaire* under whom are a division inspector and several other inspectors. This branch is responsible for such things as licensing and registration.

Other principal branches under the control of the director include the Maritime Police (equipped with a fast launch) under a commandant, the Women Police, Communications Section, and the Prison Service. The latter is under a brigadier chief.

**Uniforms and Weapons.** The uniforms of the Monaco Police are very colorful and elaborate. The director and the *commissaires* wear uniforms only for special events or ceremonies. This consists of a black peaked cap round which are rows of silver acanthus leaves—two rows for



**Officers in Monaco stand beside Ted Maher, an American nurse, as he stands trial for the arson death of his former billionaire employer, November 28, 2002.** Maher claimed he accidentally started a small fire in a wastebasket that soon grew out of control in Edmond Safra's luxury penthouse in 1999. Both Safra and another nurse died after inhaling toxic fumes caused by the blaze. AP IMAGES.

the director and the divisional *commissaires* and one for the other *commissaires*. A straight cut, open-neck tunic in black bears rows of leaves on the cuff in the same manner as the cap. Black trousers and tie and a white shirt complete the uniform. The director may also wear a silk-covered belt. Commandants wear a black peaked cap bearing four rows of silver braid to indicate their rank. In winter, a black, open-neck tunic is worn with a white shirt and a black tie. Stiff epaulettes on the tunic carry four rows of silver braid. The trousers are dark blue with a wide black stripe.

Peace officers wear the same uniform as commandants but with fewer rows of braid on the cap and epaulettes. In summer, they wear sky-blue, long-sleeved, open-neck shirts with air-force-blue trousers striped with red up the side seams. The shirt has stiff air-force-blue epaulettes and a shoulder patch on the left arm. A white cover is worn on the cap in summer. Uniforms for the brigadiers and agents is similar to that of the peace officers, with the royal cipher in place of the badges of rank on the epaulettes.

Riot Squad personnel wear a special uniform consisting of a padded waistcoat worn under a dark-blue blouse made of fire-resistant material, matching trousers gathered at the ankles, and a black plastic helmet. The Maritime Police wear navy-blue trousers and a double-breasted naval-type tunic. A distinctive anchor badge is worn on cap, epaulettes, and overcoat. In summer, navy-blue trousers are worn with a navy-blue, open-neck, long-sleeved shirt, with the usual shoulder patch. Light-blue overalls are worn on board together with yellow rubber boots. The Women Police wear belted tunics, dark blue in winter and light blue in summer, with matching skirts and Robin-Hood-style caps.

All uniformed personnel carry a Smith and Wesson .38 revolver in a black (white on ceremonial occasions) holster on the right side. Submachine guns are used during road checks.

**Education and Training.** Basic training is provided at the Police Training School in Monaco under the charge of the *Commissaire* for Administration. Senior officials are sent to France for advanced training.

**Police Statistics.**

- Total Strength of Police Force: 500
- Population per Police Officer: 64

**HUMAN RIGHTS**

The government generally respects the human rights of its citizens, and the law and the judiciary provide effective means of dealing with individual instances of abuse.

**CRIME**

**Crime Statistics.** Offenses reported to the police per 100,000 population: 3,430. Of which:

- Burglary: 106.7
- Automobile Theft: 70

**CORRECTIONAL SYSTEM**

The prison system is administered by the *Maison d'Arrêt* under the *Direction des Service Judiciaires*.

**Prison Conditions.** Prison conditions generally meet international standards. Prisoners with long sentences are transferred to a French prison to serve out their time.

**Prison Statistics.**

- Total Prison Population: 13
- Prison Population Rate per 100,000: 39
- Total Number of Establishments: 1

*George Thomas Kurian*

# Mongolia

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**Official country name:** Mongolia

**Capital:** Ulan Bator

**Geographic description:** Landlocked country in central Asia, bordered by Russia to the north and China to the south

**Population:** 2,791,272 (est. 2005)



## LAW ENFORCEMENT

**History.** Modern Mongolian law enforcement history begins with the Communist revolution in 1921 when a Soviet-style police apparatus was set up as much to bolster Communism as to keep law and order. Internal security forces were primarily engaged in surveillance and intelligence gathering and suppression of opposition.

**Structure and Organization.** The Public Security Force operates under the Ministry of Justice and Home Affairs. The police system comprises the militia and auxiliary law enforcement groups. The ministry is also responsible for a wide range of functions, including passports, fire fighting, traffic control, prisons, border control, and criminal investigation.

The militia has a department in each province and an office in each district. It also conducts criminal investigation under the supervision of procurators. Militia organs, together with local councils administer labor sentences of convicted criminals. The Central Militia Office has a Motor Vehicle Inspection Bureau, and militiamen direct motor traffic and are stationed along railroads. The militia also includes security police and frontier guards.



In a number of towns, auxiliary police brigades help the militia in crime detection and prevention. The most important of these bodies, which includes deputy sheriffs and special policemen, are the Crime Fighting and Crime Prevention Councils, which operate without paid staff. They also conduct anticrime education and propaganda programs.

The Ulan Bator Railway Administration has mounted police patrolling the tracks for roaming livestock.

**Education and Training.** Education for all ranks is provided at the Central Police Academy in Ulan Bator. Senior officials are sometimes assigned to Russia for further training.

### Police Statistics.

- Total Police Personnel: 20,475
- Population per Police Officer: 136

## HUMAN RIGHTS

After the opening up of Mongolia to democratic influences in the early 1990s, there was significant improvement in the human rights situation. Budgetary constraints have forced the government to cut down on security personnel. The security forces are now under civilian control. However, old police traditions of beating prisoners and detainees to obtain forced confessions continue. Arbitrary arrests and detention are used indiscriminately as means of intimidation. Police corruption also is a burden on the people. In September 2002 a new criminal code was established, giving citizens procedural safeguards against abuse of authority. The government also established a National Commission of Human Rights to monitor complaints from the public and to investigate and discipline errant police officials.

## CRIME

**Crime Statistics.** Offenses reported to the police per 100,000 population: 1,010. Of which:

- Murder: 30
- Assault: 74.7
- Burglary: 486
- Automobile Theft: 2.1

## CORRECTIONAL SYSTEM

Prisons are administered by the Department of Court Decision under the Ministry of Justice. There are 28 prisons for sentenced prisoners (15 central and 13 provincial) and 21 for pretrial prisoners (1 in Ulan Bator and 20 in the provinces). The total prison population

is 6,400 sentenced prisoners only. The incarceration rate is 246 per 100,000 population. Of the total number of inmates, 4% are females and 2% are juveniles.

**Prison Conditions.** Tuberculosis is a major problem in Mongolian prisons. The government has constructed a tuberculosis hospital for prisoners, and deaths from the disease have declined significantly. Conditions in detention centers are worse than in prisons. Under the revised criminal code, the prison administration took over the responsibility for detention centers from the police. All female prisoners are held separately in one central prison at Ulan Bator. In 2001 a separate facility for juvenile offenders opened in Ulan Bator with ninety-four children. Outside the capital, juveniles between fourteen and eighteen are kept in the same centers as adults. In 2001 human rights training was initiated for prison and police guards.

## Prison Statistics.

- Total Prison Population: 6,400
- Prison Population rate per 100,000: 230
- Pretrial Detainees: 17.4%
- Female Prisoners: 4%
- Juveniles: 2%
- Foreign Prisoners: 0.1%
- Number of Establishments: 28

*George Thomas Kurian*

# Morocco

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**Official country name:** Kingdom of Morocco

**Capital:** Rabat

**Geographic description:** Northwestern tip of northern Africa, west of Spain across the Strait of Gibraltar, bordered by the North Atlantic Ocean to the west, Algeria to the east and southeast, and Western Sahara to the south

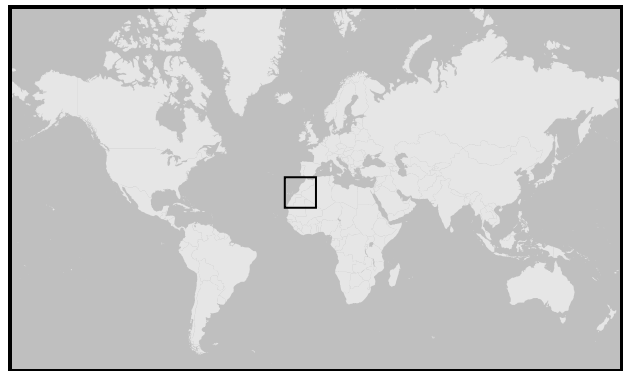
**Population:** 32,725,847 (est. 2005)



## LAW ENFORCEMENT

**History.** Under French rule, which began in 1907, internal security was maintained by French troops augmented by Moroccan recruits who were organized into four elements: *tirailleurs*, *goums*, *makhzanis*, and partisans. The *tirailleurs* were regular soldiers. *Goums* performed a number of duties, including training and building schools and hospitals. *Makhzanis* were assigned to rural areas. Partisans were local forces in remote areas recruited for special missions. In 1956, after achieving full independence, Morocco adopted the French system with two branches: the *Sûreté Nationale* and the parliamentary *Gendarmerie*. Eventually, several different forces were established, most parliamentary in nature, with overlapping responsibilities

**Structure and Organization.** Primary responsibility for the maintenance of law and order and for conducting internal security operations is exercised jointly by the country's three separate police organizations: the *Sûreté Nationale*, the Royal *Gendarmerie*, and the Auxiliary Forces. All three are modeled on their French counterparts and are regarded as paramilitary organizations.



The main law enforcement agency, the *Sûreté Nationale*, is the national police directly responsible to the king. The Royal *Gendarmerie* technically is part of the Royal Moroccan Army (*Forces Armées Royales*, FAR) and is directly responsible to the king. The Auxiliary Forces, as a quasi-national guard, is also within the jurisdiction of the Interior Ministry. The commanders of these forces are directly appointed by the king who approves all major policy decisions. The overlapping of operational functions among the three is maintained deliberately to preclude any possible threat to the throne from any one element.

***Sûreté Nationale.*** The *Sûreté*, with headquarters in Rabat, is under the command and control of a director general. It exercises primary police authority in the principal urban centers and in certain towns. It shares the patrolling of highways with the *Gendarmerie* and responsibility for frontier security with the FAR, and Auxiliary Forces. As the national agency for countersubversion, it conducts overt



**Moroccan authorities escort an African immigrant from Mali to a plane in Oujda, Morocco, October 12, 2005.** *Mali immigrants who have attempted to reach Europe by crossing through Morocco are often apprehended by authorities and sent back to their home country.* AP IMAGES.

and clandestine operations nationwide. To fulfill this responsibility, it maintains careful surveillance of foreigners and assists customs and immigration officials in certain aspects of their work.

The *Sûreté* was established by a royal *dahir* (decree) in 1956. Its structure, procedure, and operational concepts are more French than Moroccan. Except for two reorganizations, the *Sûreté* has existed without any major modification of its structure and responsibilities. During the period after the disastrous Casablanca riots in 1965, the *Sûreté* was removed from the Ministry of the Interior and made autonomous, answerable only to the king.

For administrative purposes, the *Sûreté* has six sub-directorates: Administration, Public Safety, National Security, Documentation and Regulatory Control, Judicial Police, and Inspectorate and Training. It employs four basic police units: the Urban Corps, the Mobile Intervention Companies, the Judiciary Police, and the International Security Police. The country is divided into ten regions (confusingly, each is called a *sûreté*), each under the command of a commissioner.

The uniformed Urban Corps, the largest of the *Sûreté* branches, provides most of the police services in the cities and major towns in foot, bicycle, motorcycle, or automobile patrols. They work in pairs in foot beats and on automobile patrols. They man traffic-control stations and provide crowd control. In some cases, the Mobile Intervention Companies augment the Urban Corps, and the Urban Corps augments the Judicial Police.

The Mobile Intervention Companies (*Compagnies Mobiles pour l'Intervention*, CMI) is a uniformed and motorized police unit. Its major mission includes crowd control, policing public functions, and providing emergency services in times of civil disasters or natural catastrophes. With the *Gendarmerie*, it patrols the major highways. Motorcycle CMI companies serve as guard of honor for dignitaries. The CMI is deployed in Rabat, Casablanca, Fez, Marrakech, Meknes, Oujda, and Tetouan.

Criminal investigation is the responsibility of the Judicial Police. All nonuniformed employees of the *Sûreté* are certified to act as Judicial Police officials. Its operations cover the entire range of criminal offenses,

including arrest. It acts in criminal cases under the technical direction of the prosecutor and his deputies. In such cases, it functions as an arm of the court system.

The least-publicized unit of the *Sûreté* is the Subdirectorate for Internal Security, which is the police intelligence service. It is under the direct supervision of the director general, and most of its operations are clandestine. It does not make arrests but passes on its information to the Judicial Police for follow-up, arrest, and prosecution. The Countersubversion Section of this subdirectorate is organized to deal with antimonarchists, radical Islamic groups (such as al Qaeda), Communists, labor unions, and political parties. The Counterespionage Section is concerned with activities of foreign embassies and sensitive industrial and commercial enterprises. All other matters of internal security are assigned to the General Activities Section. These three sections are supported by the Technical Section, which provides communications and technological capabilities. This section utilizes boats, aircraft, and helicopters.

The *Sûreté* plays an important role in immigration and emigration control through the Subdirectorate for General Documentation and Regulatory Control, in particular its Immigration division, which issues bulletins concerning arrivals and departures of certain categories of aliens; maintains lists of persons denied entry; monitors movements of foreign vessels and aircraft in Moroccan air and sea space; expels undesirable aliens; scrutinizes requests for visas and work permits; and keeps records of foreigners who die in Morocco, children born of foreign parents, and marriages between Moroccans and foreigners. The Customs Service is a separate department under the Ministry of the Interior, but the *Sûreté* works in close cooperation with it.

**Royal Gendarmerie.** The *Gendarmerie* is the main police unit in rural areas. Its commander and many, if not most, of its upper- and middle-level officers are drawn from the army. The rest of its personnel are volunteers who have elected to serve five-year tours of duty. Technically, the *Gendarmerie* is under the operational control of the army, but in practice is personally supervised by the king. In addition to its general mission of enforcing public order, the *Gendarmerie* provides assistance and support to a number of other government agencies. It serves as the army's Military Police, the Truant Police for the Ministry of Education, as tax collectors for the Ministry of Finance in rural areas, and as the statistical arm of the Ministry of Transportation collecting statistics on highway traffic.

With national headquarters in Rabat, the *Gendarmerie* is organized into companies that are deployed throughout the country. The companies are, in turn, divided into sections and brigades, the latter being its basic operational

units. Motorcycle brigades share responsibility for highway traffic control with CMI. Jeep-mounted brigades patrol sections of rural territory, and dismounted brigades operate police posts in small villages. The centrally located Mobile Group is maintained for rapid-response deployment to assist in riot control and other special emergencies.

After coup attempts by elements of the army and air force in 1971 and 1972, the *Gendarmerie* was built by the king as a counterpoise to the military. The Mobile Group was expanded by two companies, and the regular force was expanded by five territorial brigades, an additional brigade to assist the Judicial Police, one parachute squadron, air and maritime units, and four new armories. The *Gendarmerie* also acquired four depots for stockpiling arms, ammunition and other equipment, and air and maritime units for patrolling air- and waterways.

**Auxiliary Force.** The Auxiliary Force consists of provincial and municipal guards—collectively referred to as the Administrative Makhzani and a contingent known as the Mobile Makhzani. In other countries, this force would be termed the National Guard. They operate under civil administrative authorities at local levels and an inspector general of the Ministry of the Interior at the national level.

Military in character, the nonuniformed Administrative Makhzani personnel are recruited from the local areas to which they are assigned. Many of its members are army or *Gendarmerie* retirees who have some military experience but little, if any, instruction in law enforcement. When assigned to a province, they are under the command of a governor. Their responsibilities include guarding buildings and bridges, patrolling *souks* or markets, acting as messengers and minor clerks for local authorities, serving as arbitrators in the frequent water and grazing disputes, and assisting uniformed police forces whenever needed. It has a limited number of motor vehicles, such as jeeps, light trucks, motorcycles, and bicycles, but some units still use camels for patrolling desert areas.

The larger Mobile Makhzani is a well-equipped, modern paramilitary force. Its companies, each about 150 officers and men, are motorized and are specifically trained to control riots and put down demonstrations. These company-size units are deployed throughout the country, at least one in each province and others near major population centers. Its two principal missions are patrolling the key border areas and rapid intervention in situations beyond the capabilities of the other branches of the police. The companies are controlled operationally by the provincial and prefectural governors, but when employed as intervention forces, they are under the operational control of the *Sûreté* regional chief in urban areas or the *Gendarmerie* commander in rural areas. Both



in armament and transport, these mobile companies are greatly superior to the Administrative Makhzani.

**Police-Community Relations.** Except for the plain-clothes investigations police, others enjoy a relative degree of public confidence. Tourists in Morocco speak well of the efficiency and courtesy of the policemen they encounter.

**Education and Training.** Entrance to the *Sûreté* is through competitive examinations. Recruits must be fluent in both Arabic and French, be of good moral character, be free from police record, be between the ages of 21 and 35, and have at least primary school education.

Until about 1970 the uniformed police were mostly illiterate and untrained because of poor pay, poor service conditions, long working hours, and limited opportunities for advancement. Following the military-led coups of 1971 and 1972, the king initiated a number of reforms to bring the police to a level comparable to that of the FAR in pay, fringe benefits, and quality of personnel. In addition to a salary commensurate with that paid to other civil servants, the police received subsidized housing, a family allowance, a hazardous-duty allowance, and overtime. In addition, the *Sûreté* maintains medical centers throughout the country for police personnel and their families, and employees receive private hospital insurance plans, pension plans, and medical disability coverage.

Initially, police personnel were trained either on the job or in French, German, British, or U.S. police academies. With French assistance, training facilities were established at two sites in Morocco: Sidi Othmane, near Casablanca, and Sale, on the outskirts of Rabat. The former is a general training school and the latter a specialized training school. In 1965 the National Police Academy was established near Meknes. Personnel assigned to field units received instruction from French specialists in criminal investigative procedures, traffic control, licensing inspections, visa control, laboratory techniques, use and care of firearms, and first aid. Officer training is conducted at the Royal Military Academy near Meknes and the Royal *Gendarmerie* School for Professional Training at Kenitra near Marrakech. The *Gendarmerie* has a network of regional instruction centers.

**Uniforms and Weapons.** Routinely, the Urban Corps are armed with automatic pistols and rubber billy clubs. In times of riot, the corps is provided with steel and plastic helmets, service pistols, submachine guns, rifles, and tear-gas grenades. The *Gendarmerie* forces are armed with rifles, submachine guns, automatic rifles, tear-gas grenades, and water-pump trucks. To the extent that it is armed, the Administrative Makhzani is equipped with side arms, rifles of World War II vintage, and rubber billy clubs.

#### Police Statistics.

- Total Police Personnel: 36,482
- Population per Police Officer: 1,007

#### HUMAN RIGHTS

Members of the security forces commit serious human rights violations. In several incidents through 2000 and 2001, the police beat and violently dispersed demonstrators. Several persons died in police custody. Suspects are held incommunicado and family members are not informed. The government admits past torture and police abuses, which are reported to still occur in order to extract confessions or force prisoners to sign statements. In late 2004 the government drafted a proposal to include severe physical and mental abuse in laws against torture in accordance with the International Convention against Torture.

#### CRIME

**Crime Statistics.** Offenses reported to the police per 100,000 population: 366. Of which:

- Murder: 1.4
- Assault: 6.7

#### CORRECTIONAL SYSTEM

The Moroccan Penal Code, with its three books and 600 articles, reflects the legal traditions of France as well as the Sharia. Offenses are divided into four categories: crimes, *delits*, *delits de police*, and contraventions, which correspond to felonies, misdemeanors, less serious misdemeanors, and minor violations. Sections of the code are expressly designed to protect Islam and the monarchy through harsh punishments. Rounding out the statutory basis of the criminal justice system is the 1959 Code of Criminal Procedure, consisting of seven books with 772 articles.

At independence, the responsibility for the prisons was transferred from the police to the Ministry of Justice. The ministry's Department of Penitentiary Administration operates thirty-four prisons and correctional institutions, including central prisons at Rabat, Meknes, Fez, Settat, Oujda, Marrakech, Kenitra, Casablanca, and Tagounite. Ain Borja and Centrale prisons in Kenitra are maximum-security institutions; the remainder is medium-security institutions. There is one juvenile correctional institution at Kenitra.

Amnesty International identifies seven large detention centers: two in the vicinity of Casablanca, one in Mulay Cherif, another in old workshops that serve domestic flights at Anfa Airport, one at Dar el-Mokri near Rabat, one south of Kenitra on the road to Rabat, and one near Oujda in the

## *Morocco*

far northeast near the Algerian border. French sources cite the existence of similar detention centers at police villages in Agdal, on the Romani Road near the capital, and in Marrakech. Further, they report prison camps at Assa near the Draa River in the southwest and at phosphate quarries in the central part of the country.

**Prison Conditions.** Prison conditions remain harsh, often as a result of chronic overcrowding, malnutrition, and lack of hygiene. In 2000, fourteen prisoners died in Oakacha Prison in Casablanca due to unhygienic and inhumane conditions. Most prisons lack adequate medical care and personnel. The media also report widespread corruption, drug use, and violence. Young first-time offenders are housed together with hardened criminals. However, there are vaccination programs for some prisoners, the budget for medical care increased 61 percent from 1998 through the end of 2000, and deceased inmates now undergo

autopsies to determine cause of death. Also, alternatives to imprisonment for some crimes are being considered.

### **Prison Statistics.**

- Total Prison Population: 54,200
- Prison Rate per 100,000: 166
- Pretrial Detainees: 40.7%
- Female Prisoners: 3.3%
- Juvenile Prisoners: 0.5%
- Number of Prisons: 53
- Official Capacity of the Prison System: 35,000
- Occupancy Level: 155.1%

*George Thomas Kurian*

# Mozambique

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**Official country name:** Republic of Mozambique

**Capital:** Maputo

**Geographic description:** On the east coast of Africa bordering the Indian Ocean, with South Africa to the south; Zimbabwe to the west; and Zambia, Malawi, and Tanzania to the north

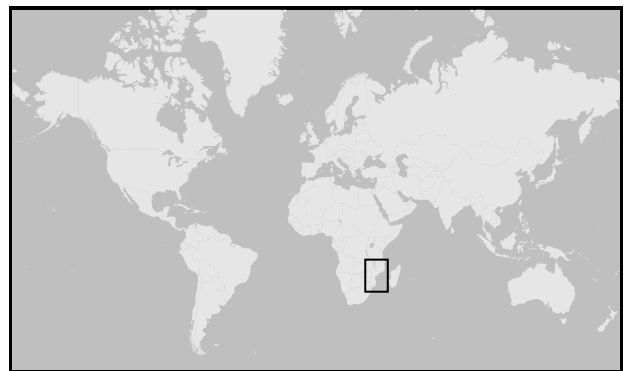
**Population:** 19,406,703 (est. 2005)



## LAW ENFORCEMENT

**History.** Immediately after the departure of the colonial Portuguese government, lawlessness prevailed in the country for many years. Troops of the ruling organization, Front for the Liberation of Mozambique, organized under Marxism, acted as police, arresting their opponents. Police sweeps were common in the cities, aimed at non-Marxists and social deviants. The Public Security Force, the nation's first national police force, was formed in February 1975. Eight months later, it was transformed into the National Service of Popular Security. At the same time, the Mozambique Police Corps was set as a parallel law enforcement agency. It included the Criminal Investigation Police and the Fiscal Guards, which comprised customs, immigration and port police.

**Structure and Organization.** Internal security forces are under the Ministry of the Interior. They include three agencies: The Criminal Investigation Police, the Mozambican National Police, and the Rapid Intervention Police. Criminal Investigation is a specialized, plainclothes unit in charge of criminal investigation and apprehension



of suspects. Mozambican National Police is the principal law enforcement agency and is under the administrative control of a director based in Maputo. Under him are deputy commissioners in charge of administration, traffic, personnel, operations, and communications. Territorially, there are provincial directors of police who report to the provincial governors. Most towns and cities have police stations under the command of an inspector.

**Education and Training.** Until the establishment of a Training School in Maputo in the 1980s, most policemen were untrained and owed their jobs to political and party connections. The Training School provides two-year preparatory courses for recruits.

## HUMAN RIGHTS

The human rights situation in Mozambique has shown much improvement, but numerous abuses persist, especially excessive use of force, torture, and unlawful killings. These abuses are even more pervasive because of

## *Mozambique*

widespread police corruption. Many deaths are reported because of police abuse. Arbitrary arrest and lengthy pretrial detention are common. In 2001, one hundred detainees died in their cells due to asphyxiation. The League of Human Rights reports that police are involved in sexual abuse of women. There are checkpoints in many highways where police detain travelers and demand bribes before allowing them to proceed.

### **CRIME**

**Crime Statistics.** Offenses reported to the police per 100,000 population: 166. Of which:

- Murder: 4.2
- Assault: 9.2
- Burglary: 45.9

### **CORRECTIONAL SYSTEM**

Prisons are controlled by two ministries: The Ministry of Home Affairs is in charge of maximum security prisons, and the Ministry of Justice is in charge of all others. Maximum security prisons are administered by the head of the prison department and other prisons by the national director of prisons in the National Directorate of Prisons. As well as penitentiaries and central and provisional prisons, there are 42 open centers and some district branch prisons.

**Prison Conditions.** In general, prison conditions are extremely harsh, overcrowded, and life threatening. Commonly, prisoners are fed once a day, usually with only beans and flour. Families are permitted to bring food, but there have been reports of guards extracting bribes to deliver the food.

**Prison Statistics.** The principal prisons and their actual population in 2002 were as follows (with official capacity in parenthesis):

- Beira Central Prison: 705 (400)
- Tete Prison: 540 (150)
- Manica Prison: 608 (200)
- Imhambane Provincial Prison: 199 (99)
- Nampula Prison: 724 (100)
- Cabo Delgado Prison: 338 (100)
- Gaza Prison: 222 (100)
- Niassa Prison: 356 (100)
- Zambezia Prison: 446 (150)
- Maputo Central Prison: 2,450 (800)
- Maputo Machava Maximum Security Prison: 600

The National Directorate of Prisons also had an agricultural colony in Mabalane and industrial penitentiaries in Nampula and Maputo.

- Total Prison Population: 8,812
- Prison Rate per 100,000: 45
- Pretrial Detainees: 72.9%
- Female Prisoners: 6.3%
- Number of Prisons: 27 (penitentiaries and central and provisional prisons)
- Official Capacity of the Prison System: 6,119
- Occupancy Level: 144%

*George Thomas Kurian*

# Namibia

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**Official country name:** Republic of Namibia

**Capital:** Windhoek

**Geographic description:** Southwest Africa on the South Atlantic Ocean, with Angola to the north, Botswana to the east, and South Africa to the south

**Population:** 2,030,692 (est. 2005)



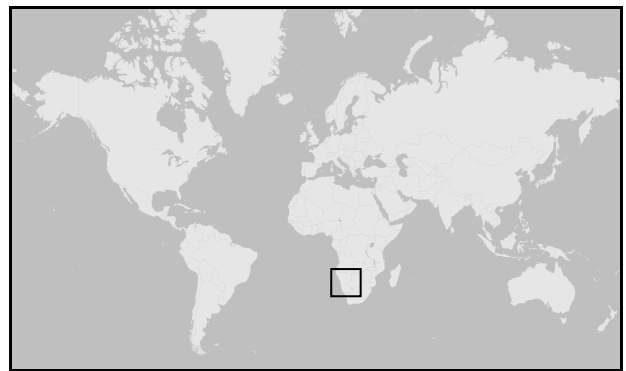
## LAW ENFORCEMENT

**History.** The Namibian Police Force was first organized by the German colonial government and was based in Windhoek. There was little or no law enforcement outside the capital except for mobile patrols. On independence in 1990, the force was transferred to the new government, with few changes in structure and operational controls.

**Structure and Organization.** The inspector general of police reports directly to the Ministry for Home Affairs, which also controls the paramilitary Special Field Force. Each of the thirteen administrative divisions has a regional headquarters. There are field posts in all major towns. There are 104 police stations, 27 substations, 21 satellite stations, and 19 border posts. Intelligence and criminal investigations are handled by the National Central Intelligence Service (NCIS).

**Education and Training.** Recruits undergo basic training at the Pius Josef Kaundu Training Center. Senior officials received specialized training at the Patrick Iyambo Police College.

**Uniforms and Weapons.** Police are armed. They also use *sjamboks*, or heavy leather whips.



## HUMAN RIGHTS

Despite training courses in human rights, policemen continue to commit severe human rights abuses.

## CRIME

**Crime Statistics.** Offenses reported to the police per 100,000 population: 2,006. Of which:

- Murder: 26.3
- Assault: 533.6
- Burglary: 692
- Automobile Theft: 65.8

## CORRECTIONAL SYSTEM

The nation's prisons are administered by the Namibia Prisons Service under the Ministry of Prisons and Correctional Services through the Commissioner of Prisons.

## *Namibia*

**Prison Conditions.** Although prison conditions are substandard, they are free from the unfavorable excesses found in many other African countries. The main problems are overcrowding and poor maintenance. Victims of abuse are able to pursue legal remedies. Women are separated from men and juveniles from adults, but pretrial detainees are housed together with convicted felons.

### **Prison Statistics.**

- Total Prison Population: 4,814
- Prison Population Rate per 100,000: 240

- Pretrial Detainees: 5.2%
- Female Prisoners: 1.8%
- Juvenile Prisoners: 5.5%
- Number of Prisons: 13
- Official Capacity of the Prison System: 3,822
- Occupancy Level: 126%

*George Thomas Kurian*

# Nauru

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**Official country name:** Republic of Nauru

**Capital:** Yaren District

**Geographic description:** Island in the South Pacific Ocean south of the Marshall Islands

**Population:** 13,048 (est. 2005)



## LAW ENFORCEMENT

**Structure and Organization.** One member of the local government council is designated as responsible for maintenance of public order and is designated director of police. He supervises a force of 114 constables.

### Police Statistics.

- Total Police Personnel: 114
- Population per Police Officer: 114

## CRIME

**Crime Statistics.** Offenses reported to the police per 100,000 population: 1,650. Of which:

- Murder: 25
- Assault: 400
- Burglary: 100

## CORRECTIONAL SYSTEM

The island has only one prison, which is minimum security and administered by a council member



in charge of justice who is responsible to the Nauru Police Department. Most inmates are incarcerated for very short periods, generally for drunkenness or domestic violence.

**Prison Conditions.** Although basic, the prison meets international standards. Women are segregated from men, juveniles from adults, and pretrial detainees from convicted felons.

### Prison Statistics.

- Total Prison Population: 3
- Prison Population Rate per 100,000: 23
- Number of Prisons: 1

*George Thomas Kurian*

# Nepal

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**Official country name:** Kingdom of Nepal

**Capital:** Kathmandu

**Geographic description:** Landlocked rectangular-shaped country in the southern foothills of the Himalayan mountain range, bordered by China to the north and India to the west, south, and east

**Population:** 27,676,547 (est. 2005)



## LAW ENFORCEMENT

**History.** Until the middle of the nineteenth century, police and judicial functions were in the hands of the local princes or rajas who were virtual autocrats. Outside the capital, the local governors appointed headmen and village councils to maintain order, but the scope of police activity varied with local customs. Generally, justice was capricious and punishments harsh. Torture by fire and water or mutilation were not abolished until 1851. Court sentences and police powers were influenced by the caste and social standing of the offenders. Brahmans and women were exempted from capital punishment.

Because of the relative isolation of most communities, law and order were maintained by small detachments of the civil police force supplemented by a few locally recruited policemen. In the mountain areas, there was no effort to enforce central government authority, and local communities maintained their traditional autonomy.

The Ranas, who controlled the government at the turn of the twentieth century, made the first effort to establish a modern police system. Prime minister Dev



Shamsher Rana, who ruled from 1901 to 1929, modernized the police forces in the capital. Villages, however, still policed themselves. The militia exercised some police functions, although their main mission was to protect the people from bands of bandits, known as *dacoits*, common in the Tarai border areas.

In 1950–1951, the Ranas were overthrown. The Nepali Congress, which then rose to power, had a paramilitary arm of some five thousand men known as the Raksha Dal. This group was invested with police powers. The new government created four more distinct police organizations: the Civil Police, of 2,000 men; the Randal or Kathmandu Police, of 500 men; the militia, of 15,000; and military detachments attached to police posts of 1,000 men, all under the Ministry of Home Affairs.

Within two years, the police department was shaken by a series of political events. In 1952 the Raksha Dal supported Kunwar Indrajit Singh in his uprising. In





*Authorities stand guard outside the Royal Commission for Corruption Control offices in Kathmandu, Nepal, while former Nepali Prime Minister Sher Bahadur Deuba faces interrogators inside, April 27, 2005. Deuba was apprehended at his house that morning after he failed to show up before a commission for charges of suspected corruption associated with a road-building contract. AP IMAGES.*

1953 a police-inspired plot to overthrow the government was uncovered. More than eighty police officials were arrested, and the inspector general of police was forced to resign. In rural areas, the police were totally ineffective against better-organized party activists.

In 1952 the government requested Indian assistance to overhaul the law enforcement system. A police training school was established, and some Nepali policemen were sent to the Indian police training school at Moradabad near New Delhi. In 1954 the five law enforcement groups were consolidated into a single group under central government control. The militia was disbanded and reconstituted as a "road army" to help build roads. Military detachments doing police duties were returned to their military duties. The Civil Police, Raksha Dal, and Randal were merged into one. The pay and allowances of the personnel were increased. In 1955 King Mahendra promulgated the Nepal Police Act, which marked the beginning of the modern police system in the country.

**Structure and Organization.** In accordance with the Nepal Police Act, the country is divided for police purposes into five zones or ranges: Far Western, Midwestern, Western, Eastern, and Central, with headquarters at Biratnagar (Eastern Tarai), Kathmandu (Kathmandu Valley), and Nepalganj (Far Western Tarai) respectively. Each zonal headquarters, under a deputy inspector general of police, is responsible for several subsections composed of four or five police districts operating under a superintendent of police. Each station normally is headed by a head constable. He is in charge of several constables who perform the basic police functions. Each constable customarily is responsible for three or four villages. The overall system includes 21 police inspectors, guards for the 32 *bada hakim* (governors), 43 tax collection offices, and personnel for 291 outposts. There are 15 zonal offices, 75 district offices, 340 police stations, and 937 police posts. The Central Police headquarters, under an inspector general of police, is under the Ministry of Home Affairs. The

## *Nepal*

headquarters comprises the Criminal Investigation Division, Intelligence, Counterespionage, Traffic and Radio sections, the Traffic Police Company, the Central Training Center and a band.

**Education and Training.** All officers in the Nepali Police Force are graduates of the Police Academy at Bhimphedi, southwest of Kathmandu. Bhimphedi also provides refresher courses for midcareer officers.

### **Police Statistics.**

- Total Police Personnel: 45,481
- Population per Police Officer: 608

### **HUMAN RIGHTS**

The continuing Maoist insurgency in Nepal sets the background for human rights abuses committed by police and military forces. Torture is used routinely to extract confessions. The disappearance of persons in custody is a serious problem. There are several instances of deaths while in police custody. A National Human Rights Commission was appointed in 2000 to investigate allegations of police brutality. However, police officers involved in cases of brutality are rarely punished. Police are unwilling to discipline fellow officers, and member of the general population are afraid to bring cases against the police for fear of reprisals.

### **CRIME**

**Crime Statistics.** Offenses reported to the police per 100,000 population: 9. Of which:

- Murder: 2.8
- Assault: 1.1
- Burglary: 0.8

### **CORRECTIONAL SYSTEM**

The corrections system consists of a central prison at Kathmandu and at least one jail in the district capitals, all administered by the Ministry of Home Affairs.

**Prison Conditions.** Because of lack of facilities, juveniles are incarcerated with adults. Sick persons are generally transferred to hospitals. Women normally are incarcerated separately from men but under similar conditions. Prisons offer medical treatment, recreational facilities, and visiting privileges for relatives. Prison workshops are supervised by the Cottage Industries Department.

### **Prison Statistics.**

- Total Prison Population: 7,132
- Prison Population Rate per 100,000: 26
- Pretrial Detainees: 59.8%
- Female Prisoners: 8.3%
- Number of Prisons: 73
- Official Capacity of the Prison System: 5,000
- Occupancy Level: 142.6%

*George Thomas Kurian*

# Netherlands

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**Official country name:** Kingdom of the Netherlands

**Capital:** Amsterdam

**Geographic description:** In western Europe, bordering the North Sea between Germany and Belgium

**Population:** 16,407,490 (est. 2005)

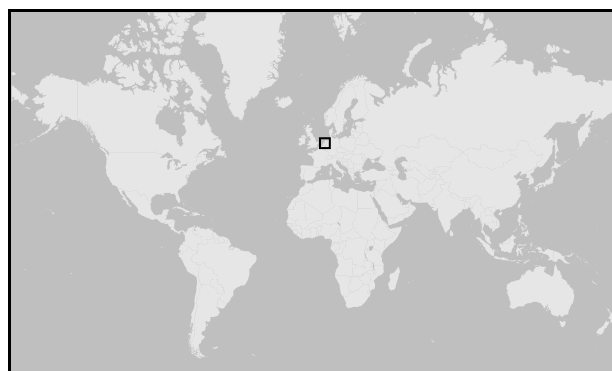


## LAW ENFORCEMENT

**History.** Two foreign occupations of the Netherlands have been influential, both positively and negatively, in the development of the Dutch police forces. The first was the French occupation from 1795 to 1813, from which the Netherlands emerged as a unified state and during which time the modern police system began. The second was the German occupation from 1940 to 1945, which led to drastic reforms in the system.

Before the French occupation of the United Netherlands, police affairs were a matter of local administration and the courts. After the occupation, during which the police were a part of the French State Police, the regional police forces were revived, but their functions, although locally performed, were not completely municipal, and the lines of organization were not clearly drawn. This arrangement resulted from the French-inspired judicial organization in which the prosecuting office is attached to the courts under the authority of the Ministry of Justice. As a result, criminal investigations and prosecutions fall under the authority of the public prosecutor.

Another new force, a statewide military force, originated with the police authority. At first called the



Force *Marechaussee*, it was later called *Wapen der Koninklijke Marechaussee* in Belgium, with which the Netherlands was united. It came into being in 1814 to replace the French *Gendarmerie*, which had returned to France.

At first these forces worked only in the south, but later they were spread thinly over the Netherlands and were charged with civil police services. As far as organization and management were concerned, the Force *Marechaussee* fell under the Ministry for War while the police fell under the Ministry of Justice. In 1851 the system was completely overhauled through the Municipal Act, which created a civil police force under the authority of the Ministry of Justice. Called *Het Korps Rijksveldwacht*, it began to function on January 1, 1858, and by World War II consisted of 1,260 men.

Several attempts to unify the forces failed. In fact, until the German invasion of 1940, three kinds of police existed side by side. The first was the city police, based on

the Municipal Act of 1851 and regulated by municipal bylaws and which functioned in nearly all communities—in the towns in the form of forces and in the country villages in the form of one or more police officials (*gemeenteveldwachters*). There were also two state police forces of restricted personnel strength—the military *Marechaussee* and the Civil *Rijkveldwacht*. Also in the cities a third type of police: the *Korps Politiegroepen* formed in 1918 to replace the *Koninklijke Marechaussee* in military duty. This was an army unit of no more than seven hundred men who assisted the police, especially in cases of large disturbances. This multiplicity of police forces with overlapping jurisdictions and competing authorities and regulations gave rise to what was known as the Police Question.

During the German occupation, the Germans tried to bring all police forces into a unified organization. However, before it could be accomplished, the war was over, and the unification attempt met considerable resistance from the nationalist police authorities. The organizational chaos the Germans left behind after liberation forced a serious effort to solve the Police Question. The response was the Police Act of 1957, the first legal regulation of police in the history of the Netherlands. The act established two police forces: regional forces (*gemeentepolitie*), appointed by the Crown in urban communities with 25,000 or more inhabitants, and one statewide police force, the State Police (*Het Korps Rijkspolitie*), in other areas, under the authority of the Ministry of Justice. While these two civil police branches were melded together in 1993, each body is discrete with separate organization and function. The *Koninklijke Marechaussee*, on the other hand, continued to function as a military police unit of the army, but it lost all its prewar civil police duties although it may still be called upon to assist the police on special occasions.

**Structure and Organization.** In police administration, a distinction is made between management and authority. Daily management falls to the mayor, who appoints, suspends, or dismisses all police officials with the exception of the chief commissioners and commissioners, who are appointed by the crown. But the authority to determine official policy, strength, formation, general legal status, recruitment, education, and budget falls under the Ministry of the Interior and Kingdom Relations. The annual police budget is prepared by this ministry. Operational management is based on studies of the police force's effectiveness, quality, and performance. Public opinion on police work is charted periodically by means of *Politiemonitor*, an extensive poll.

The authority and management of the state police fall under the authority of the Ministry of Justice, but the commanding officers are appointed by the Crown. Despite the duality of management and authority, the

police operate as a unified body. The police forces are responsible to the mayor for maintenance of law and order and to the public prosecutor for detection of crime and execution of sentences. The Police Act corrected many organizational shortcomings of prewar days but it did not solve the dichotomy in the chain of command. As a result, many attempts have been made since then to reform and modernize the system.

The Dutch police are organized into twenty-six forces, twenty-five of them regional and the twenty-sixth the National Police Services Agency (*Korps Landelijke Politiediensten*, KLPD). The regional forces are divided into districts and units, and districts are generally divided into base units. In terms of jurisdiction, police function under a dual authority:

- The Ministry of Justice, responsible for law enforcement
- The Ministry of the Interior and Kingdom Relations, responsible for local police

Municipal mayors are responsible for maintenance of public order in the municipality in which the force is stationed. The queen's chief constable is the commander of the municipal police in operational matters. Overall control for internal security is the responsibility of the Ministry of Interior and Kingdom Relations, as is the National Police Services Agency, which is commanded by the director general of public order and safety. In matters relating to criminal law and investigation and enforcement of judicial decrees, the competent authority is the public prosecutor. Public prosecutors report to the Board of Procurators' General, which in turn reports to the minister of justice. Thus, the police force combines two functions—maintenance of public order, and investigation of criminal offenses—but have two chains of command. The twenty-five regional forces have a great degree of operational freedom in matters such as finance, personnel, materials and buildings, information, and automation. The mayor of the largest municipality in a region is the commander of a regional police force and is the link between the Ministry of the Interior and Kingdom Relations and the regional police chief, who is the de facto field commander. Police headquarters is usually located in the largest municipality in the region. Major policy decisions are taken by the regional board, which consists of all the mayors of the region and the chief public prosecutor.

Because of the bifurcation of police responsibilities between the two ministries, the jurisdiction of each ministry is clearly spelled out in administrative regulations. The minister of the interior and kingdom relations is the principal person for maintaining public order and security and is indirectly responsible for the twenty-five regional police

forces and directly responsible for the National Police Services Agency. He is also responsible for training and education of police personnel and police budgets. The minister of justice is responsible for the enforcement of criminal law and the criminal justice system, including the procurators general.

**Police at Work.** Working hours are figured on a four-week period of 168 hours divided into a weekly schedule of forty-two hours or a daily schedule of eight and a half hours.

All members of the police force receive various allowances of 8–15 percent in addition to regular salary for irregular service. There is a special pay for shift service, clothing, children, and vacations. Agents are automatically promoted after five years to head agent. Salary scales follow those for general civil servants. All officials get a vacation allowance of 7 percent of annual salary. The official retirement age is 65, but executives may retire at 60. The maximum pension is 70 percent of salary after 40 years of service. Vacation time is linked to salary and varies from 22 to 30 days a year. Police personnel receive between 16 and 23 days of vacation a year. In addition, they receive an extra day of vacation for each 5 years of service after the age of 30. All members of the force have medical coverage under which they may choose their own physician and receive 80–100 percent reimbursement for medical expenses.

Members of the regional police forces are unionized. The major unions are the Dutch Trade Union, the Christian Trade Union, and the Catholic Trade Union. Members of the National Police Services Agency have their own federation. Those of higher rank may join the Organization of Chief Police Officials.

**Regional Police.** Regional police forces are characterized by the absence of compulsory central regulations. They are autonomous within their own jurisdictions, which means in principle they exclusively perform police duties in their communities. This rule has a few exceptions during emergencies, when state police services may intervene, as declared in the Police Act.

In larger cities there is considerable specialization and organizational differentiation, but in a middle-size force, a regional police force is divided into three main parts:

- The Uniformed Division (*de Algemene Dienst*), consisting of the patrol squad, the traffic squad, and the Bureau of Licenses and Special Bylaws
- The Detective Division (*de Justitiele Dienst*), consisting of the General Detective Bureau, the

Juvenile and Vice Squad, and the Technical Investigation and Identification Bureau

- The Administrative Division (*de administratieve Dienst*)

Most regional police forces have a technical squad that concentrates on technical matters, such as footprints, and fingerprints.

Regional units vary greatly in size. In Amsterdam-Amstelland with over 850,000 residents, the police strength is 5,000, or one police officer for every 169 residents. In Gooi-en-Vechtstreek, with 245,000 residents, there are 550 police officers, or 1 police officer for every 445 residents. Of the 141 smaller units, only 12 have a strength of more than 300, and no less than 97 have less than a strength of 100. Only 5 of the largest cities have more than 500 officers.

A base police unit has one or more police stations. The primary tasks of each station are to:

- Patrol the area by car, motorcycle, bicycle, or foot
- Provide emergency assistance
- Record reports of crime
- Keep in touch with community and neighborhood groups
- Mediate disputes
- Investigate crimes
- Manage traffic flows and investigate traffic accidents
- Enforce environmental regulations
- Enforce local ordinances

Other areas of concern to police are quality-of-life crimes and crimes against public morals, such as child pornography and child prostitution. Even though most laws relating to adult pornography and adult prostitution have been taken off the statute books, those against child pornography and child prostitution are strictly enforced. Several regions have environmental bureaus performing comprehensive environmental policing. Environmental offenses are classified into three categories. The more serious offenses require the intervention of environmental protection officers.

As already noted, management of the regional police is actually a partnership between the state and the community. This means that the state is in charge of making the regulations, determining force strength, and paying costs. In the capacity as chairman of the city council, the mayor of each city has a strong role in management of personnel and materiel, and appoints, promotes and dismisses all police officers with the exception of the chief commissioners, who are appointed by the Crown in

consultation with the mayor. The city council functions as a watchdog. Daily management and administration is in the hands of the chief of police, who is always a professional and career official. In communities of 40,000 or more inhabitants (there are 67 such communities) the chief of police has the rank of a commissioner. In communities of 125,000 or more inhabitants, the rank is chief commissioner.

The regional police have two other groups of officials. The first group consists of unpaid officials (*onbezoldigd ambtenaren*), who are public functionaries without formal police status, and social detectives, who are officials in charge of preventing the misuse of public security measures. The second group is the reserve police, first organized in 1948, one function of which is to assist the regular police in countersubversive activities and during war or national emergencies. This group, who are uniformed and armed, perform under the authority of the regular police and are generally volunteers who are appointed by the mayor.

Regional police have the following ranks:

- Commanding officers: head official first, second, and third class; official first, second, and third class; and supernumerary
- Others: adjutant, brigadier (sergeant), head agent, agent, and aspirant

Commanding officers also have functional titles. A chief commissioner can be appointed in the rank of head official first or second class; commissioner in the rank of head official, second, or third class; or official first class. A chief inspector can be appointed in the rank of first or second class. An inspector can be appointed in the rank of official second or third class. An assistant inspector can be appointed in the rank of supernumerary.

#### *Special Police.*

*Riot Police:* In emergency situations, the regular police is augmented by the riot police. There are 45 riot squads in the kingdom, each consisting of approximately 50 members. Nine of these squads have jurisdiction over maritime and river vessels. Large city forces have 4 riot squads each while rural ones have only 1 each. Members of the riot squads have special gear and weapons. A primary function of the riot squads is to control football (soccer) hooliganism, which is a bane of European sports. At the national level, there is a central office for control of football hooliganism located in Utrecht. There is also a computerized Football Data Collection System that maintains surveillance on known hooligans and the clubs they attend.

*Detective Division:* Within each police force is the detective unit charged with criminal investigation. There

are base units at each police station and also regional units. The detective force is supported by allied units, which are often centrally organized. These consist of departments involved in collecting information such as identification and intelligence services. Identification services collect and process hard information and produce computer records. The criminal intelligence unit focuses on soft information, including interrogations and interviews that are privacy sensitive. Some forces also have surveillance teams and arrest squads.

*Arrest Squads and Police Infiltration Teams:* There are eight arrest squads active in several regions. An arrest squad is responsible for apprehending suspects who are armed and dangerous. Members of these squads receive specialized training and have special equipment. They also guard and protect the transport of witnesses, suspects, and prisoners, and guard and protect valuable objects. Another supraregional group, the Police Infiltration Team, infiltrates terrorist or antisocial groups and gangs. Each region has its own observation team, which provides support for investigations.

*Special Assistance Units:* A Special Assistance Unit is one that is deployed in case of hostage taking and terrorist acts. It consists of police officers, including marine and army personnel.

**National Police Services Agency.** The National Police Services Agency comprises the state police force and special officials with police status. The former is the largest police force in the country. The operational head of the force is the inspector general, who holds a rank equivalent to that of a general in the army and is headquartered in Voorburg, near the Hague. All 217 commanding officers are appointed by the Crown and others below that rank by the Minister of Justice. The National Police Services Agency performs law enforcement duties in all the 676 communities where there are no regional police forces. By far the largest part of the force is made up of the *landdienst*, divided into seventeen districts. These are divided into groups, which, in turn, are divided into posts. The strength of these posts may vary from nine to fifty-three people. Ranks for commanding officers are: inspector general; and directing officials first, second or third class. Below them are adjutants, sergeants, head agents first class; agents, and aspirants.

#### *Principal Agencies and Divisions.*

*National Criminal Intelligence Service:* At the core of the National Police Services Agency is the National Criminal Intelligence Service (NRI), which operates under a chief commissioner and eight commissioners and which is in charge of antiorganized crime activities, fingerprinting, and forensic laboratories. It is the principal contact office for Interpol, Europol, and the *Schengen* Information System. Besides an internal General



**Police in Rotterdam, Netherlands search for evidence near a car that was torched during the night, November 13, 2005.** Authorities said several youths burned four cars during the night and damaged numerous others in a working-class neighborhood of the city. Police were investigating if there was any connection to French riots that occurred nearby in recent weeks. AP IMAGES.

Administration Department, the NRI has two external departments. The first is the Information Department, which issues publications such as the *Criminal Investigation Information Bulletin*, and runs a television program similar to the show *Most Wanted* in the United States. The Information Department handles the Central Record Bureau, which stores fingerprints and other police registrations. Another of its subsections is the Circulation Section.

Because combating serious and organized crime requires great expertise, and because most regional police forces are too small to build up pools of expertise in specialized fields, five core teams represent groups of regional police forces. These teams function under the aegis of one of the participating regions. A core team is a relatively small unit of fifty to ninety persons who serve for five years. Core teams focus on one or more of the following special areas:

- Organized crime
- Synthetic drugs, which comprises police and customs

- Military constabulary and fiscal intelligence, which functions in the southeast Netherlands
- Illegal immigration, which functions in the north and east

A sixth core team, the National Investigation Team, also a branch of the National Police Services Agency, concentrates on international and national organized crime and corporate fraud. In addition to the core teams are interregional fraud teams assigned to combat fraud affecting banks and insurers and deal with crimes involving data transport, bank and credit card fraud, bankruptcy fraud, and insurance fraud. Police in these teams work closely with financial professionals, such as accountants and tax auditors.

*Criminal Investigation Department:* The Criminal Investigation Department consists of nine branches, including an International Branch that works in tandem with Interpol; the Special Branch for preventing terrorist attacks; the Criminal Intelligence Branch; the National Investigation Team, which focuses on fraud; the Detective Team; Transport and Logistics, which targets

crimes in the transportation system; and the Digital Crime Investigation Team, which keeps watch on Internet-related crimes.

*Specialist Investigation Applications Department:* This department, with highly specialized experts in its Research and Development unit, supports the National Police Services Agency in observation, intervention, and infiltration, and provides a witness protection program.

The National Police Services Agency also has separate bureaus that handle specialized law enforcement tasks. Among them are:

- Water Police (*Rijkspolitie to Water*), with a large fleet of patrol vessels and speed boats headquartered in Driebergen, near Utrecht. The Water Police monitors shipping, fishing, and aquatic sports. In cooperation with the Coast Guard, it supervises Dutch territorial waters in the North Sea. The water routes are divided into four districts: Amsterdam, Leeuwarden, Nijmegen, and Dordrecht, which are subdivided into groups and posts. Rotterdam-Rijnmond however, has its own river police at the Rotterdam Harbor.
- General Traffic Service (*De Algemene Verkeersdienst*) (AVD), headquartered in Driebergen, is in charge of police duties on the main highways. Its core tasks include traffic surveillance, speed control, and enforcement of drunk-driving laws.
- Aviation Service (*Die Dienst Luchtvaart*) is headquartered at Schiphol Airport and the national airport at Amsterdam, with subdivisions at the airports of Rotterdam, Beek, and Eelde. It also serves as the base of *Afdeling Vliegdiens* and collaborates with the Civil Aviation Tribunal. The service runs and maintains all National Police Services Agency's aircraft and helicopters. Aircraft are equipped with special photographic infrared cameras and videos as well as fire extinguishers. Directed from Driebergen, the aircraft direct police action from the air at sporting events and during natural disasters.

Other statewide law enforcement services include:

- State Detective Bureau (*De Rijksrecherche*), which is under the jurisdiction of a commissioner and which investigates complaints against police officers and administrative and judicial authorities
- Safety of the Royal Family (*De Veiligheidsdienst Koninklijk Huis*), which is stationed near the royal police at Soestdijk and which also protects members of the diplomatic corps, mayors, queen's commissioners, members of the judiciary, and public prosecutors

- Judicial Laboratories (*De Gerechtelijke Laboratoria*), which is divided into the Judicial Science Laboratory and the Judicial Health Laboratory.
- Police Communication Service (*De Politieverbindingsdienst*), which is in charge of telecommunications for the National Police Services Agency
- Service Force of the State Police (*De Intendance der Rijkspolitie*), which is headquartered in Apeldoorn and serves the National Police Services Agency as well as the regional police forces in procuring uniforms, armament and repairs, and firearms
- Police Technical Service of the State Police (*De Politietechnische Dienst der Rijkspolitie*), which is in charge of procurement and maintenance of motor vehicles and other transportation vehicles, is headquartered in Delft, near the Hague, and has six workshops around the country

**Other Law Enforcement Agencies.** Apart from the national and regional police forces, there are other law enforcement agencies:

- Military Police of the *Marechaussee*, which performs police duties for the army and security tasks in airports, assists in combating cross-border crimes, enforces immigration laws, escorts the transport of money to state institutions and guards the residence of the prime minister
- Economical Control Service, under the Ministry of Economics, oversees the enforcement of economic regulations.
- General Inspection Service of the Ministry of Agriculture and Fishing, which is in charge of the enforcement of regulations relating to agriculture and fishing. The Inspection Service of the same ministry inspects goods and fish and meat to ensure that they comply with state regulations.
- Revenue-Taxes Service, which enforces tax laws and the collection of taxes and dues. It has two units: The first is concerned with internal revenue and the latter with customs and excise duties. They are governed by the General Law for the State Taxes and the General Law for Customs and Excise.
- Railway Police, called the Railway Detective Division, falls into a special category. Founded in 1919 to prevent transportation theft, although not a state agency, it has grown years to perform a host of duties in a variety of areas on trains as well as on platforms. The commander is a commissioner of state police and all executive officers are unpaid



officials of the state police. It is headquartered in Utrecht.

- Immigration Police, established under the Immigration Act, has responsibilities in the field of admission, supervision, detention, and deportation of aliens and the granting, extension, and cancellation of residence permits. They keep a watchful eye on the activities of aliens and their integration into mainstream society.
- Voluntary Police, of which there are approximately 2,500, serve in various capacities in the police forces. Another 4,000 city watchers assist the regular police in neighborhood watches by reporting suspicious events and characters through radiotelephone.

**Education and Training.** To be appointed as an aspirant in the regional police or the National Police Services Agency, the following requirements are necessary: Dutch origin; blameless character; age between seventeen and twenty-eight years, and successful completion of physical and psychological tests. There are also standards of educational attainment that call for a diploma of the four-year MAVE (school that follows the basic school system but has a more general formal education). After the applicant has met these requirements, he or she may be appointed with a probation time of a maximum of three years. During probation, the aspirant should demonstrate theoretical and practical ability.

For appointment as a commanding officer (inspector of a regional police third class or official of the state police second class), the same regulations apply with two differences: the required age is between twenty and twenty-eight, and attainment of a higher educational level is required, such as completion of high school or junior college. Also, the applicant must have successfully completed the final examination for the inspector of regional police or commanding officer of the state police. This means four years of training at the Police Academy or a university degree.

Promotion is automatic in most cases after a certain number of years of service. An aspirant will be promoted after one year to agent and an agent after five years to head agent (agent first class). For the rank of brigadier (sergeant), there is a special requirement of the "B" diploma, which is based mostly on theoretical knowledge. For promotion in the commanding officer ranks, there is no requirement save a minimum service time.

Although regional police personnel, with the exception of the chief commissioners, are appointed by the mayor, Recruitment is being centralized in the State Selection Center for the regional police in Hilversum. Only about 10 percent of applicants are accepted. There are some disturbing geographical factors in recruitment: About half

the applications come from the north, east, and south of Holland although the vacancies are more in the western part of the country, in the *Randstad*.

Training and education of police personnel were historically neglected until the 1960s. Before World War II, only the *Marechaussee* and the *Rijksveldwacht* had their own internal training facilities. Police education was mostly in the hands of private groups and police unions who provided courses of study and held examinations. The situation changed radically in 1965, when the training of all police personnel was made the responsibility of the minister of justice. However, most programs offered only legal training because it was generally accepted that all police work was done within a legal context. The Ministry of Justice established the Institute for Training Commanding Police Officers (the name of which was changed in 1967 to the Dutch Police Academy). It continued the work of the Model Police Vocational School in Hilversum, founded in 1919 by the General Dutch Police Union. The school has a one-year course for the police diploma and a two-year course for inspector candidates.

Because of its tradition of centralized management, the state police was the first to start its own training institutes, not only for primary training but also for specialized personnel, such as traffic police. Training for regional police came later. Large cities had their own training centers while smaller ones initiated joint ones. It was not until 1959 that regional training institutions were available for the whole country. After the Police Act of 1957, which made the Ministries of Justice and the Interior less dependent on one another, developments have been much faster. On the initiative of the Department of the Interior in 1959, the Study Center for the Continuous Education of Commanding Officers for both state and regional police personnel was started. Later, a statewide traffic school, a school for staff officials of the regional police, a detective school, and two centers for the training of mobile units, were founded.

Technical selection of police officers takes place at the National Police Selection and Training Institute (LSOP). LSOP trains some 30,000 police officers each year through its five semiautonomous institutes:

- Institute for the Basic Police Function
- Dutch Police Academy
- Police Institute for Public Order and Danger Management
- Police Institute for Traffic and Environment
- Institute for Crime Control and Investigations

In addition, there are two nationwide institutes under LSOP control:

## *Netherlands*

- Institute for Police Recruitment and Selection
- Central Police Examination Bureau

Although police education was privatized in 1992, LSOP retains overall control.

The following training and education institutes serve the police forces in the Netherlands:

For commanding officers of state and regional police:

- The Dutch Police Academy in Apeldoorn, which offers four-year courses. The first year is on an intern basis. The next thirty months are devoted to practical and vocational work. During the last term, the student is expected to prepare a paper and a final report. About 25 percent of admissions are externs who have excelled in lower police ranks and have requested school training.
- Study Center for Commanding Officers in Warnsveld, which offers a series of courses of one to three weeks in length aimed at midcareer professionals. The center also offers a management course for top functionaries and organizes study conferences.

For other personnel:

- Two primary schools for regional police, one in Rotterdam and the other in the Hague, and four regional schools with intern training that lasts for one year.
- One primary training school for the State Police, with a one-year internal training in Apeldoorn and two annexes in Horn and Harlingen.

Continuous training and education:

- Training for the mobile unit of the state police is offered in Neerijnen and for the regional police in Woensdrecht. The basic mobile unit training lasts five weeks. In addition, there is a four-week staff officers' course and a six-week program for firearms instructors.
- Staff training for the rank of sergeant, for which students must have ten years of service and have a "B" diploma. The training takes place in Apeldoorn for the state police and in Zutphen for the regional police. The course lasts eight weeks.

More specialized training courses are also offered:

- Traffic training program for the state police takes place in Bilthoven and in Noordwijkerhout for the regional police. The basic course lasts three weeks; a supplementary driving training course lasts one week.

- Detective training is given in Zutphen. Various courses are offered, including an eight-week basic course, a 6-week primary detective course for commanding officers and members of the prosecutor's office, and a 12-week technical course. There are also courses for squads dealing with juveniles, drugs, fraud, and swindling.

- Sleuth Hounds School of the state police in The Hague for dog handlers and dogs. The training of the dog lasts one year and that of the handlers six months. The school trains dogs for drug sniffing for police and customs work.

Patrol dogs of the state and regional police are trained by local dog brigades.

Training and education are also offered on the job through tutoring and training for the "B" diploma. Young police officers are tutored for thirteen weeks by older colleagues, followed by a six-week introductory course. The "B" diploma is required for promotion to staff ranks, such as sergeant.

As a result of a number of factors, including a low birthrate, a thirty-five-hour workweek in the general population, aging, and increased demands on police resources, there is a growing shortage of personnel in the police force. To meet this shortage and to maintain optimum staffing levels, the Ministry of the Interior and Kingdom Relations launched an initiative called Police Staffing Project. Its purpose is to develop a positive public image of the profession and to discourage the outflow of personnel.

Police training is the focus of new reforms initiated in 2002. Their main features are: uniform job profiles, well-defined professional standards, linkage to higher education, and a dual training system that promotes on-the-job training. The two goals of the reforms are career development and diversity. Career development seeks to ensure that the right people are invited to enter the police service at the appropriate level and that such people are given further opportunities for development. Diversity seeks to ensure that the police force reflects the increasing ethnic diversity of the Dutch population and that immigrants are properly represented at every level.

**Uniforms and Weapons.** The uniform of state police consists of a blue-black tunic, blue trousers, and a blue-black peaked cap with a band. Municipal police wear a gray-blue tunic, blue trousers, and a dark-blue cape with Prussian blue piping. The Royal Constabulary wear a blue-black tunic, royal-blue trousers, and peaked caps.

Standard-issue arms are a 7.65 service pistol, ammunition (Walther P5 and Action3 bullet) a short baton, and pepper spray. Police always carry steel handcuffs and truncheons. The use of force is strictly regulated under

legislation. Riot-squad police are armed with additional equipment, such as shields, helmets, and bulletproof vests. Arrest squads are equipped with electronic batons and semiautomatic Heckler and Koch machine guns. The use of automatic firearms requires prior permission of the minister of justice. In certain situations, police are permitted to use tear-gas grenades.

#### Police Statistics.

- Total Police Personnel: 31,650
- Population per Police Officer: 202

#### HUMAN RIGHTS

Human rights observance by the Dutch police is monitored by the Police Inspectorate, an independent organization that reports directly to the Ministries of Justice and Interior and Kingdom Relations. The inspectorate also assesses the way in which the police force provides quality management and investigates all incidents involving the police that result in abridgment or abuse of human rights.

#### CRIME

**Crime Statistics.** Offenses reported to the police per 100,000 population: 8,211.54. Of which:

- Murder: 10.9
- Assault: 277.54
- Rape: 10.36
- Burglary: 3,100.4
- Automobile Theft: 241.01

#### CORRECTIONAL SYSTEM

The two laws governing prisons are the Prisons Act of 1951 and the Prisons Regulation of 1953. As a result of these acts, prisons and prisoners were redefined and reclassified, new prisons were built, and the education of prison officials enhanced. Ultimate responsibility for all penal institutions is vested in the Ministry of Justice, under which prisons are administered by the National Agency of Correctional Institutions. The director of public prosecutions directs the implementation of prison sentences. The Prison Allocation Center, headed by a psychologist, advises the prison authorities on the placement of prisoners.

Each prison is administered through a governor, who is supported by a staff that includes chaplains, counselors, doctors, social workers, psychologists, and guards. Supervisory boards oversee all aspects of the treatment of prisoners but have no administrative authority. Prisoners may freely address the board either in writing or in person.

There are two types of penal institutions: houses of detention and prisons. Houses of detention are mainly for those remanded to custody awaiting trial and those serving prison sentences of less than two weeks. The law requires that there be at least one house of detention per court district, but some districts have more than one. Two-thirds of the average population in these houses of detention are those remanded to custody.

Considerable attention is given in prison legislation to the welfare of prisoners. The Criminal Code stipulates that anyone sentenced to serve time in prison should be committed to the institution best suited to his or her disposition and background. Section 26 of the Prisons Act states that the prison sentence should be conducive to preparing the prisoner for return to society. To reduce the dangers of isolation and alienation from society, prisoners are brought into frequent contact with the outside world. Prisoners' committees, as well as prison newspapers, serve as open forums for prisoners. Inmates are allowed to keep their own clothes and personal effects, write letters unsupervised, and visit the outside world for short periods under special circumstances.

Women serve sentences in the Women's Prison at Amsterdam, and the houses of detention in Maastricht and Groningen have separate sections for women inmates. Prisoners who have not been remanded to custody because their offense is not particularly serious and who have received short terms of imprisonment serve their sentences in a semiopen prison at Bankenbosch in Veenhuizen, Ter Peel in Sevenum, Oosterland in Hoorn, De Raam in Grave, or Westlinge in Heerhugowaard. Separate quarters are assigned to prisoners serving short-term (less than six months) sentences and those serving long-term (over six months) sentences. Short-term sentences are served in Boschpoort Prison in Breda or in the semiopen Nederheide Penitentiary Training Institute in Doetinchem. Sentences of less than two weeks may be served in installments. Transfer is possible between one institution and another. At Nederheide, prisoners are expected to participate in a social education program. Longer sentences are served in Esserheem and Norgerhaven prisons in Veenhuizen, Noordschans in Winschoten, Schutterswei in Alkmaar, and in the prison in the Hague. Noordschans Prison accommodates prisoners who are unable to adjust to a communal environment. In smaller prisons, inmates are permitted outside employment with normal wages. Psychologically challenged offenders are committed to mental hospitals for a period not exceeding one year. This sanction is known as a hospital order. A number of provisions incorporated into the Criminal Code of 1925 deal specifically with this group of offenders, who are designated as "psychopaths."

## *Netherlands*

Prisoners between eighteen and twenty-three years who have not been remanded to custody are placed in Nieuw Vosseveld Prison in Vught or De Corridor Penal Training Camp in the village of Zeeland in North Brabant. Longer-term prisoners are accommodated in the prison at Zutphen. These prisoners can be transferred to the open prison at Rozenhof.

The granting of a remission of sentence in respect to a penalty imposed by a court is the prerogative of the crown. Remission may consist of reduction of a sentence or commutation of a sentence to another type. Conditional remission bears some semblance to suspended sentence and release on license.

An organization called the Society for the Moral Improvement of Prisoners was set up as early as 1823 to aid offenders both while in prison and after discharge. The introduction of the release on license in 1886, of probation in 1915, and of conditional remission of sentence in 1976 gave this and similar organizations a role in the criminal justice system by entrusting them with supervision of the fulfillment of special conditions imposed by the court (probation) and by the administration (release

on license and remissions). Rehabilitation, probation, and aftercare remain largely in the hands of religious and voluntary social service organizations officially recognized by the Ministry of Justice. There is also an "early intervention" program, introduced in nearly all police districts in 1974, which has been responsible for providing early assistance to suspects in police custody.

### **Prison Statistics.**

- Total Prison Population: 20,747
- Prison Population Rate per 100,000: 127
- Pretrial Detainees: 30.7%
- Female Prisoners: 8.8%
- Juvenile Prisoners: 1%
- Number of Prisons: 102
- Official Capacity of the Prison System: 20,522
- Occupancy Level: 97.5%

*George Thomas Kurian*

# New Zealand

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**Official country name:** New Zealand

**Capital:** Wellington

**Geographic description:** Islands in the South Pacific Ocean southeast of Australia, principally the North Island and the South Island separated by Cook Strait.

**Population:** 4,035,461 (est. 2005)



## LAW ENFORCEMENT

**History.** The modern New Zealand police force has its roots in British colonial New Zealand. Governor William Hobson appointed the first police officers in New Zealand in 1840, and legislation mandating a full police force was passed in 1846. The act called for police who would be “fit and able men who would serve as an armed force for preserving the peace, preventing robberies and other felonies, and apprehending offenders against the peace.” The structure of the police force was paramilitary and closely resembled that of its British counterpart. It was referred to as the Armed Constabulary Force.

In 1852 further legislation was passed that addressed police governance, and as a result, pseudo police stations were established in the provinces of Auckland, New Plymouth, Wellington, Nelson, Canterbury, and Otago. By 1867 legislation was passed that transitioned the Armed Constabulary Force into the first national police service. Despite its name, officers in this service were unarmed. However, the police force played a significant role in peace keeping during the land wars, and many police died while attempting to maintain civil order. The



land wars were fought over a twenty-year period, from 1843 to 1872, and the main protagonists were Maori (New Zealand natives) and allies fighting against varying combinations of the British Army, New Zealand Armed Constabulary, and colonial settlers. The conflict was over provisions in the Treaty of Waitangi (signed in 1840) that addressed land claims and sovereignty. Ironically, many of the early Armed Constabulary Force members were Maori. The police also had a large role to play in peace keeping during the gold rushes in Otago and Canterbury during the 1860s. This job proved especially difficult due to the desperate nature of the gold rush movement and the influx of immigrants with criminal backgrounds, who were attracted to the movement.

The first noncommissioned police officer in New Zealand was Sergeant John Nash, who registered in 1886 after arriving in New Zealand as an officer in the British Army. Nash was initially a constable in Nelson and was later promoted to sergeant. The first police commissioner, General Sir George Whitmore, was appointed in 1886

and served only one year. Whitmore was succeeded by Major Walter Gudgeon, who served until 1903. Both men had played fairly large roles in the land wars.

The first police commissioner to rise through the ranks of the police was John Cullen. Cullen was appointed in 1912 and served until 1916. During his tenure, the first New Zealand Police Association was formed to address police salary levels and working conditions. With only one exception, all commissioners since Cullen have risen through the ranks from that of constable. Even today, it is pointed out to police recruits during training that the potential for promotion all the way up the ladder to the rank of Commissioner is available to all sworn officers.

From very early in the history of the New Zealand police, women have played a significant role. From 1891 to 1913, there were a number of police matrons on staff whose responsibilities centered on the care of female prisoners. The first policewomen were formally admitted to the New Zealand police in 1941. Initially, women were assigned to a separate women's division and were tasked with duties of a community service nature. In 1973 women in the New Zealand police were given equal status and pay and were fully integrated into the service.

In 1958 legislation was passed to remove the word *force* from the name of the New Zealand Police. This was done to better reflect the consensual style of community policing that the New Zealand police still practices today. The current New Zealand police mission is "to serve the community by reducing the incidence and effects of crime, detecting and apprehending offenders, maintaining law and order, and enhancing public safety" (New Zealand Police 2003). Along with this mission came an adoption of New Zealand police values, which are:

- To maintain the highest level of integrity and professionalism
- To respect individual rights and freedoms
- To consult with, and be responsive to, the needs, welfare and aspirations of all police staff
- To be culturally sensitive
- To integrate Treaty of Waitangi principles and Maori values into policing (New Zealand Police 2003).

**Structure and Organization.** During the fiscal year 2005, the New Zealand Police had approximately nine thousand staff members, which included 2,300 support staff. Police worked from four hundred community-based police stations around the country. Although there is just one jurisdiction in New Zealand, the New Zealand Police is

decentralized and organized into twelve districts, each of which has a main station and is overseen by a district commander.

The chief officer is the commissioner of police, who answers to the minister of police (a politically appointed official). A Board of Commissioners comprised of the commissioner and two deputies make most of the high-level decisions. A team of advisers support the board and is made up of finance managers, public affairs personnel, cultural affairs personnel, human resources advisors, and a Maori representative. A separate commissioner's support group, overseen by an assistant commissioner, acts as an oversight authority for the commissioner.

During 2003 women made up 15 percent of sworn officers. Eleven percent of sworn officers were Maori, and 4 percent were Pacific Islanders. Of all personnel in senior management positions, 5.6 percent are women, 10.2 percent are Maori, and 4 percent are Pacific Islanders (New Zealand Police 2003).

The highest ranking officer is the commissioner who is appointed by the governor general, but the candidate is drawn from the lower rank of deputy commissioner or assistant commissioner. Under the rank of assistant commissioner is superintendent, which is preceded by that of inspector. Under the rank of inspector comes senior sergeant, and below senior sergeant is sergeant, with the lowest rank being constable. Approximately 75 percent of the police are constables, 15 percent hold the rank of sergeant, 5 percent senior sergeant, and 5 percent hold ranks above senior sergeant (New Zealand Police Web site). Promotion to the next rank is contingent upon successfully completing qualification examinations and availability of openings.

**Principal Agencies and Divisions.** The New Zealand Police have three main operational branches:

- General Duties
- Criminal Investigation
- Traffic Safety

There are also a number of other staff groups that provide special assistance, such as:

- Armed Offenders Squad
- Dive Squad
- Dog Units
- Forensic Services

Forensic Services are located in the cities of Auckland, Hamilton, Wellington, and Christchurch. The National Fingerprint Database is maintained in Wellington, as is the document examination team.

The single jurisdiction of the country translates to a wide police mandate. In addition to traditional policing activities, New Zealand Police enforce laws on roads and seas, and in the air. On the water, the police are assisted by the Royal New Zealand Coast Guard, which is a volunteer organization. The Coast Guard is primarily responsible for search and rescue operations, and boating education. The Coast Guard responds to some five thousand calls each year.

**Salaries.** During 2004 police cadets, or police trainees, earned a salary of NZ\$28,824 (approximately US\$19,600). Upon graduation, the salary increased to NZ\$41,189 (approximately US\$28,000). For five years after graduation, officers receive an increase of NZ\$2,000 (approximately US\$1,359) per annum, and NZ\$1,000 (approximately US\$680) thereafter, in addition to any promotion increase. During the fiscal year 2002–2003, 173 members of the New Zealand police earned more than NZ\$100,000 (approximately US\$68,000). The top earnings bracket was between NZ\$350,000 and NZ\$360,000 (approximately US\$238,000 and US\$245,000).

**Retirement Age.** There is no set retirement age for New Zealand Police, as legislation views age limits as age discrimination. Instead, many officers retire upon reaching their fifty-sixth birthday, the age at which they are eligible for government superannuation.

**Police-Community Relations.** Establishing close ties with the community is the key to ensuring that community policing is effective. The phrase “local solutions, by local people, to local problems” is one that is frequently used and typifies the relationship between the police and the community (“Briefing” 2002). The image that most New Zealand citizens have of the New Zealand police officer is the bobby, or constable, walking through the town center. The bobby is friendly, approachable, and symbolic of safety.

Illustrations of how the New Zealand Police and the community work together were cited in the 2002 police report to the incoming minister of police. Some of these were:

- Partnerships between local government and police to improve public perceptions of safety through improving street lighting and closed circuit televisions
- Joint local government and police ventures to address physical decay and deterioration in communities, such as graffiti problem areas, park clean up operations, and removal of abandoned vehicles
- Coordination of crime prevention programs, the largest of which in New Zealand is the neighborhood watch

- Joint partnerships with service-providing agencies, such as Women’s Refuge, victim support services and mental health services (“Briefing”)

Historically, one of the most challenging community partnerships police have had to face is with New Zealand Maori, particularly given that Maori are overrepresented in both offender and victim populations. Police have implemented a number of initiatives to improve relations, such as the establishment of a network of police Iwi liaison officers, who are assigned to specific Maori communities and are charged with improving relationships between Maori and police, and helping in the flow of information at the community level. Another initiative was to train incoming police in Maori culture and procedure, and also to recruit more Maori officers. Police are also working with the Ministry of Pacific Island Affairs to establish similar initiatives with Pacific Island people, large numbers of whom reside in major New Zealand cities, such as Auckland.

Complaints made against police are investigated by an independent unit called the Police Complaints Authority, which was established by the governor general. This authority also handles investigations where serious bodily harm or death results from police action. From 2000 to 2002, the number of police complaints decreased by 20 percent. There is a police code of conduct in place that outlines performance and conduct criteria and is tied to remuneration and promotion.

**Local Police.** The most visible police presence in New Zealand communities are the 3,500 beat and patrol staff, who are likely to be constables. Their mandates vary widely under the community policing doctrine; officers may be involved in activities from crime prevention to dealing with a lost child. Beat and patrol staff are also called upon to help manage large sporting events, demonstrations, and other situations that require crowd control.

In addition to beat and patrol staff are the Criminal Investigation Branch (CIB) detectives stationed around the country. CIB detectives are beat and patrol staffs that have completed extensive training in investigation and law. The CIB is used to investigate serious crime and organized crime and to monitor habitual offenders.

At the local level, police are charged with maintaining safety in communities. The New Zealand Police public relations office describes the different elements of this charge as:

- Providing tools to communities to allow them to attend to matters of community safety
- Creating community partnerships
- Reducing fear of crime by reducing actual crime

- Providing rehabilitative and support services for offenders
- Keeping the peace and maintaining order
- Assisting in trouble-free traffic flow
- Reducing the risk of personal and property victimization

Local police in New Zealand have formed a number of alliances with community agencies and services. One example is Youth Offending Teams, found throughout the country. These teams have representation from the police, the Child, Youth, and Family Agency, the Ministry of Education, and the Ministry of Health. The goal of this collaboration is to improve coordination among agencies that deal with youth offenders, those at risk of youth offending, and those youth who come into contact with government agencies for a variety of other reasons, such as child neglect. From the perspective of the police, services for youth aim to prevent youth from offending and recidivating, hold youth offenders accountable for criminal activities, and prevent youth from becoming victims of crime. Examples of services offered by the police to youth are:

- School education services and school road safety education (including the DARE program)
- Youth Aid
- Youth prosecution and alternatives to prosecutions
- Support for family group conferences
- Youth development programs

#### **Special Police.**

**Riot Police.** The New Zealand Police do not have a designated special riot police division, and policing riots was not given much consideration until the Springboks, South Africa's national rugby team, toured New Zealand in 1981. Their tour was met with numerous, large, and at times violent, antiapartheid protests that police were not prepared for. Largely in response to this event, many police are now trained in riot control. Like the Armed Offenders Squad (AOS), riot police hold other appointments but serve in police riot units if the demand should arise.

**Traffic Police.** Prior to 1991 traffic police were a separate entity from the regular police and operated under the Ministry of Transport. As a result of legislation passed in 1991, the New Zealand Police and the Ministry of Transport merged, with the merger becoming effective in July 1992. At that time, some 1,100 traffic police joined the New Zealand Police. The new organization of traffic police was in response to high numbers of fatalities and other injuries sustained in crashes on New Zealand roads. In 2000 a special highway patrol unit was established

due to a high proportion of road fatalities. This unit was also charged with increasing police visibility on the roads and decreasing road trauma. By December 2001 some 225 special officers worked in this unit. They are aided by such tools as infrared cameras, radar guns, breath-analyzing flashlights, and speed cameras. Traffic police are distinguishable from other police by special markings on their vehicles.

The 2002 police brief to the incoming minister of police cites deaths on the roads and nonfatal road accidents as an ongoing national concern. Approximately 14.4 road deaths per 100,000 people occur each year, which is significantly higher than rates in Australia (9.5), the United Kingdom (6.9), Sweden (6.1), and a number of other European countries. The New Zealand Police have implemented a strategic plan that addresses policing on the roads through 2006 and is designed to integrate general policing and traffic policing duties and further reduce road trauma and related crime. Traffic police have identified speed black spots, conducted targeted mandatory driver checks, introduced more stringent criteria for driver's licenses, introduced mandatory breath testing, and have aired hard-hitting advertising campaigns on the effects of speeding and driving under the influence of alcohol.

Crashes on New Zealand roads because of drinking and driving have received national attention since the early 1990s, and some initiatives described above, such as mandatory breath testing, have helped alleviate this problem. In 2002 statistics indicated a 6.6 percent decrease in drinking and driving offenses, which is most likely due to the efforts of the highway units (New Zealand Police 2003).

**Education and Training.** Upon acceptance to the New Zealand police, recruits reside at the Royal New Zealand Police College, located outside of Wellington, for nineteen weeks. Once the recruit has successfully completed the training program, he or she is given probationary constable status, which is held for two years. Training for special police, such as dog handling or AOS, is given to police after the probationary period has been successfully completed, and training varies greatly by division.

The New Zealand police recruits nationally and typically has six intakes each year of between sixty and eighty recruits. The cohorts are referred to as wings. Applicants must be New Zealand citizens or permanent residents, hold valid driver's licenses, have no criminal convictions, and able to converse adequately in English. Potential recruits must undergo a number of other academic and physical tests, such as a literacy, numeric skills, and keyboard skills examinations. At their own expense, potential recruits must obtain first aid credentials, a defensive driving certificate, and a swimming competency certificate. After the initial screening process, there is a





*A topless woman is arrested by police following a protest while Britain's Prince Charles arrived in Civic Square, Wellington, New Zealand, March 8, 2005. The prince was there on a five-day tour of the country. AP IMAGES.*

three-month evaluation process during which potential recruits undergo physical assessment, medical examination, psychological assessment, interviews, academic tests and assessment, background check, and Surroundings, Conditions, Organization, People, and Effects (SCOPE) testing. Physical assessment comprises a Physical Appraisal Test (PAT) and a Physical Competency Test (PCT). The PAT test assesses body-mass index (the standard set for potential recruits is between 20 and 28), running ability (men must be able to run 2.4 kilometers [1.5 miles] no slower than 10 minutes and 15 seconds, and women must complete the distance in less than 11 minutes and 15 seconds), vertical jump ability (48 centimeters [18 inches] for men and 40 centimeters [16 inches] for women), number of continuous press-ups, and grip strength (the combined total of both hands should be at least 120kg for men, and 80kg for women). The PCT consists of twelve areas of physical competency that officers may encounter on the job, such as running, balance, crawling in confined spaces, and climbing through a window. SCOPE testing is designed to ascertain how a potential recruit will respond to situations and environments that a

police officer may encounter. The test includes an internship at a police station, where the applicant spends forty hours working with officers on a variety of police duties, and applicants are given and tested on a wide variety of police literature.

**Uniforms and Weapons.** Prior to the tenure of John Cullen as commissioner of police in 1912, the police uniform was very similar to the paramilitary French *gendarmarie*. Cullen had a large hand in changing the police uniform to the navy-blue nonmilitary style tunic with pockets and high collar and blue bobby helmet. The uniform is the same style today.

The New Zealand police have long abided by the philosophy of maximizing safety and minimizing force. To this end, officers are armed with short, side-handle, ASP batons and oleoresin capsicum (pepper) spray. Sworn officers do not carry firearms. However, firearms are available at each police station, with both Remington Model 7 rifles and Glock 17 pistols the standard police firearms. In situations that involve the use of firearms, weapons, or the threat of either, the AOS is called in.

The AOS was established in 1964 and divisions are located in all police districts and other major centers. The AOS is comprised of volunteer police officers who complete rigorous and ongoing training in firearms. Members of the AOS have access to Remington Model 7 rifles, Glock 17 pistols, and a variety of other firearms. The only other units that are armed are the antiterrorist units.

**Transportation, Technology, and Communications.** New Zealand Police have had a service agreement with Holden (General Motors) since the 1960s. Various models of Holden Commodores are driven by different police units. For example, VT Commodores are used for general duties and highway patrol. Commodore utility vehicles, both VT and VR models, are used for various special activities, including dog transportation, and a more recent model, VX Commodore S, has also been added to the highway patrol fleet. Eleven maritime vessels are operated between the New Zealand Police's two maritime units, one based in Auckland and the other in Wellington. The main vessel in Auckland is a 14.5-meter launch and a similar size launch is kept in Wellington. Mounted police were a part of the New Zealand Police for many years, but budgetary restrictions have precluded their use. However, some districts receive commercial sponsorships for mounted police so that parks, rivers, beaches, and other reserves, can be patrolled on horseback. This is more common in the summer months.

Communications are managed, coordinated, and overseen by one communications center located outside of Wellington. The New Zealand Police has three emergency "111" call centers: one being located in each of the northern, central, and southern regions. They have and ten emergency operating rooms located in various police districts. When individuals call 111, their call is answered by sworn and unsworn personnel at one of the three emergency call centers. Calls are then diverted to dispatchers when deemed appropriate. Ninety percent of 111 calls are answered within ten seconds. If a call is not answered after seventy seconds, it is transferred to one of the other two centers. The national communications network has a 99.99 percent reliability rating. The New Zealand police operate an Ericsson MD110 CA telephony-radio switching platform that is used in all three 111 communication centers and all ten district emergency operating rooms. The three emergency operating rooms receive a total of 1,140,000 calls each year (New Zealand Police Web site). The police also have a land mobile radio network, 3,500 Centrex telephones, which are networked on a virtual private network, and 3,500 IP phones, all of which are regularly updated with newer technology.

**Surveillance and Intelligence Gathering.** Typically, surveillance and intelligence gathering is conducted by the CIB, with help from officers in other branches when needed. Police surveillance encountered its first legal and public challenges during a period of political surveillance between 1919 and 1935, and as a result, there are a number of legal limitations on surveillance that do not differ greatly from limitations on local police jurisdictions in the United States.

**Police Officers Killed in the Line of Duty.** There have been twenty-eight police officers killed in the line of duty. The first was Constable Neil McLeod, who was shot by a psychologically disturbed man in 1890. Four officers, Constable Edward Mark Best, Sergeant William Cooper, Constable Frederick William Jordan, and Constable Percy Campbell Tulloch, were all shot and killed by Eric Stanley Graham in 1941. Graham was a farmer during the depression who was convinced the government was persecuting him, and he reacted violently to a police visit to his home. Graham himself was eventually fatally shot by police. Two other police officers, Detective Inspector Wallace Chalmers and Detective Sergeant Neville Wilson Power were both fatally shot while responding to a domestic dispute in Wellington in 1963. A memorial for officers killed in the line of duty is located on the campus of the Royal New Zealand Police College in Porirua. There is also an annual memorial service held at the college.

#### **Police Statistics.**

- Total Police Personnel: 7,500
- Population per Police Officer: 538

#### **HUMAN RIGHTS**

New Zealand is a democracy, with an independent judiciary. The commissioner of police is accountable to the minister of police. The Commission on Human Rights reports that in 2000, there were no political or extrajudicial killings or disappearances in the country. Such events have not occurred in New Zealand since the settlement wars.

With regard to torture and cruel, inhuman, and degrading treatment, New Zealand has had a small number of reports of police abuse. Between 1998 and 1999, there were eleven cases of police misconduct that involved death. All of these incidents were fully investigated and resolved. An alleged gang rape of a woman by a group of police officers in 1986 eventually came to light. Mistreatment of prisoners by prison officials and staff have also been reported in small numbers, with the most well-known case involving two prisoners who claimed they were stripped and beaten in 1993. This

incident was investigated and resulted in a government-issued apology. There are no political prisoners in New Zealand, nor are prisoners exiled from the country for any reason. Citizens of New Zealand are entitled to a fair and expeditious trial.

Other human rights issues that affect the police are the criminalization of spousal rape, the decriminalization of adult prostitution (although the organizing and recruitment of women for prostitution is illegal), and safeguarding children's rights.

## CRIME

**Criminal Identification and Forensics.** Criminal identification is handled largely by CIB in conjunction with beat and patrol staff. In larger districts, the CIB is a stand-alone unit, but in most districts, it is part of the regular police. CIB detectives are trained in forensics. Although some forensic services are available within the police, there is no dedicated group of forensic experts. Most technical forensic services are contracted to Environmental Science and Research (ESR), a Crown research institute owned by the government but which is controlled by an independent board of directors. ESR has forensic experts and technicians available to the police twenty-four hours a day, seven days per week, and these personnel help police with crime-scene investigations, drugs and alcohol investigations, physical evidence, DNA, toxicology, and fire forensics. ESR also provides police training in forensics.

In 1995 the New Zealand Police and ESR joined forces to create a national DNA database, which samples from convicted offenders and volunteers and also from unsolved cases. Individuals who submit, or who are required to submit DNA, are also asked to provide some details about four generations of their ancestry. Using this database, some 34 percent of previously unsolved cases have been solved. In 2003 the Criminal Investigations (Bodily Samples) Amendment Act was passed and implemented. This act updated DNA legislation, extended the range of offenses for which a DNA sample could be obtained, and eliminated the need for police to get a court order for collecting DNA samples from convicted offenders. The act also introduced compulsory testing of offenders incarcerated prior to the implementation of DNA testing so that the database could be enlarged and allows for buccal (mouth) DNA samples as well as blood samples. The act also allows police to request a sample from a juvenile suspected of serious offending provided parental consent is obtained.

Another initiative in which the ESR played a large role in the dismantling of clandestine amphetamine ("P") laboratories. With the recent increase in popularity of amphetamine drugs, there are shortages of chemists

specializing in these drugs worldwide. ESR has specially trained chemists in clandestine drug laboratories and currently has eight of these chemists on staff.

Each of the major police centers, Auckland, Wellington, Hamilton, and Christchurch, have fingerprinting facilities that assist CIB and other police personnel in identification of crime-scene fingerprints. The national fingerprint database is housed and maintained in Wellington. Other forensic services available within the police are document examination (Wellington only), armory, which handles ballistics in addition to maintenance and repair of police weaponry, and an electronic crime laboratory. Another forensics resource available inside the police organization is crime-scene photographers, who are specially trained police that work out of all police districts.

**Organized Crime.** The New Zealand Police recognize drug manufacturing, cultivation, and trafficking; fraud, money laundering; and a number of property offenses as organized crime. Since 1999 efforts have focused on infiltrating groups that manufacture and distribute amphetamine stimulants, particularly clandestine "P" laboratories. Special police laboratory response teams with ESR staff members were established in major centers to assist in this task, and in 2002, 142 methamphetamine laboratories were taken out of commission.

To combat other types of organized crime, the New Zealand Police has instituted connections with police agencies in other countries, for example, with local police and Interpol in Southeast Asia, in order to exchange information about drug trafficking. Other liaison officers have been appointed in Australia, the United States, and the United Kingdom to assist in preventing and detecting financial crimes, terrorist activity, and human trafficking. The New Zealand Police organization is an active supporter of the United Nations Convention against Transnational Organized Crime, and participates in the Financial Action Task Force on Money Laundering. Both are international bodies comprising representatives from numerous police and government agencies around the world.

There are two special police units that deal with financial crime. The first is the Financial Intelligence Unit, which is based in Wellington and monitors large domestic and international cash transactions and aids investigation of money laundering. The second is the Proceeds of Crime Unit, based in three major national centers, which was established by the 1992 act of the same name to oversee seizure of assets and money used or acquired during the commission of illegal activity.

The other formal organization under which investigation of organized crime may be conducted is the Serious Fraud Office, which falls under the jurisdiction of the minister of justice. A serious fraud is one that

## *New Zealand*

involves more than NZ\$500,000 (US\$340,000), is perpetrated in a complex manner, and is of public interest and concern.

**Crime Statistics.** Crime statistics are collected by police for each fiscal year. Statistics for both recorded and resolved crimes are kept, and are divided into seven categories. In 2005 crime statistics were: Offenses reported to the police per 100,000 population: 9,680.8. Of which:

- Violent offenses: 112.4
- Sexual: 7.8
- Drugs and Antisocial: 125.3
- Property Abuse: 46.5
- Administrative: 29.3

### **CORRECTIONAL SYSTEM**

The New Zealand Department of Corrections is overseen by a politically appointed minister of corrections.

**Prison Conditions.** The philosophy of the New Zealand correctional system is that of rehabilitation and recidivism prevention. When inmates arrive at a prison, an assessment is made of their offense, history, circumstances surrounding the offense, health, safety, education, other special needs, and willingness to change is made. This assessment helps determine the inmate's sentencing plan, which incorporates the services and programs the offender needs to become successful upon reentry to society. All prisons provide medical, dental, psychological, and counseling services. Chaplains are available at all prisons, as are church services and Bible study groups.

In 1968 New Zealand opened its first and only maximum security facility for male inmates in Auckland, and a similar facility for women was opened in Christchurch in 1974. Unique to these maximum security prisons is the Behavior Management Regime (BMR), designed for inmates who are considered to be a safety risk to staff and other inmates. These inmates are housed in one unit of the prison. The regime is a stepped

program of four phases that begins with a fourteen-day assessment period. Inmates have little or no contact with fellow inmates during this period. Continuation to the proceeding phase is dependent on performance and behavior, which is assessed daily. As an inmate progresses through the phases, his or her privileges increase.

### **Prison Statistics.**

- Total Prison Population: 7,444
- Prison Population Rate per 100,000: 181
- Pretrial Detainees: 16%
- Female Prisoners: 6.1%
- Juvenile Prisoners: 1.3%
- Number of Prisons: 20
- Official Capacity of the Prison System: 6,936
- Occupancy Level: 102.2%

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*Monica L. P. Robbers*

# Nicaragua

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**Official country name:** Republic of Nicaragua

**Capital:** Managua

**Geographic description:** Central American country bordered by the North Pacific Ocean to the west, the Atlantic Ocean to the East, Honduras to the north, and Costa Rica to the south

**Population:** 5,465,100 (est. 2005)



## LAW ENFORCEMENT

**History.** Nicaragua inherited a rudimentary police system from the Spanish colonial regime, but it was active only in the major towns. After independence, the police force was highly political and took partisan sides in the numerous struggles for power. After the civil war of the 1980s, they are required to be nonpolitical. Police personnel may not vote in elections, and they come under military law.

**Structure and Organization.** The exercise of police functions is the responsibility of the Ministry of the Interior, but police personnel are required to be under the authority and control of the National Guard by constitutional law. As a result, police enjoy all the benefits and pensions of national guard personnel.

The political administrator of the police department, the *jefe politico*, is appointed by the president and has overall responsibility for law enforcement throughout his department. He is part of the Ministry of the Interior and is locally in command of the armed forces, including the police. His police chief, who is a police judge, is the



immediate commander of the police forces. Each department has at least one police judge, and two departments, Chinandega and Río San Juan, have two. In addition to the normal complement of police forces, there are special police agents, somewhat above the grade level of regular police, on detached duty throughout the department of Zelaya and in the territory of Cabo Gracias a Dios.

The police force is divided into three categories:

- Urban
- Rural
- Judicial

The police hierarchy consists of, in descending order, colonel, lieutenant colonel, major, captain, lieutenant, sublieutenant, sergeant, corporal, and patrolman.

The urban police is concerned with common offenses, such as vagrancy, drunkenness, prohibited games, counterfeiting, carrying arms without a license,



*A protestor aligned with the left-wing Sandinista Front is arrested by police near the Telecommunications and Post Office (TELCOR) building in Managua, Nicaragua, June 15, 2005. The protest erupted after President Enrique Bolanos ordered authorities to block new government officials from taking office. Bolanos was upset that Congress had designated these new officials to replace the ones he had named to hold positions in public organizations such as mail and phone companies. AP IMAGES.*

prostitution, violation of laws concerning quality of life, and maintenance of peace and good order. Peddlers and *curanderos*, or native healers, pose a recurring problem. The rural police enforce hunting and fishing laws and gun licensing and monitor the telegraph system and railroads. The judicial police run jails, provide guard services for the courts, and assist in the investigation of crimes and the apprehension of criminals. There is a security force for the treasury, also under the National Guard.

The secretary of the interior also has jurisdiction over fire departments and the prison system. At the higher jurisdictions, there is a public prosecutor who represents the people in criminal cases, and at municipal and lower levels, a *sindico* performs the same functions.

**Education and Training.** The police school at Managua is part of the Ministry of Defense. It trains officers through a special curriculum that bears the imprint of U.S. influences.

**Uniforms and Weapons.** Police uniforms are blue-gray in color, with trousers bloused into boots. Police wear plastic helmets with a triangular-shaped badge with a design of five volcanoes and the cap of liberty. They normally carry pistols and billy clubs. Pay is relatively good by military standards. Room, board, and clothing are free, as are medical care and other benefits.

#### **Police Statistics.**

- Total Strength of the Police Force: 62,222
- Population per Police Officer: 88

#### **HUMAN RIGHTS**

Even though the human rights situation in Nicaragua has improved since the civil war, members of the security forces still commit extrajudicial killings and beat, abuse, and torture detainees. There is provision for punishment of police who commit abuses, but they generally receive a mild reprimand or suspension.

**CRIME**

**Crime Statistics.** Offenses reported to the police per 100,000 population: 7,808. Of which:

- Murder: 25.6
- Assault: 203.8
- Burglary: 110.7

**CORRECTIONAL SYSTEM**

The Penal Code was drafted in 1968, revising and modifying earlier codes promulgated in 1837, 1871, 1879, and 1898. Prisons are often makeshift in character. Guards are supplied by the judicial police. The principal penitentiary is at Managua, but there are seven other facilities. There is also a national rehabilitation center called Centro Penal de Rehabilitación Social.

**Prison Conditions.** Overcrowding, once a major problem, has been alleviated as a result of the work of several human rights organizations that managed to free detainees who have spent six months or more in jails without a trial. Prison guards receive human rights training and generally treat prisoners well. However, medical care ranges from inadequate to nonexistent. About one-third of all prisoners have no beds, and some prisoners sleep on concrete floors. The daily expenditure per prisoner for food is only US\$0.50. Many prisoners receive additional food from visiting family and friends. Authorities occasionally release

prisoners when they can no longer feed them. Conditions in prisons and holding cells remain harsh. Suspects are left in their cells during their trials in an effort to save fuel in transferring them to distant courtrooms. At the Bluefield jail, there are only two showers and four toilets for 102 prisoners. Only Managua has a separate prison for women; outside the capital, women were housed in separate wings of prison facilities. There are no separate facilities for children under fifteen. Sometimes, these children are locked up in totally dark and overcrowded cells and beaten by police wardens.

**Prison Statistics.**

- Total Prison Population: 5,610
- Prison Population Rate per 100,000: 103
- Pretrial Detainees: 14.4%
- Female Prisoners: 6.5%
- Juvenile Prisoners: 0.6%
- Number of Prisons: 8
- Official Capacity of the Prison System: 5,446
- Occupancy Level: 102%

*George Thomas Kurian*

# Niger

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**Official country name:** Republic of Niger

**Capital:** Niamey

**Geographic description:** Landlocked country in western Africa, north of Nigeria and south of Algeria and Libya

**Population:** 11,665,937 (est. 2005)



## LAW ENFORCEMENT

**Structure and Organization.** The three principal law enforcement agencies are the Republican Guard, the paramilitary *Gendarmerie*, and the National Security Police (*Sûreté Nationale*), all organized along French lines. The *Sûreté* is headed by a director and organized in brigades. The 1,800-man *Gendarmerie* is a paramilitary force headquartered in Niamey, with four regional *groupements* based at Niamey, Agades, Maradi, and Zinder. The *Gendarmerie* patrols rural areas. The Republican Guard is a ceremonial presidential guard.

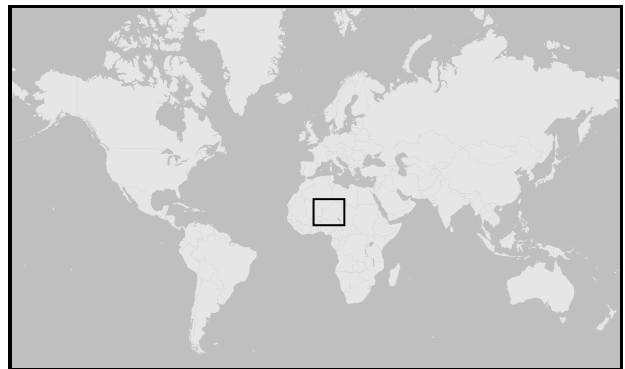
### Police Statistics.

- Total Police Personnel: 4,842
- Population per Police Officer: 2,350

## CRIME

**Crime Statistics.** Offenses reported to the police per 100,000 population: 99. Of which:

- Murder: 0.9
- Assault: 16.6



- Burglary: 1
- Automobile Theft: 0.7

## CORRECTIONAL SYSTEM

The prison system is administered by the director of the Penitentiary Administration under the Ministry of Justice.

**Prison Conditions.** Conditions in all prisons are substandard. Prisons are underfunded and understaffed. After 29 prisoners died in 1999 as a result of abuse, the government promised to reform the system but has not done so. Family visits are allowed, and prisoners receive supplemental food from relatives. Prisoners are segregated by gender. Minors and adults are housed separately, but pretrial detainees are housed with convicted felons.



**Prison Statistics.**

- Total Prison Population: 6,000
- Prison Population Rate per 100,000: 52
- Number of Prisons: 35
- Official Capacity of the Prison System: 8,722
- Occupancy Level: 68.8%

*George Thomas Kurian*

# Nigeria

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**Official country name:** Federal Republic of Nigeria

**Capital:** Abuja

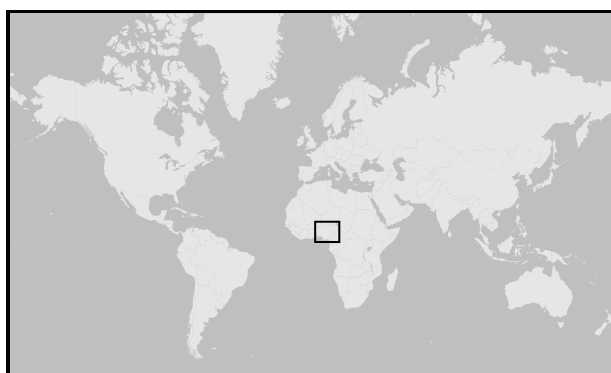
**Geographic description:** Located in West Africa on the Gulf of Guinea

**Population:** 128,771,988 (est. 2005)



## LAW ENFORCEMENT

**History.** The national police developed from early constabularies raised to protect British personnel and their administrative and commercial interests after they assumed responsibility for the port of Lagos in 1861. The imposition of British rule in the country triggered protests and demonstrations that threatened law and order in the new colony. To combat the unrest, the Lagos Police Force was formed, and it was the first modern police force in Nigerian history. As the British expanded their operations to the interior, the size and reach of the force grew proportionately, and additional constabularies were formed to protect the new administrative and trade centers. In the north the Northern Nigerian Constabulary (the Armed Hausa Police) was formed in 1900 when the British assumed responsibility for the protectorate of Northern Nigeria. The Southern Nigeria Police were created in 1906, six years after the proclamation of the colony and protectorate of Southern Nigeria. The Southern Police Unit absorbed the former Lagos Police Force and Niger Coast Constabulary (the Oil Rivers Irregulars, "Court Messengers"), which had operated in the eastern provinces. In 1930 the Northern Constabulary and the Southern Police Force were merged to form the



Nigeria Police Force, which then became the federal law enforcement authority.

Before the consolidation of the Nigeria Police in 1930, the colonial government had left the development and organization of police establishments to the three political administrations in the country: the Lagos Colony and the Protectorates of Southern Nigeria and Northern Nigeria. The main reason for the decentralized approach to law enforcement was the need at that time to allow each segment of the federation to organize a defense compatible with local conditions and political climate. As a result, the pattern and extent of development in the three areas differed. Following the amalgamation of all the units of the country into what is now known as Nigeria in 1914, the various departments of the amalgamated protectorates were systematically merged, one after the other. The police were an exception.

Though quite willing to surrender control of the other departments, the lieutenant governors of the protectorates

were worried about relinquishing control over maintenance of law and order to the new federal administration in Lagos. They saw no reason for such a surrender of power, since there was nothing really technical in police operations that lay beyond their competence. For these regional government heads, control of the regional police establishments afforded enormous leverage, especially in view of the poor communications between Lagos and the rest of the country. The amalgamation was eventually effected in 1930 because the federal government saw the need for a “unified controlling authority over matters of police routine and discipline.” The powers that were hitherto exercised by lieutenant governors in the provinces and districts were now vested in the inspector general of police, headquartered in Lagos. It was a shift to unitary management that has lasted to this day.

Local forces with any degree of police authority and organized in typical police fashion did not come into existence until 1943, when the northern and western regions of the country established local government police forces quite distinct from the Nigeria Police. In creating these forces these two regions capitalized on section 105(7) of the Nigerian constitution, which made provision for the maintenance of such a force by local authorities, provided men of the force were employed and deployed only within the area of jurisdiction of the local authority that created it. These local or provincial forces played a major role in helping police remote areas of the country, where the Nigeria Police had little or no presence.

In 1958, after the Federal Republic was inaugurated, the control of the Nigeria Police was placed in the hands of the Federal Government. Appointment of the inspector general of the Nigeria Police and the regional commissioners of police was strictly safeguarded by various constitutional provisions, and the training and equipment of all police forces were coordinated by a federal police organization.

Sections 98 to 103 of the Nigerian constitution accordingly provided that:

- The Nigeria Police shall be under the command of the inspector general of the Nigeria Police, and any contingents of the Nigeria Police Force stationed in a region shall, subject to the authority of the inspector general of the Nigeria Police, be under the command of the commissioner of police of that region. The prime minister may give to the Inspector General of the Nigeria Police such directions with respect to the maintaining and securing of public safety and public order as he may consider necessary, and the inspector general shall comply with those directions or cause them to be complied with.

- The commissioner of police of a region shall comply with the directions of the premier of a region with respect to the maintaining and securing of public safety and public order within the region or cause them to be complied with, provided that before carrying out any such directions, the commissioner may request that the matter should be referred to the prime minister for his directions.

Despite these constitutional provisions, the northern and western regional governments refused to amalgamate their forces with the Nigeria Police. Amalgamation, however, was accomplished after the Nigerian Army stepped into the political arena and ousted the recalcitrant politicians. The military government set up a study group to examine all police-related issues and it recommended the gradual integration of all local forces into the Federal Nigeria Police. In 1968 this amalgamation was achieved when the first group of federal police officers reported for training at the Police College in Lagos in 1968. By March 1969 the process had been completed for all forces in the Western State, and within a few years it was complete for all Nigeria.

**Structure and Organization.** Headquarters of the Nigeria Police is in Lagos and is under the command of the inspector general of police, who is assisted by a deputy inspector general. Its staff operations are supervised by assistant inspectors general.

The duties of the commissioner of police at force headquarters are split into five departments, tagged alphabetically from A to E, each under the command of an assistant inspector general. The functions of these departments are as follows:

- Department A is responsible for general administration, including all matters concerning personnel, assignments, transfers, promotions, leaves, and disciplinary action.
- Department B is the communications branch that supervises operation of the nationwide police radio network that links all state police commands with force headquarters. It is also responsible for operations and transportation, traffic control, and the central motor vehicles registry. This branch also monitors government vehicle licensing policy as it affects the police force.
- Department C is responsible for general financial matters and buildings, work, and capital development. It formerly included pay and quartermaster services, but these functions are now performed by the accounts/internal audit wing of the administration.

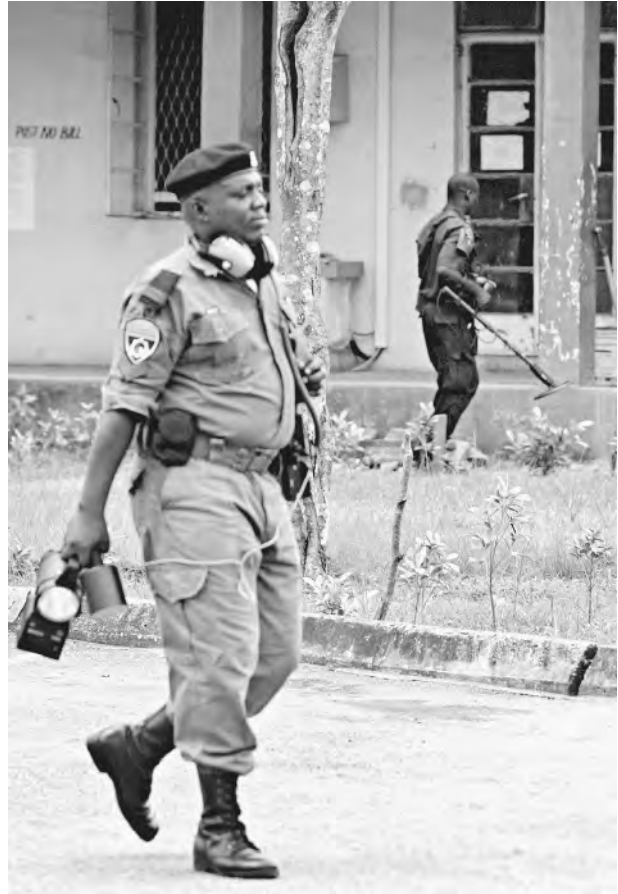
- Department D is responsible for criminal records and investigation. Of the various specialized developments assigned to the national headquarters, the largest is the Criminal Investigation Department (CID), which is responsible for the application of scientific methods to the prevention and detection of crime.
- Department E is the Special Branch, responsible for internal security and countersubversive activities. It gathers intelligence and infiltrates extreme groups engaged in terrorism.

Except for special functions that come directly under the national headquarters, control of the force in the field is vested in and exercised through state police commands. The nineteen headquarters of these commands, each under the authority of a police commissioner, are in the various state capitals. Directly below the state commanders or commissioners are the provincial police officers and then the district police officers, down to the station officers. The police stations are usually commanded by a sergeant or inspector of police.

The size and organizational complexity of the state police commands vary depending on the population density of the state and the extent of police authority needed. Police posts and stations are found in the larger urban centers, mainly along rail lines and major highways.

The largest of the state commands is that in Lagos State. Its headquarters in Lagos's Lion Building coordinates the activities of a police laboratory, a CID training school, the division in charge of the registration of aliens, and several specialized operational groups. These include a mobile unit and a police dog unit, both at Obalende; a motor traffic division at Ijora; the Nigeria Ports Authority Police at Lagos and Apapa; the Nigerian Railway Police at Ikeja and Shomolu; and a division of policewomen. Since they are better trained and equipped and have strong CID capabilities, the state commands of the Nigeria Police Force are the first responders in difficult or specialized cases.

Criminal investigations are initially the responsibility of the police station in the area in which the offense is committed. If the initial investigation indicates a serious crime, or that the case will be prolonged, the state CID may be called on for assistance. The latter may also call on the force CID in Lagos if inquiries are required in other states of the country or overseas. Generally speaking, however, the force CID is employed to investigate complicated cases of fraud or murder. It also serves as the central agency for the collection, compilation, classification, and recording of information concerning crimes and criminals and the dissemination of such information as required.



**Officers with Nigeria's bomb removal unit search the area surrounding a federal court after concerns that explosives were planted nearby, Lagos, Nigeria, September 13, 2005.** Authorities received a bomb threat and evacuated the high court building to search the area. The scare interrupted the country's largest fraud trial, a case where three men were accused of stealing \$242 million from a Brazilian bank. AP IMAGES.

**Criminal Investigations Department.** The force CID investigates cases that are either reported directly by members of the public or referred to the department by other police formations from all parts of the country, government departments, the Central Bank of Nigeria, and commercial banks and firms.

The force CID has several operations sections:

- The Crime Section is charged with investigating serious cases, such as murder, robbery, boundary disputes, and complex fraud cases.
- The Missing Persons Section is part of the Crime Section and deals with efforts to find missing or kidnapped persons.
- The Fraud Section deals with cases of fraud, forgery, and allied offenses throughout the country, but

especially in Lagos where the Central Bank, commercial banks, and large corporations are the target for criminal elements. Nigeria is notorious as the home of many swindlers who bilk millions out of unsuspecting foreigners who are promised large sums of money in return for loans or bank account numbers.

- The X Squad Section handles various crimes stemming from malfeasance or corrupt practices and abuse of authority by public officials including police officers.
- The Post and Telecommunication Fraud Section is attached to the Posts and Telecommunication Department for investigation of postal crime by postal employees or by civilians.
- The National Central Bureau, Interpol consists of three units: Interpol, narcotics, and antiquities.
- The Interpol Unit deals with investigation of crimes and apprehension of criminals originating in foreign countries. It conducts inquiries on behalf of foreign police organizations into the activities of Nigerian nationals and corporations that are in violation of law.
- Narcotics Unit handles cases involving the possession, smoking, trafficking, and cultivation of marijuana. Most of these cases are dealt with by state police commands. Those cases with international connections are handled by the narcotics section of the Interpol Unit. The usual modus operandi of narcotics dealers is to send it by mail as parcels in newspaper wrappings, books used as containers, wooden carvings, wearing apparel such as clothes and shoes, and empty boxes of detergents. Once caught, the addresses to which they are directed are passed on to the foreign narcotics bureaus.
- The Antiquities Unit deals with the interdiction of smuggled archeological artifacts.
- Section A22, the Police Public Complaint Bureau, serves people who cannot contact the police in person because of fear of being victimized.
- The Ballistic/Counterfeit Investigation Section deals with the classification and identification of forensic ballistics. It also handles cases of counterfeiting and disputed documents and serves as the Firearms Registry and Drawing Office.
- The Counterfeit Investigation Unit serves as the medium between the Central Bank and the police and keeps records of all cases of forgeries and counterfeits.

- The Disputed Documents Unit examines public and private documents for authenticity and classifies them by categories.
- The Drawing Office prepares and prints graphic materials, such as certificates, designs and paints armorial bearings, repairs, mounts, and frames photographs, and handles related technical matters.
- The Firearms Registry registers private guns and firearms and keeps track of them.
- A related Printing Section prints forms and other documents for police use.
- The force CID (*Kaduna*) provides specialized services and training facilities to the northern states in fingerprinting, photography, criminal records, and detection and prosecution of crimes. It compiles criminal statistics for the northern (Muslim) states and files fingerprints of those with a criminal background.
- The Legal Section generally gives legal advice and prosecutes criminal cases that come before the courts. The section also prepares cases to be sent to the deputy public prosecutor.
- The Photographic Training Section produces documentary films to be shown to students and photographs police activities for publication.
- The Statistics and Crime Records of the Force CID is solely responsible for collecting and editing criminal statistics for all states as well as the Railway Police.

**Section Units.** The Nigeria Police has seven specialized branches. The first is the Mounted Branch formed in 1961 at Kaduna. Earlier, between 1880 and 1890 the Royal Higher Company Constabulary had a Mounted Section known as Carroll's Horses that patrolled installations on the banks of the Niger River. The present-day Mounted Branch also patrols borders and assists Customs and Excise Department personnel in antismuggling operations.

The Police Dog Section was established in Lagos in 1963 and today covers the entire country. Police dogs patrol oil installations, serve as guard dogs, and are used at crime scenes and airports. The Dog Training School in Lagos also trains dogs for prison service and police officers as dog handlers.

The Nigeria Railway Police is the principal law enforcement arm concerned with reducing crimes, such as pickpocketing on trains and in stations. They also put down strikes by rail personnel.

The Port Authority Police combat theft in Nigerian ports, which is in itself a massive problem.

The force Signals Section operates 201 radio stations as well as 17 telex circuits at Abakaliki, Yola, Ijebu-Ode,

Onitsha, Aba, and other centers. A majority of the patrol cars are now equipped with radios.

Department A is the Public Relations Branch, which has a branch in each state command headquarters. It is manned mostly by professional journalists.

The Central Motor Registry is the principal motor vehicle licensing authority. It also keeps records of all driving licenses and registered vehicles in the country.

**Force Auxiliaries.** The Special Constabulary is an auxiliary force engaged in combating crime. There are two categories of supernumerary constables. The first consists of personnel serving at force and area command headquarters. The second consists of personnel on official payroll, who are hired out to commercial or public utility firms to protect life and property in which the state has a vested interest.

The Traffic Warden Service, started in 1975 in Lagos, has now expanded to all state capitals. The wardens help to unsharpen the perennial congestion on Nigeria's urban traffic.

A police band with fife, drum, and bugle was introduced in 1897. The present-day Central Band was formed in 1920 and consists of fifes, drums, and pipes. Made up of the Military Band, the Pipe Band, and the Force School of Music and Piping, it is a ceremonial arm of the force headquarters at Ikeja, with branches in six state capitals. It performs in public and private functions and concerts. There are state police bands at Enugu, Kaduna, Maidugiri, Ibadan, Benin, and Jos. Band personnel are trained at the School of Music and Piping.

The Police Medical Service, established in 1975, has 12 functioning clinics, of which 5 are in Lagos, 1 is at the Staff College in Jos, 3 at the police colleges at Kaduna, Enugu, and Maidugiri, and 3 at Owerri, Umuahia, and Aba in Imo State.

Women police were introduced as late as 1955. They are required to be unmarried and meet the same entry standards as their male counterparts except for a lower height. They are generally restricted to nonfield operations, such as radio dispatch, motor traffic control, juvenile offenders, missing persons, and cases involving women.

**Ranks.** There are seventeen ranks in the Nigeria Police. Of these, the first ten constitute the senior ranks and the remaining seven the lower ranks:

- Inspector General
- Deputy Inspector General
- Assistant Inspector General
- Commissioner of Police
- Deputy Commissioner

- Assistant Commissioner
- Chief Superintendent
- Superintendent
- Deputy Superintendent
- Assistant Superintendent
- Chief Inspector
- Inspector
- Sergeant Major
- Sergeant
- Corporal
- Constable
- Recruit

**Education and Training.** Recruitment focuses on youth and ethnic diversity. Recruits also have to meet minimum educational standards and qualifications, set in some states at a year short of full high school certificate. Because educational attainments are lower in the north, fewer Muslim applicants are able to cross this barrier. Recruitment takes place regularly at all divisional police headquarters and at the police colleges at Ikeja, Kaduna, Enugu, and Maidugiri. Those who qualify are required to pass a physical and meet tests of character, mental alertness, and financial solvency before they are accepted for training.

All recruits attend a basic six-month course at one of the police colleges. During this training period the young constable is taught basic law and police duties, drill, musketry, and first aid. He or she also undergoes rigorous physical training and participates in a wide variety of sports, such as soccer, field hockey, athletics, boxing, and gymnastics. At the same time, he or she is attached to a particular police command for practical experience in the field.

**Uniforms and Weapons.** Police officers wear dark-blue uniforms and gray shirts with silver buttons for ceremonial occasions and khaki work uniforms of British design with dark-blue peaked caps. The cap badge depicts an elephant, two crossed batons, and "The Nigeria Police" in scroll, the whole surmounted by an eagle.

Normally, the police officers are unarmed except for a billy club or baton. Many have been trained in the use of light infantry weapons, however, and are armed in emergency situations. They are also trained to use tear gas and firearms in dealing with large demonstrations.

Antiriot drills and parades are held weekly in police situations. For this purpose, police are formed into units of fifty, under the command of an officer. These units contain baton sections, a tear-gas section, a rifle section,

stretcher bearers, and buglers. These units are fully mobile, provided with radio communications, and can travel over rough terrain. Great emphasis is placed on using only the minimum amount of force to avoid inflaming the public. One section of seven men in each unit is armed with rifles, but these weapons are rarely used.

#### **Transportation, Technology, and Communications.**

The size of the country and the scarcity of usable roads enhance the role of radio communications in police work. The force headquarters in Lagos has direct links with all state headquarters. More than thirty-eight stations maintain subsidiary links within the twelve states. In addition, an expanding VHF teleprinter system links Lagos headquarters with state headquarters and the latter with the more important provinces. Many towns also have VHF stations connecting their control rooms to patrol cars engaged in traffic control and crime prevention.

The force also maintains a large fleet of motor vehicles and a number of motor launches. Many villages and towns in the Niger Delta are accessible only by water.

**Foot Patrols.** The standard patrol is on foot rather than in motor vehicles. Foot patrols are also effective in maintaining good community relations, getting firsthand information on local conditions, and maintaining a police presence in high-risk areas. For certain types of street crimes, foot patrols are the most effective antidote.

The introduction of foot patrols is determined by a number of criteria: the size of the locality, the type of inhabitants, the density of population, the presence of banks and shops, the existence of deserted premises, crime patterns, and the incidence of crime according to the time of day or the day of the week. Over time foot patrols acquire intimate knowledge of local conditions and personalities.

Composition of foot patrols varies, depending on the availability of manpower, the characteristics of the district to be patrolled, and the prior history of criminal victimization. Generally, a patrol consists of at least two police officers, who supported at night by motorized patrols with which they have constant radio contact. The patrolmen stay on their beat for eight hours a day.

Patrol officers reach their beat by foot, bicycles, or motorcycles or are taken there from an assembly point by a police vehicle. The officers are constantly in contact with police headquarters, the nearest police station, or police cars by means of two-way radios. They usually carry a small stick but sometimes are armed at night and during sensitive assignments or accompanied by dogs.

Because the Nigeria Police emphasize foot patrols vis-à-vis motorized patrols, which are concentrated

in urban areas, vast areas of the country left virtually unpatrolled and unpoliced. It also makes police officers overworked and frustrated.

**Motorized or Car Patrols.** Car patrols are of four kinds: roundabout patrols, antirobbery patrols, highway patrol, and police accident patrol.

The roundabout patrol was introduced by the Lagos State Police. It involves assigning police officers to all important roundabouts (called traffic circles in the United States) in urban areas on beat duty. Such men are usually equipped with walkie-talkies, with which they call their operational base for reinforcement or to report a suspicious activity, while, in turn, instructions are communicated to them through the same medium. The system has made it possible for police officers on duty at the roundabout to keep an eye on all movements in the area. It has been particularly effective in locating missing or wanted persons.

Each police station has a mobile antirobbery patrol team. These teams have been particularly effective in stopping armed robbers in their tracks, intercepting and foiling robbery in progress, and apprehending criminals fleeing the scene of the crime.

Highway patrol teams are equipped with radios, ambulance recovery vehicles, and motorcycles, besides highly sophisticated communications equipment. Their duties include clearing roads, booking offending or reckless drivers, recovering stolen vehicles, aiding accident victims and taking them to the hospital, and preventing highway armed robberies.

Introduced in 1975, the reorganized highway patrol has been effective in enforcing traffic laws that had become a dead letter when handled by conventional police patrol units. At least 80 percent of the entire federal highway network is effectively under patrol in eight-hour shifts. Their job is made harder by the absence of uniform traffic regulations and the lack of speed limits.

The police accident patrol is concerned with hit-and-run accidents and the provision of medical aid to victims of road accidents.

#### **Police Statistics.**

- Total Police Personnel: 114,035
- Population per Police Officer: 1,129

In 1925 the first cadet inspectors were recruited directly, but the program was abandoned in 1935. Introduced in 1953, direct recruitment to the subinspectorate cadre was designed to attract those with high school certificates. The sole direct recruitment to the upper officer echelon is for the assistant superintendent cadre,

the lowest senior officer rank in the Nigeria Police. Entrants are university graduates.

Both inspector and assistant superintendent ranks are also open to officers of lower rank, who may be promoted to those and other positions depending on their performance in prescribed refresher courses or fieldwork and the reports of their superiors.

There are five major police colleges, each serving a specific region. The largest and oldest is at Ikeja, which opened in 1948. It handles basic police training for recruits from the southern states. All police cadet inspectors and senior officers recruited from the civil service or elsewhere are also trained there.

The Kaduna Police College, established in 1949, is the second-largest and second-oldest in the country. It serves the northern states. The Enugu Police College serves primarily Anambra, Bendel, Cross River, Imo, and Rivers states, but also handles overflow recruits from Lagos, Oyo, Ogun, and Ondo states. The Maidugiri Police College that opened in 1973 serves Bauchi, Borno, Gongola, Benue, and Plateau states. The Police Staff College at Jos that opened in 1976 provides police command training for senior police officers.

The courses of instruction in these colleges include police ordinances and regulations, criminal laws, laws of evidence, motor vehicle ordinances, police station duties, such as fingerprinting, taking statements, and preparation of reports and sketches at the scene of a crime or accident. Interpretation of town ordinances and proper methods of keeping books and records are also taught. Practical work includes preparation of mock cases for court presentation. An intensive physical training program includes food drill, arms drill, parades, unarmed combat tactics, and riot control techniques. At every level the instruction tends to be advanced, detailed, and technical. Senior members and selected noncommissioned officers and constables are sent for advanced training in the United Kingdom or the United States in specialized areas, such as fingerprinting, dog handling, handwriting analysis, photography, and forensic science.

## HUMAN RIGHTS

The government's human rights record has improved under the civilian administration that came to power at the turn of the twenty-first century. Nevertheless, serious problems remain. In response to increased incidences of armed robbery, the police have instituted a campaign called Fire for Fire, which is responsible for many human rights abuses, including use of excessive force and extrajudicial killings. Torture and beatings of suspects, detainees, and prisoners are common, and police officials are not held accountable for deaths of prisoners as a result of such torture and beatings. Prolonged pretrial detention

remains a serious problem. In the north the Sharia-imposed punishments are condemned as barbaric throughout the world, but the government is incapable of enforcing a more humane law in areas where Muslims are in the majority.

## CORRECTIONAL SYSTEM

Nigerian criminal law is entirely statutory and is based largely on two separate criminal codes: the Nigerian Criminal Code and the Northern Criminal Code. The former has universal application in the six southern states while the latter applies to the six largely Muslim states in the north. Customary tribal laws have fallen into disuse except where they have been incorporated into either of the criminal codes or are supported by separate legislation. Crimes are punishable only by the state and not by tribal authorities.

The Nigerian Criminal Code is generally based on the unqualified principles of English criminal law. It classifies offenses as felonies, misdemeanors, or simple offenses, each distinguished by a scale of punishment. Besides the criminal code, certain other ordinances apply to the enforcement of criminal law.

The Northern Criminal Code is based on the Sudan Code, which in turn is derived from the Penal Code of India and, ultimately, from the Sharia, or Koranic jurisprudence. It deviates considerably from Anglo-Saxon legal concepts. Provocation, for example, mitigates the punishment for homicide. It prescribes harsh punishments for such crimes as adultery, drinking alcoholic beverages, and insults to the modesty of women, unlike the Nigerian Criminal Code, which does not classify such offenses as crimes. By contrast, the Northern Criminal Code does not contain references to crimes, such as treason, sedition, or counterfeiting, which therefore appear as addenda to the code or as statutory legislation enacted separately.

Punishments are harsh under both codes, although the principle of rehabilitation is acknowledged in theory. Death sentences are carried out in public by shooting. Corporal punishment by light rod, cane, or whip is also administered in public. The Northern Criminal Code, reflecting its Koranic origin, is extremely draconian and barbaric and prescribes amputation and flogging for even minor offenses.

The Nigerian corrections system was established during the British colonial era. Originally, all federal prisons were operated by the police, but in 1908 a separate prisons department was established in southern Nigeria. In 1938 several northern prisons were redesignated federal institutions and placed under the Prisons Department. At independence the federal system was transferred to the central government, while the local



prisons continued to operate under provincial and local authorities.

In 1968 the federal military government federalized all prisons and vested their administration in a commissioner of internal affairs and police. At the headquarters the system is headed by a director of prisons, and at each district headquarters by an assistant director of prisons.

The federal prisons are classified as convict, provincial, and divisional. Convict prisons are maximum security institutions that receive all classes of prisoners, while provincial and divisional prisons receive only those whose sentences do not exceed two years. In 1974 the prisons were classified on a functional basis into remand and reception centers, industrial production prisons, industrial training institutions, and prison farms.

The vast majority of the prisoners are male. Consequently, there are no prisons designated as solely for women. Some prisons have segregated sections for women, where they are employed in domestic crafts. Convicted juveniles between fourteen and eighteen years are incarcerated in the juvenile section of the Port Harcourt Prison. There are two reformatories for offenders under the age of twenty-one: the Approved School at Enugu in East-Central State and the Reformatory at Kukuri in North-Central State. In federal prisons male and female prisoners are segregated, and first offenders are segregated from hardened criminals. Prison labor is divided into three main categories: industrial, domestic, and unskilled labor.

**Prison Conditions.** Most prisons were built under the colonial administration about seventy to eighty years ago and lack basic facilities, such as potable water and indoor plumbing. Diseases are rampant in the in the cramped, poorly ventilated cells and there are chronic shortages of medicines. Many inmates have to provide their own food

and are allowed outside their cells for recreation or exercise only rarely. Petty corruption among prison officials makes it difficult even for relatives to bring food into prisons. Beds and mattresses are not provided, and most inmates sleep on concrete floors without a blanket. Prison officials, police, and security personnel deny inmates food or medicine as a means of punishment or to extract money. A number of prisoners die each year as a result of malnutrition and lack of medical care and are buried promptly in the prison compounds without notifying the nearest kin.

Prison conditions are worse in rural areas than in urban ones. Women and juveniles are not separated from adult males in rural areas, which leads to considerable abuse. About 70 to 80 percent of the prison population are detainees awaiting trial. Some have to wait for up to twelve years, sometimes more than the maximum length of their possible sentences. Serious delays are caused by multiple adjournments or missing case files. In 2001 the National Human Rights Commission drafted a new bill that would grant prisoners basic rights under United Nations protocols.

#### **Prison Statistics.**

- Total Prison Population: 39,153
- Prison Population Rate per 100,000: 31
- Pretrial Detainees: 64.3%
- Female Prisoners: 1.9%
- Number of Prisons: 147
- Official Capacity of the Prison System: 42,681
- Occupancy Level: 101.5%

*George Thomas Kurian*

# Norway

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**Official country name:** Kingdom of Norway

**Capital:** Oslo

**Geographic description:** Northernmost country on the Scandinavian Peninsula, bordering the North Sea

**Population:** 4,593,041 (est. 2005)



## LAW ENFORCEMENT

**History.** The earliest traces of a legal system in Norway existed over 1,000 years ago. This institution was known as the Allting and was a public gathering of yeomen, who convened to settle disputes and make laws for the local district. During the late thirteenth century regional laws were ultimately consolidated into one coherent codification scheme. This was later followed by a second major codification of Norwegian law that took place in 1687, during a period when Norway was ruled by Denmark. On dissolution of the union with Denmark because of the close of the Napoleonic Wars, Norway adopted a constitution on May 17, 1814. This constitution established Norway as a parliamentary democracy and a constitutional monarchy.

The first comprehensive penal code was enacted in 1842. This was replaced by the General Civil Penal Code of May 22, 1902. Since this time, the penal code remains, though it has been greatly modified through amendments over time. Rules on criminal procedure were first codified in 1887. This statute was replaced by the Act on Rules of Judicial Procedure in Penal Cases, which became official on January 1, 1986. The Penal Code and Criminal Procedure Act continue to be the two



main laws governing the civil administration of criminal justice in Norway today.

**Structure and Organization.** There are five police regions, among which are fifty-four police districts. The districts are led by police commissioners (Politimestre), who have as their immediate subordinates, deputy police commissioners (Politiinspektorer), assistant commissioners (Politiadjutanter), and superintendents (Politifullmektiger). Police commissioners and deputy police commissioners are appointed by the king in council. The other two classes of officials are appointed by the Ministry of Justice and Police.

The police force is administered directly by the Ministry of Justice and Police. It is also subordinate to the Public Prosecution Authority when investigating or prosecuting criminal cases. The police commissioners and their immediate subordinates are ultimately headed by the director general; the director general, in turn, is appointed by, and directly accountable to, the king, independent of the Ministry of Justice.

In rural areas police duties are carried out by sheriffs (Lensmenn), each of whom has general administrative authority in relation to a defined district. There are 370 such districts. As a police officer, a sheriff is accountable to the local police commissioner. There are several special units to the police force, all of which are administered centrally. These include the National Bureau of Crime Investigation (Kriminalpolitisenralen—also known as Kripas), the Police Security Service (Politiets Overvkingstjeneste), the Police Computing Service (Politiets Datatjeneste), the Police Equipment Service (Politiets Materieltjeneste), and the Mobile Police (Utrykningspolitiet). There is also a small specialist antiterror squad based in Oslo.

Furthermore, police are considered separate from the military branch of the government, making it a truly civilian-based form of social control. Similar to other countries, the police can, and sometimes do, seek the assistance of the military. Such assistance may be obtained during times of natural disaster or state emergency. Also, in times when human and physical resources are not adequate for a given task, the police have been known to call on the military for assistance when dealing with a given problem. In these instances military personnel involved in such operations fall under the command of the civilian police and are likewise accountable for their behavior under the same codes that govern civilian police actions.

**Principal Agencies and Divisions.** There are five police regions, among which are fifty-four police districts. The districts are led by police commissioners, who have as their immediate subordinates, deputy police commissioners, assistant commissioners, and superintendents. In rural areas police duties are carried out by sheriffs (Lensmenn), each of whom has general administrative authority in relation to a defined district. There are 370 such districts. It should be noted that in Norway a sheriff is accountable to the local police commissioner of that district. Lastly, the national police have primary responsibility for internal security, but in times of crisis, such as internal disorder or natural catastrophe, the police may call on the military forces for assistance. In such circumstances the military forces are always under police authority. The civilian authorities maintain effective control of the security forces.

**Police at Work.** The functions and tasks of the police are many and varied, ranging from the usual maintenance of law and order, the investigation and prevention of crime, to more specialized administrative tasks, such as immigration control and control of lotteries and gambling. Various local and district departments indicate that police at work in Norway engage in the following activities in roughly the following proportions.

With direct police-related work, it is estimated that roughly 40 to 50 percent of their time is devoted to public service, investigation of crimes, crime prevention activities, traffic duty, immigration control, rescue services and licensing tasks related to business operations and social events, and other routine police work.

**Public Service.** Traffic duty naturally consists of speed surveillance and traffic regulation among the general populace. The police also enforce safety belt controls. The police do have primary responsibility for enforcing laws that pertain to driving while under the influence of alcohol. In addition, Norwegian police initiate, lead and coordinate all operations regarding accidents and hostile situations.

Investigative work consists of investigations of all criminal offenses such as those of violence, those for profit, and drug-related and property crimes. Of course, officers do investigate fire-related scenes and accidents as well. The police are also involved in crime prevention efforts. This includes education components within their school systems as well as direct actions against target groups, special environments, and different specific types of crime.

Roughly 20 to 30 percent of their work has to do with the exercise of civil duties. Particularly time consuming is the role of enforcement officers during force auction sales, the return of stolen property, cases of indebtedness, the announcement of summons and sentences, and so forth. Other duties may include dealing with the estates of deceased persons and the registering of those estates. The remaining 20 percent of their work typically involves administrative functions on a day-to-day basis.

**Police-Community Relations.** To maintain effective police-community relations in Norway, several mechanisms have been designed to restrain power, to avoid misconduct, and to keep police personnel in line and accountable. One of these mechanisms is to ensure thorough and independent investigation of complaints filed against police personnel. Special Investigatory Bodies, organizationally independent of the police and subordinate to the director general of public prosecution (Riksadvokaten), investigates complaints against the police in Norway. Each of these bodies has three members: a chairman with qualifications equal to a Supreme Court judge, a lawyer with a minimum of two years practicing criminal law, and finally a member with significant experience in police investigation. One substitute is assigned to each of the members of these bodies. The primary mandate of the Special Investigatory Bodies is to investigate all complaints alleging that police have breached criminal law in carrying out their duties. Furthermore, they also investigate all cases in which police actions have resulted in a person's death and/or serious

bodily injury, irrespective whether or not a complaint was made. General complaints not in breach of criminal law are handled internally while special committees attached to each police district handle allegations of police acting in breach of discipline. Finally, after concluding their investigation, the Special Investigatory Bodies make recommendations about further action to the state attorney who then makes a final decision about the case.

The annual number of complaints filed has increased steadily since the Special Investigatory Bodies were established in 1988. While only 401 complaints were filed in 1988, the corresponding number for 1999 was 656. During this same period the rate of substantiation was relatively stable, around 7 to 8 percent. The relatively low rate of substantiated complaints has made for a constant source of criticism toward the Special Investigatory Bodies. This, coupled with the fact that most members either are or have been employed in the police force, has fueled the assumption that the Special Investigatory Bodies are biased in favor of the police. However, empirical evidence in Norway and elsewhere shows that the rate of substantiation remains low even if more "civilians" are involved in the process.

**Special Police.** There are several special units to the police force, all of which are administered centrally. These include the National Bureau of Crime Investigation, the Police Security Service, the Police Computing Service, the Police Equipment Service, and the Mobile Police. There is also a small specialist antiterror squad based in Oslo.

**Uniforms and Weapons.** The most common type of weapon with which police arm themselves is a wooden baton. Furthermore, "there are two main types of guns available for use by ordinary police officers: U.S. carbineers (30 caliber) and Smith and Wesson revolvers (model 10), and machine guns are available to specially selected police units, such as the anti-terror squad" (Bygrave 1997, p. 13). There are light bulletproof vests for approximately half of the operative police force. They are distributed unequally between the various police districts depending on need. Almost all police officers on patrol in Oslo have bulletproof vests. There are also approximately 2,000 heavy bulletproof vests and helmets distributed between the police districts.

**Transportation, Technology, and Communications.** As of August 1993 there were approximately 1,620 police automobiles. About 1,000 of these were state owned; the rest were rented. In addition, there were eighty-six motorcycles, all of which were state owned (Bygrave 1997).

Computer technology is used by the police force for a variety of purposes, including reporting crimes, gathering and processing crime statistics, budgeting,

accreditation of officials, and fingerprinting (the Automated Fingerprint Identification System has been in use with the National Bureau of Crime Investigation since the beginning of 1985). All police and sheriff stations have online links to a central computer network maintained by the Police Computing Service. There were plans to mount a fleet of police cars with minicomputer terminals in 2005. Mobile telephones, radio equipment, and radar guns are also widely used.

**Surveillance and Intelligence Gathering.** There are two comprehensive registration and surveillance systems in operation in Norway. The first is called the Schengen Information System (SIS). It is a data-based registration and surveillance system whose purpose is to maintain public order and security, including state security, and to apply the provisions of this convention relating to the movement of persons, in the territories of the contracting parties, using information transmitted by the system. This stated purpose is broad and comprehensive, comprising both "public order" and "state security." No further definitions of these terms are given, which means that just about everything may be included, from acts of qualified terrorism through various forms of social unrest to political demonstrations deemed to be a threat to public order and/or state security by the governments concerned.

Generally speaking, the information that may be stored in the system may be viewed in terms of three major levels or tiers. First, article 94.3 of the convention specifies the items that may be included in respect to persons: name and forename, and any aliases possibly registered separately; any particular objective and permanent physical features (an example would be skin color); first letter of second forename; date and place of birth; sex; nationality; whether the persons concerned are armed; whether the persons concerned are violent; reason for the report; and action to be taken. In other words, the basic information combines objective (sex) and evaluative (estimated violence) items.

SIS, however, is only one of the systems for information exchange in Schengen. The other system, closely related to and intertwined with SIS, is the *Supplément d'Information Requis à l'Entrée Nationale* (Supplementary Information Request at the National Entries; SIRENE). "SIRENE is intended to facilitate bilateral and multilateral exchange, mainly of supplementary information about persons and objects registered in the SIS, between the national police authorities in different Schengen countries" (Mathieson 2000, p. 171). In essence, "SIRENE is a complex, network-like structure for bilateral and multilateral police and security cooperation between those countries utilizing the Schengen Information System, including central national

offices and a sophisticated computerized information system, enabling the exchange of 'supplementary' data on persons and items before the entry of a report in the SIS, or following a positive search in the SIS" (p. 171). Through the SIRENE system, police authorities in one country that have arrested a person who is registered in the SIS by another country may require supplementary information, not stored in the SIS, from the latter country. The SIRENE system has developed alongside SIS and is far less known and not even mentioned in the Schengen Convention.

**Police Statistics.** In 2000 there were 11,134 total police personnel, which equates to a rate of one per every 248 citizens in Norway (Centre for International Crime Prevention 2002). There were 3,087 female police in Norway in 1994. These numbers include those officers who serve on the sheriff's force as well. As of 2005 there were two female police commissioners.

#### HUMAN RIGHTS

A delegation of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) visited Norway in September 1999 as a routine spot-check visit on human rights issues. The report noted that the delegation visited a number of police stations, prisons, psychiatric facilities, and establishments for young people, as well as a detention center for aliens. No allegations of torture or other forms of ill treatment of persons held in police establishments were received. However, some allegations were heard of the use of excessive force by police officers at the time of apprehension. Specifically, the report noted that in 1998 and 1999 the director general of public prosecutions issued several new guidelines on a variety of matters, including the transfer of persons remanded in custody from police stations to prisons, the treatment of prisoners on remand, and a detainee's access to a lawyer. The CPT noted that a significant reduction had been achieved in the average length of time that persons remanded in custody spent on police premises and that in most cases the transfer now takes place within twenty-four hours.

With regard to prisons, the CPT focused on two issues of concern: the treatment of remand prisoners subject to restrictions imposed by a court and the quality of prison health care services. The CPT noted the harmful effects of restrictions on prisoners, who were reported to have complained of anxiety, restlessness, sleeping problems, depression, and even suicidal thoughts. The CPT recommended that serious efforts continue to be made by prison staff to offer additional activities and appropriate human contact to prisoners held on remand under restrictions. Health-care services within the Norwegian criminal justice system were found to be

adequate. However, the CPT expressed concern at the situation found in Oslo Prison, where an ongoing conflict within the staff could compromise the quality of health care. No allegations were heard of deliberate physical ill treatment of patients by staff at the psychiatric facilities visited. Staff-patient relations appeared to be relatively relaxed and the care staff was evidently dedicated to their work.

The only other major human rights concern that appears worthy of mention in Norway involves the minority group known as the Sami. Aside from a tiny Finnish population in the northeast, the Sami constituted the only significant minority group until the influx of immigrants during the 1970s. In recent years the government has taken steps to protect Sami cultural rights by providing Sami language instruction at schools in their areas, radio and television programs broadcast or subtitled in Sami, and subsidies for newspapers and books oriented toward the Sami. In a unique political statement King Harald V publicly apologized to the Sami people for repression under Norwegian rule. In 1996 this was followed by the appointment of a state secretary in the Ministry of Local Government and Regional Affairs to deal specifically with Sami issues.

#### CRIME

**Organized Crime.** The media reflect that the following are areas of concern with organized crime within Norway: the involvement of eastern Europeans in organized crime, the infusion of the Russian Mafia in organized crime within Norway, and the eastern European Mafia have become aware of the market and profit potentials in Norway. Thus, Norway is becoming an increasingly attractive target.

While it has been determined that organized crime by eastern Europeans is not an epidemic problem, some have been involved in serious forms of organized crime in Norway. Specifically, "the drug import business has been found to be particularly well organized. Heroin is smuggled to a large extent to Norway from Afghanistan, Pakistan and certain neighbouring countries via the Balkans and through Europe." There is also a new itinerary farther north, which passes through former Soviet states and Russia. Amphetamine is smuggled into Norway from Poland and the Baltic states—particularly Estonia (Kittelsbye and Naess 2001).

Likewise, illegal immigration has become extensive and seems to be well organized. The police have documented a close connection between illegal passing of human beings in a country and trafficking in human beings. Trade in women is a form of crime that has been growing during the last few years. The Oslo Police District has analyzed the phenomenon in Oslo and concludes that the number of women working in the

indoor prostitution business is growing. Previously, the criminal aspect of this trade was mainly related to prostitution. However, a hardening of the business has taken place and the infrastructure around the women is linked to criminal organizations, which invest the proceeds from this “industry” into other types of illegal activity.

In fact, human trafficking has been identified in Norway as a form of organized crime that has become particularly problematic. While the primary purpose of this trade is sexual exploitation, it also serves as a source of illicit labor. In Norway trafficking represents an aggravated form of sexualized violence that is incompatible with the principle of gender equality. Women and children afflicted by poverty are particularly vulnerable to traffickers, who are motivated by profit and in many cases involved in organized crime. Human trafficking comprises a serious form of organized crime and constitutes a grave violation of human rights.

In 2003 Norway launched its first Plan of Action to Combat Trafficking in Women and Children. This action plan contains measures to protect and assist the victims, prevent human trafficking, and prosecute the organizers. In 2002 the Norwegian government introduced ethical guidelines for civil servants to prohibit the purchase and acceptance of sexual services. The basis for the resolution is the increasing problem posed by international prostitution and the trafficking of women and children for sexual purposes. The guidelines send a clear signal as to the ethical and moral standards Norwegian senior officials and civil servants are expected to observe. The introduction of these guidelines emphasizes the government’s role as a good example. In this way the authorities and the government as employers seek to assume the responsibility in principle for preventing people from being degraded as victims of human trafficking for sexual purposes.

**Crime Statistics.** Roughly 207,000 offenses were reported to the Norwegian police during the first half of 2003. This was a decrease of 11 percent from the first half of 2002. For the second year in a row there was a decline in narcotics offenses. The number of offenses reported to the police varies from year to year, but such a decrease from one year to another as happened in 2002 and 2003 is rare. Crimes declined by 12 percent, and misdemeanors by 8 percent. The change from 2001 was 3 percent and 4 percent, respectively. The preliminary figures are normally 1 to 2 percent lower than the final figures, hence it looks like 2002 had the high figures. It is uncertain to what extent the high figures in 2002 and the following decline in 2003 are, whether they represent changes in the registration system or to other reasons.

There were 106,000 reported offenses for profit during the first half of 2003. This was 10 percent less

than the previous year, but the numbers were 2 percent higher than in 2001. Theft was the largest type of offense in this category and constituted about 40 percent of all reported offenses and almost 60 percent of all crimes. Simple larceny decreased by 6 percent from the previous year, and aggravated larceny dropped by 9 percent. The figures for simple larceny have not been as low since 1997, but the numbers for aggravated larceny are—in spite of the decrease from the previous year—still higher than in both 2000 and 2001 (Statistics Norway 2003a).

Similar to other decreases, for the second year in a row, there was a decline in narcotics offenses. There were 19,000 cases in the first half of 2003. This was a decrease of 24 percent compared to the first half of the previous year. The decrease was particularly because of use and possession of drugs, which dropped by 31 and 20 percent, respectively, compared to the first half of 2002. Crimes of narcotics dropped by 25 percent, and serious crimes of narcotics by 13 percent (Statistics Norway 2003a). The overall figures have not been this low since 1997. The exception is serious crimes of narcotics, which are still higher than in 2001. However, the number of reported narcotic offenses might be directly affected by changes in the police registers and may also be highly sensitive to the priorities of the police. Hence, it is difficult to tell if the decline is because of an actual decrease in crimes of narcotics or because of other reasons.

By contrast, there has been a rise in sexual crimes. There were 1,800 reported sexual crimes in the first half of 2003. This is an 8 percent increase compared to 2002. Sexual crimes are the only group of offenses that rose in the first half of 2003. However, sexual crimes are often reported a long time after the crime was committed and hence the numbers reflect to a lesser extent the number of sexual crimes committed the year they were reported (Statistics Norway 2003a). In a particular year, the numbers are also attributed to the inclination to report such offenses. As an example, about 50 percent of the sexual crimes reported in 2003 were committed before 2003.

**Readjustment of the Police Registration System.** Between October 2002 and March 2003 the police registration system underwent a technical readjustment in relation to the police reform in the same year. As expected, this caused an overall decrease in numbers. In the past, if an offense was reported in one police district and then the case was transferred to another police district, the case was registered again in the new district. This kind of double-entry registration was eliminated through the readjustment of the registration system. As such, double-entry registrations have since been substantially reduced given the new routines for registration. This has had the greatest effect on offenses that are

most likely to be transferred to another police district. This is particularly so for narcotic offenses. However, it is not likely that this phenomenon alone can explain the reduction in numbers from 2002 to 2003.

### CORRECTIONAL SYSTEM

According to the 2001 United Nations Survey on Crime Trends and Operations of Criminal Justice, there were forty-six adult prison institutions in Norway. The prisons had a total 2,818 beds available to house offenders. Of these prisons, five were central prisons and forty-one were regional prisons. One of the central prisons was for females only. Most other prisons contained prisoners of both sexes. Larger prisons had special sections just for women. As of 2002 there were no prisons solely used for juveniles. There were 1,807 places for prisoners in closed prison institutions and 2,011 places in open institutions. In open institutions there are no special security measures taken to prevent prisoners from escaping, unlike those taken in closed institutions.

**Prison Conditions.** As a general rule, prisoners are released on parole before the period for which they have been sentenced has expired. Normally, they are released once they have served at least two-thirds of their sentence, which must be at least two months, including time spent in custody. In special circumstances a prisoner can be released on parole after half the sentence has expired, but this rarely occurs.

There are compulsory work schemes for prisoners. However, those serving short prison sentences may avoid having to participate in these schemes if it is difficult to find appropriate work activities for them. Prisoners are paid for their work.

Prisoners can participate in programs run by the Ministry of Education. Furthermore, prisoners have visitation rights, postal correspondence rights, the right to lodge written complaints, and the right to be allowed outdoors for at least an hour each day.

Most prisons have a priest who holds regular church services for prisoners and helps organize social events. At the larger prisons, there are also social workers and sports and recreation advisers whom prisoners can consult. Prisoners are normally allowed to have televisions, radios, and magazines in their cells. In special circumstances they are also allowed to leave prison for short periods, such as to visit a sick relative.

There are no special treatment programs for prisoners beyond ordinary medical services, although it is possible to transfer prisoners to other institutions for special treatment if necessary. It is also possible for a prisoner addicted to drugs to enter into a special contract with the prison

authorities. In this contract the prison authorities can offer and provide more privileges on the condition that the prisoner promises not to use drugs and agrees to undergo regular urine tests to ensure the promise is being kept.

**Prison Statistics.** In 2001, 2,800 inmates were held in Norwegian prisons. This was an increase of about 200 from the previous year. There were 12,000 imprisonments in the course of the year, which was 8 percent more than in 2000. The average number of people in Norwegian prisons also went up by 8 percent. The prison population at the start of the year increased by 11 percent to 2,975. The number of prisons was 46, the official capacity of the prison system was 3,136, and the occupancy level was 94.9 percent. The prison population rate per 100,000 was 65. Pretrial detainees made up 20.6 percent of the prison population, female prisoners 5.2 percent, and juvenile prisoners 0.3 percent. These trends are in part the result of an increase in the capacity of the prison system: There were 109 extra available prison spaces in 2001, and the available spaces were used to a greater extent in 2001 than in the previous year. Still, the number of people waiting to serve a sentence did not decrease in 2001, because of an increase in the number of unconditional prison sentences (Statistics Norway 2003b).

The number of imprisonments to custody, and the number of people held in custody on an average day did not change significantly from 2000 to 2001. There were about 3,800 incarcerations in the course of the year, and 600 people were held in custody on an average day. Hence, the increase in the prison population was only the result of more people serving prison sentences.

The average daily number of prisoners was 2,548, of which 124, or approximately 5 percent, were women. A total of 4 percent of those admitted to prison were foreign citizens residing in Norway. Out of this 4 percent, over half had originally come from Europe (mainly from northern Europe), 9 percent from North America, 14 percent from Africa, and 28 percent from Asia. A total of 5 percent of those admitted to prison were of unknown citizenship (Central Bureau of Statistics 1993). The percentage breakdown by type of offender in Norwegian prisons is:

- Drug Crimes: 9%
- Violent Crimes (includes sexual offenses, various forms of bodily violence, and murder): 12%
- Property Crimes (includes theft): 15%
- Other Crimes (includes fraud, drunk driving, and traffic offenses): 40%
- Unknown: 24%

## MOST SIGNIFICANT ISSUE FACING THE COUNTRY

As in other European countries, immigration to Norway has posed many political and social challenges. The building of Norway as a nation and the development of the welfare state in the twentieth century placed great emphasis on cultural equality as the national cornerstone. As the 1980s progressed, it became clear that Norway now had a permanent minority of people with a non-European background. They looked different to ethnic Norwegians and in many important areas they were quite different from a cultural viewpoint. Thus, discrimination issues have been noted to be fairly widespread. It is well known that immigrants have more problems than others do in procuring jobs and homes. Furthermore, more blatant forms of discrimination have been found to occur. For instance, a number of discotheques and nightclubs refuse to admit persons who look as though they come from a non-European country. The discrimination in Norway against immigrants who do not appear European has led many immigrants to change their names so as to sound more European in descent. It has also been asserted that the police treat people differently on the basis of their appearance (Eriksen 2003). Those who do not look like Norwegians risk being stopped on the street and asked for proof of identity. Discrimination is a major obstacle that precludes the successful integration of minorities into Norwegian culture. Lastly, it is clear that during the last few years conceptions of Norway and what it means to be Norwegian have been challenged. This is because of the increasingly multiethnic society developing in a country that has been almost completely homogenous. Being Norwegian no longer implies being culturally the same: The integration of immigrants requires equality on paper as in reality.

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**Robert D. Hanser**  
**Nathan R. Moran**



# Oman

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**Official country name:** Sultanate of Oman

**Capital:** Muscat

**Geographic description:** Located at the southeastern corner of the Arabian Peninsula, bordering the Gulf of Oman and the Persian Gulf

**Population:** 3,001,583 (including 577,293 nonnationals) (est. 2005)

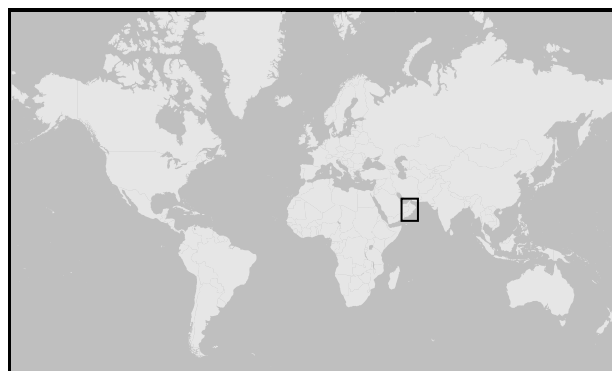


## LAW ENFORCEMENT

**History.** The Royal Omani Police is the descendant of the tribal police composed of *askars* (traditional guards), as well as the more organized Omani Gendarmerie and the Muscat Police Force, the latter formed in 1931. It was created by the British and was staffed by British expatriates who modeled it on British lines.

**Structure and Organization.** The internal and external security apparatus fell under the authority of the Royal Office, which coordinated all security and intelligence policies. The Royal Oman Police, whose head had cabinet status, performed regular police duties, provided security at airports, served as the country's immigration agency, and maintained a small coast guard.

The commander of the Royal Omani Police is the inspector general of police and customs, who reports to the minister of the interior. Specialized headquarters functions include traffic and criminal investigation. The operational divisions include the Marine Division, the Fire Service, and the Police Air Wing.



Territorially, the Royal Omani Police is divided into field units that correspond to the three governorates and the five regions. The divisional headquarters are at Al-Sharqiyah, Al Wusta, Al Betinah, Al Dahirah, Al Dakiiyah, Muscat, Dhofar, and Mussandam. Regional and governorate police commands are headed by deputy inspector generals who have jurisdiction over a number of rural and urban police stations.

**Education and Training.** Training for all ranks is provided at the Sultan Qaboos Academy for Police Sciences at Muscat and the Police Academy at Nizwa.

**Uniforms and Weapons.** Working dress for all ranks consists of khaki shirts and trousers with a black belt and black shoulder epaulettes bearing rank badges. A British-style blue peaked cap with a checkered cap band is also worn. On occasions, an open-necked khaki tunic is worn instead of the shirt. The ceremonial uniform is a

## *Oman*

white tunic and blue trousers with a broad stripe on the seams.

### **Police Statistics.**

- Total Police Personnel: 5,865
- Population per Police Officer: 512

### **HUMAN RIGHTS**

Oman has a basic charter with the force of law that provides for many human rights. However, in practice the security forces do not observe its injunctions, especially regarding arrest and detention, and due process is denied to those tried in state security courts. The courts are not independent as judges serve at the behest of the sultan, who also has the right to override any judicial decision.

### **CRIME**

**Crime Statistics.** Offenses reported to the police per 100,000 population: 331. Of which:

- Murder: 1.5

- Assault: 1.8
- Automobile Theft: 14.9

### **CORRECTIONAL SYSTEM**

Prisons are administered by the director of prisons under the Ministry of the Interior.

**Prison Conditions.** Prison conditions, while spartan, appear to meet international standards. Men are separated from women, juveniles from adults, and pretrial detainees from hardened criminals. However, the government does not permit independent monitoring of prison conditions.

**Prison Statistics.** There are three prisons in the sultanate with a total population of 2,020. The incarceration rate is 81 per 100,000 people. Of the total prison population, 5 percent are female, 3.3 percent are juveniles, and 20.3 percent are foreigners.

*George Thomas Kurian*

# Pakistan

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**Official country name:** Islamic Republic of Pakistan

**Capital:** Islamabad

**Geographic description:** Northwestern part of the Indian subcontinent including a part of Kashmir that is still in dispute with India

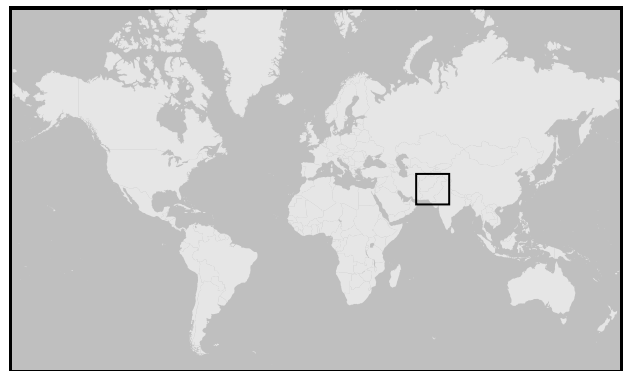
**Population:** 162,419,946 (est. 2005)



## LAW ENFORCEMENT

**History.** The first modern police force in Pakistan was set up by the British administration in 1843 and formed along the lines of the Royal Irish Constabulary. This force was so successful that it formed the model for succeeding forces created in other parts of the British Raj. The Police Act of 1861 made this police organization the norm to be followed in all provinces under direct British rule. The principal feature of the act was that policing was a civil function exercised by the provincial governments through an inspector general of police. The force was organized hierarchically on the lines of the army. Following independence, the Pakistani police were separated from the Indian counterpart and given jurisdiction over West Pakistan and East Pakistan. In 1971 East Pakistan became independent as Bangladesh, and West Pakistan became what is now known as Pakistan.

**Structure and Organization.** Under the constitution the maintenance of law and order is a provincial function; consequently, most of the police forces are organized under the auspices of the provincial governments. However, cer-



tain national agencies function under the federal Ministry of the Interior, including the Federal Investigative Agency and the Frontier Constabulary. In 1973 a new national-level body, the Federal Security Force, was formed to perform guard duties as a police reserve.

Police forces at the national and provincial levels are highly similar, being uniformly governed by many national regulations carried over almost intact from pre-independence British India. In general, the police are oppressive and corrupt and much disliked by the common Pakistani. Several high-level commissions have studied the police system and recommended many changes. The system as a whole, however, is entrenched and has proven resistant to change. The system is also subject to partisan political manipulation, sectarian and regional rivalries, and an overburdened bureaucracy.

The provincial forces are not integrated vertically, but they function under some common rubrics, making them almost identical in operation and administration. Many

administrative matters, such as minimum pay, allowances, and uniforms, are prescribed at the national level. Although the overall organization is of British origin, much of the methods and equipment as well as training reflect U.S. models as a result of U.S. aid programs.

The core of the federal police establishment is the Police Service of Pakistan (PSP), formed at independence with Muslim members of the Indian Police Service as its nucleus. The PSP is not an operational entity and does not function as such. It is a career service from which officers are individually assigned to operational police units. All senior officers both in the national agencies and in the provincial police are members of the PSP.

Two of the principal national-level agencies, both under the Police Division of the Ministry of the Interior, are the Federal Investigation Agency (FIA) and the Federal Security Force. The FIA was formed in 1941 as the Anticorruption Agency. It has investigative powers and may initiate investigations of its own or respond to requests from other governmental departments on matters such as embezzlement, bribery, black marketing, or misappropriation of funds. Its director has the rank of inspector general of police.

The Federal Security Force is a paramilitary police reserve for control of public disturbances and for important guard duties. It is believed to consist of up to nineteen battalions stationed at garrisons in the capital and in key locations throughout the country.

At the national level the best-known paramilitary police is the long-established Frontier Constabulary, commanded and staffed by members of the PSP. Its headquarters are at Peshawar, and it is run under a deputy inspector general of police, who reports to the minister of the interior. Constabulary units are stationed in the North-West Frontier Province, the population of which is heavily Pushtun with sympathies for the radical Islamic elements of Afghanistan. Among their duties is to watch for infiltrators from Afghan tribal areas, al Qaeda terrorists, heroin smugglers, and Taliban fighters on the run. The Frontier Constabulary works in tandem with the army auxiliaries known as the Frontier Corps.

At least three other organizations at the national level are involved in law and order, although they are not directly part of the police structure. The Directorate of Civil Defense under the Ministry of the Interior plans and directs civil relief in disasters and other emergencies. The notorious Central Intelligence Service (CIS) reports directly to the president. The CIS is known as the father of the Taliban and its main funding source. The FIA investigates economic crime, combats corruption in the federal and state governments, and investigates immigration and white-collar crimes.

Because the primary responsibility for the maintenance of law and order rests with the provincial governments, most police personnel are employed by the provinces. The provincial police forces include the regular police, other specialized security forces of the special armed reserve, the railway, highway, and river police, and the village police. The combined strength of these forces is estimated at more than 125,000. The largest segment is in the Punjab, followed by those of Sind, the North-West Frontier Province, and Baluchistan.

Police officers are categorized as gazetted or subordinate, roughly analogous to commissioned and noncommissioned officers, respectively, in the armed services. The subordinate grades are further divided into upper and lower categories. The top five grades, in descending order, are those of inspector general, additional inspector general, deputy inspector general, superintendent, and assistant superintendent. These grades are customarily filled by PSP officers. In the provincial police services the top grade is that of deputy superintendent, which is equivalent to that of assistant superintendent, the lowest grade in the PSP. Below these gazetted ranks are the upper subordinate positions, in descending order, of inspector, subinspector, and assistant subinspector. Below them are the bulk of rank-and-file policemen in the lower subordinate grades, including the head constable and the constable.

Each province is divided for purpose of police administration into a number of divisions. The four provinces have a total of thirteen divisions. Corresponding to each division and coterminous with the divisional commissioner's jurisdiction is the territorial police area called a range. Each range, in turn, is divided into districts; these are further broken down into a varying number of subdistricts, which have a number of police stations called station houses (*thanas*). Some districts do not have subdistricts, and there the station houses report directly to the district headquarters.

In each province the head of the police establishment is the inspector general of police, who reports to the secretary of the home department of the provincial government. The inspector general, who may be aided by an additional secretary general, supervises several deputy inspectors general at the provincial headquarters, each in charge of certain departmental functions, such as criminal investigation, identification, communications, railway security, terrorism, and administrative affairs. Outside the headquarters, the inspector general exercises general supervision over the police ranges in his province, each under a deputy inspector general.

Within the ranges the districts are the fulcrums of police operations. The district chief is the superintendent, assisted by one or more assistant superintendents and a number of inspectors and other ranks. The subdistrict is

supervised by an assistant or deputy superintendent; the station house is commanded by one of the upper subordinate grades and manned by ten to twenty head constables and constables. In the larger cities the police are organized on a municipal basis but remain part of the provincial police and answer to the inspector general of the province.

At all levels the senior police officer is linked to a dual chain of command, that of the police organization and that of the designated civil government. This sometimes causes confusion and discord in the chain of command, but the principle of ultimate civilian control was established in the Police Act of 1861 and continued under both civilian and military governments since independence. Thus, at the provincial level the inspector general reports to the home department; at the division, or police range level, the deputy inspector general answers to the divisional commissioner; and at the district level the police superintendent is subordinate to the deputy commissioner, who, as district officer and magistrate, is in charge of tax collection, law and order, and administration of justice. Although the deputy commissioner has no authority to interfere directly in the internal organization and discipline of the police, an important part of his duties is to inspect the police stations of his district at regular intervals. In case the deputy commissioner and the police chief disagree on issues relating to police functions, the former's decision overrides that of the latter. However, the deputy commissioner is dependent on police cooperation in keeping things under control. In case of serious differences, however, both may refer the disputed matter to higher authorities for reconciliation: the deputy commissioner to his commissioner and the superintendent to his deputy inspector general.

The provincial police also include a number of specialized categories. The transportation system is secured by the railway, highway, and river police. The provincial special forces are anticorruption establishments that perform, at a lower level, functions similar to those of the FIA. In each province the inspector general also has the Special Armed Police to deal with such critical functions as protection of public installations in times of civil commotion, armed escort for important public officials, peacekeeping during festivals and sports events, relief and rescue work during natural calamities, and the operation of armored cars carrying strategic or other valuable public properties.

Assisting the regular police in rural areas are semi-official part-time village constables called *chowkidars* or *dafadars*, who report violations to the nearest police station or apprehend offenders on police orders. The village constables are recruited and controlled locally

and given some remuneration, clothing for night duty, and, in some cases, small arms. The number of such constables varies with the size of the village and the incidence of crime.

**Police at Work.** The Pakistani police are one of the most ubiquitous and pervasive institutions in the country, but they are spread thin, overworked, poorly paid, poorly equipped and trained, and subject to the whims of volatile administrations. The police are also notoriously corrupt, inept, and brutal. Attempts are made periodically to reform the system, with few results.

The last major effort was the Police Commission set up in 1969 with a broad and sweeping mandate. However, the report of the commission, issued in 1971, was overshadowed by the secession of East Pakistan, and the proposals were shelved. Further efforts were made under Prime Minister Zulfikar Ali Bhutto, but with his fall the reforms were abandoned. In August 2000 the Musharraf government introduced a comprehensive package of police reforms. One key change was the transfer of oversight of the district superintendent of police from district commissioners to the elected district mayors. Public safety commissions have also been set up consisting of elected and nonelected members to oversee police ethics.

Police professionalism is low. New officers receive only short training, and many hires outside the PSP are the result of political patronage.

**Education and Training.** PSP officers are selected through annual, competitive, national examinations conducted by the Federal Public Service Commission. A ranked list of eligible candidates, based on examination grades, is drawn up annually by the commission, and from this list new officer appointments are made according to vacancies and quotas by the Establishment Division. This division also controls training, assignment, promotion, and administrative policy. Typically, only twenty to thirty appointments are made annually. The total strength of the PSP is about 2,500.

The successful PSP entrant—or probationer, as he is called—spends the first half of his two-year apprenticeship at the Pakistan Police Academy at Sihala, near Rawalpindi. During his first year he receives instruction on criminal law, police procedures, forensic medicine, and language, among other subjects. The second year is divided between service with a military unit and service at a district police headquarters. On completion of the second year the probationer is given the rank of assistant superintendent of police and assigned either to a national-level agency or, more likely, to one of the provincial police forces, where he will have charge of several police stations. Although he is then likely to remain in the same province for an extended period, the PSP

officer, unlike the non-PSP provincial officers and men, is always subject to transfer to any post in the country.

Provincial police officers are recruited and appointed at the provincial level. Constables are recruited at the district level. Each province has a police training center where the constables receive training for a minimum of six months. In the lower subordinate grades the pay, morale, and educational levels are low and advancement is slow. Women are eligible for police service, but their numbers are small, and they are not actively recruited.

**Uniforms and Weapons.** Both national and provincial police forces have their own distinct uniforms, the most common being a gray shirt worn with khaki trousers, or a khaki drill tunic and trousers. A blue cap or beret completes the outfit. The force is armed with rifles, stun guns, and revolvers.

#### **Police Statistics.**

- Total Police Personnel: 202,722
- Population per Police Officer: 801

#### **HUMAN RIGHTS**

Pakistan is a police state. Police commit many extrajudicial killings and abuse and rape citizens. While some officers charged with these abuses are transferred or suspended for their actions, no officer has even been convicted and few have been arrested. According to a human rights watchdog agency, more than a hundred people die from police torture every year. Police also fabricate evidence or stage escape attempts to justify shooting and killing of suspects. In many instances police kill suspected criminals to prevent them from implicating the police in crimes. Police routinely use excessive force to break up demonstrations and strikes.

Police corruption is widespread. They routinely extort money from prisoners and suspects and their families. Police also accept money for registering cases on false charges and torture innocent citizens. People pay the police to humiliate their opponents and to avenge their personal grievances. Police corruption is the most serious at the station house level, where arrest-for-ransom operations flourish.

#### **CRIME**

**Crime Statistics.** Offenses reported to the police per 100,000 population: 318. Of which:

- Murder: 7.1
- Assault: 2.2

- Burglary: 10.4
- Automobile Theft: 9

#### **CORRECTIONAL SYSTEM**

Law enforcement and crime and punishment are governed by a number of statutes, some of them inherited from the British Raj. These include the Penal Code of Pakistan, first promulgated in 1860 as the Indian Penal Code, the Police Act of 1861, the Evidence Act of 1872, the Code of Criminal Procedure of 1898, the Criminal Law (Amendment) Act of 1908, and the Official Secrets Act of 1911, as amended. Enacted after independence are the Security of Pakistan Act of 1952 and a host of other laws directed against corruption, terrorism, espionage, and smuggling. In any case, the regular and emergency powers of the constitution, especially articles 232 to 235, give the president and the central government more than ample authority to exercise firm control over all segments of society.

The Penal Code of Pakistan lists all major classes of crime, including what are called offenses against the state. Punishment is divided into five classes: death, banishment from seven to twenty years or more, imprisonment, forfeiture of property, and fine. With the introduction of Sharia, draconian punishments have become mandatory, such as amputation of hands for theft and flogging for adultery. The so-called Hudood Ordinances are designed to enforce the Sharia on Muslims and non-Muslims alike.

Tribal areas are outside the penal code. These areas are administered by centrally appointed political agents and police by the Frontier Corps and the Frontier Constabulary aided by local tribal guards (*khassadars*).

The Frontier Crimes Regulation of 1901 and the tribal customary law, adjudicated by the *jirga*, or council of *Maliks* (tribal elders), are in force in tribal areas supplemented by governmental regulations.

The custody and rehabilitation of prisoners is a provincial function governed by the 1860 penal code, the Prisons Act of 1894, and the Prisoners Act of 1900. The highest official in the prison administration in each province is the inspector general of prisons; at the division or police range level the senior official is the director of prisons and at the district or municipal level the jail superintendent. Below the district jail level are the village police lockups. The central government subsidizes the operations of the provincial prisons and the Central Jail Training Institute at Lahore. There is only a single juvenile jail at Landhi, near Karachi.

**Prison Conditions.** Even by third world standards Pakistani prisons are grim and harsh, marked by overcrowding, absence of sanitation, and poor living conditions.

Overcrowding is so severe that there are 86,000 prisoners in jails meant to hold around 38,000. In Rawalpindi 4,277 inmates are housed in a facility meant for 2,000; the 16 jails of Sind with a total capacity of 7,759 actually house 14,000; Karachi's prison with a capacity of 991 houses 4,087; the Lahore district jail built to house 1,045 prisoners contains 3,200; and Punjab jails meant for 17,271 hold more than 50,000. Only 2 toilets are available for every 100 inmates.

There are three classes of prisons: A, B, and C. The last category holds common prisoners and those in pre-trial detention. Such cells often have dirt floors and no furnishings. Prisoners in these cells suffer the most abuse, including beating and forced kneeling for long periods of time. The daily food budget in the lowest classes of prisons is about \$.02 per day. Inadequate food, often consisting of a few pieces of bread, leads to chronic malnutrition for those unable to supplement their diet with help from family or friends. There is no medical care for those who are physically or mentally ill. Foreign prisoners, mostly citizens of African countries, often remain in prison long after their sentences are completed because they have no money to pay for their deportation to their home countries. Conditions in A and B cells are markedly better. Prisoners in these cells are permitted to have servants, special food, and satellite television. A cells are for prominent individuals and B cells are for those politically well connected or those with university education.

Shackling of prisoners is routine. Many prisoners are fettered by the guards in an attempt to solicit bribes. The

shackles are tight, heavy, and painful and have led to gangrene and amputation in some cases. Common torture methods include beating, burning with cigarettes, whipping the soles of the feet, sexual assault, prolonged isolation, electric shock, denial of food or sleep, hanging upside down, and forced spreading of the legs with bar fetters.

Female detainees are held separately from men. There is only one jail in every province for convicted prisoners under twenty-one years of age and children are routinely incarcerated along with the general prison population. The Human Rights Watch reports that children are frequently beaten and tortured while in detention, either to extract confession or extort payments from their families. Sexual abuse of child detainees is also a problem.

#### Prison Statistics.

- Total Prison Population: 86,000
- Prison Population Rate per 100,000: 55
- Pretrial Detainees: 66.1%
- Female Prisoners: 1.7%
- Juvenile Prisoners: 4.5%
- Number of Prisons: 89
- Official Capacity of the Prison System: 38,839
- Occupancy Level: 222.5%

*George Thomas Kurian*

# Palau

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**Official country name:** Republic of Palau

**Capital:** Koror; a new capital is being built at Melekeok on Babelthuap

**Geographic description:** Group of islands in the North Pacific Ocean, southeast of the Philippines

**Population:** 20,303 (est. 2005)



## LAW ENFORCEMENT

**Structure and Organization.** The police force is under a chief of police who is responsible to the ministry of justice. The small force of a little under 100 is mostly unarmed. There are police posts on all outlying islands, which are linked to the capital by telecommunications and satellites. The force also has a Marine Law Enforcement Division that patrols the borders.

## CORRECTIONAL SYSTEM

The country has only one prison at Koror. It has separate quarters for men and women, juveniles and adults, and pretrial detainees and convicted felons.



**Prison Conditions.** Prison conditions meet international standards.

**Prison Statistics.** The prison can hold up to 100 prisoners. The total prison population is 110 and the prison population rate per 100,000 is 550.

*George Thomas Kurian*



# Panama

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**Official country name:** Republic of Panama

**Capital:** Panama City

**Geographic description:** Located on the Isthmus of Panama connecting the North and South American continents

**Population:** 3,039,150 (est. 2005)



## LAW ENFORCEMENT

**History.** The small Panamanian Army that came into being when the country gained its independence from Colombia, through U.S. maneuvers, lasted only one year before it was demobilized. To replace the disbanded army, the Corps of National Police was formed in December 1904, and for the next forty-nine years it functioned as the country's only armed force. The government decree establishing the national police authorized a strength of 700, and the tiny provincial police that had been operating since independence was incorporated into the new organization. The corps was deployed territorially in the then-existing seven provinces, and by 1908 its strength had grown to 1,000. By the 1940s some organizational stability had been achieved, but it was not until the presidency of José Antonio Remón Cantera in the early 1950s that the corps was institutionalized and renamed the National Guard, a name it bore until the U.S. invasion in 1989. After the invasion, the National Guard was abolished and in its stead was the Panamanian National Police. Additional law enforcement agencies include the Institutional Protection Service, the National Maritime Service, and the National Air Service.



**Structure and Organization.** The Panamanian National Police (PNP) inherits much of its structure from its predecessor, the National Guard. It is constitutionally a part of the Ministry of Government and Justice. The force is headed by a commandant, and all command lines emanate directly from him and flow to the subordinate units. The commandant is assisted by a deputy commandant and a general staff. The general staff has five sections: personnel, intelligence, operations, logistics, and civil action. The assistant chiefs of staff in charge of these sections have the status of lieutenant colonels.

The PNP is deployed territorially in ten numbered zones: two (the first and the tenth) in Panama City and the other eight in each of the other provinces. By regulation the headquarters of a zone is in the capital city of the province. A zone is commanded by an officer with the rank of lieutenant colonel or major.

A public order unit, a successor to the Public Order Company, assists in maintaining order on special occasions, such as sports events, parades, and festivals, coordinates

relief during natural disasters, and puts down disturbances. The Cavalry Squadron is the most colorful unit of the PNP and its functions are purely ceremonial, although it is called on occasionally for crowd control. The Presidential Guard is a specially trained group charged with guarding the president and the presidential palace. On parade, or when mustered to greet foreign dignitaries, the Presidential Guard presents an impressive appearance in khaki uniforms, shiny helmets, boots with white laces, and white belts and rifle slings. Another unit is the Traffic Police, commanded by a lieutenant colonel. Their responsibilities include issuing, renewing, revoking drivers' licenses, registering vehicles, investigating accidents and infractions of vehicle laws, inspecting vehicles, and developing traffic safety programs. The remaining unit of the PNP is the security detachment at the national prison in Panama City.

The Panamanian equivalent of the U.S. Federal Bureau of Investigation (FBI) is the National Department of Investigations (Departamento Nacional de Investigaciones, DENI), established in 1960 as the successor to the National Secret Police, which was founded in 1941. Unlike the latter, which functioned under the Ministry of Government and Justice, DENI is under the attorney general in the Public Ministry. It also maintains an identity and records bureau and a national fingerprint file. DENI headquarters are in Panama City, with branches in Colón and David. Only the Supreme Court may remove the director of DENI from office.

The PNP has three officer categories: company grade (second lieutenant through captain), field grade (major through colonel), and general officer. Noncommissioned officer ranks are corporal, second sergeant, and first sergeant.

The Institutional Protection Service is charged with the protection of public buildings and property. It is supervised by the Ministry of the Presidency. The Judicial Technical Police is a semiautonomous body under the attorney general. Its members are appointed by the Supreme Court, and they perform criminal investigations in support of public prosecutors.

**Education and Training.** Recruitment to the PNP is based on voluntary enlistment. Most noncommissioned officers come from rural areas while most officers come from the urban middle class. The PNP employs some women, especially as DENI investigators and as traffic police.

Training is provided by the President Belisario Porras Police Training Academy in Panama City and the Police Training Center (Centro de Capacitación Policial). The United States has trained a number of police officers under FBI initiatives.

**Uniforms and Weapons.** PNP uniforms are either green fatigues or khaki-colored short-sleeved shirts and trousers. Officers wear short-sleeved khaki shirts with dark-green trousers or various (white or dark-green) dress uniforms. Headgear varies from helmets or helmet liners to various colored berets; stiff-sided visored fatigue caps; or visored felt garrison caps similar to those worn by U.S. Army officers. Field-grade and general officers wear gold braid on their visored caps. Combat boots are the most common footwear, but officers wear low-quarter shoes. Officer rank insignia consist of gold bars or stars on an elongated gold oak leaf for the commander. The three noncommissioned officer ranks are designated by chevrons. Distinctive unit shoulder patches are worn by all ranks on the right shoulder of their uniforms. On the left shoulder all ranks wear the familiar blue, white, and red shield showing crossed rifles bisected by an upright saber.

#### **Police Statistics.**

- Total Police Personnel: 16,194
- Population per Police Officer: 188

#### **HUMAN RIGHTS**

The government generally respects the human rights of its citizens, but there are sporadic incidents of extrajudicial killings by the police and abuse of detainees. Corruption among police officers remains a problem. The PNP has the Office of Professional Responsibility with administrative authority to investigate police misconduct and corruption. On average it receives ten complaints a week from the public, of which some 30 to 40 percent result in punitive action.

#### **CRIME**

**Crime Statistics.** Offenses reported to the police per 100,000 population: 419. Of which:

- Murder: 2
- Assault: 11.8
- Burglary: 25.1
- Automobile Theft: 77.7

#### **CORRECTIONAL SYSTEM**

The criminal code defines felonies and misdemeanors as crimes. The code also establishes upper and lower limits for each crime. Capital and corporal punishments are prohibited. The most severe punishment is twenty years' imprisonment.

Penal institutions are governed by article 27 of the constitution, which lays down the principle of the rehabilitation of prisoners. The Department of Corrections

was established in 1940 to administer the prisons for the Ministry of Government and Justice. The worst offenders are sent to the Coiba Penal Colony on Coiba Island, founded in 1919. It also houses a minority of offenders awaiting trial. In the main camp there are facilities for rehabilitation training and a small school. Work without remuneration is required of all prisoners, leading to the charge of slave labor. The Model Jail in Panama City was built in 1920 but since then has acquired a reputation that belies its name.

The main prisons in Panama City include the maximum security La Joya, Tinajitas, the Women's Rehabilitation Center, and a juvenile detention facility. Two additional facilities, La Joyita and El Renacer, hold inmates accused of lesser crimes. There are prisons of significant size in David and Santiago. A new prison was opened in 2001 in Colón known as Nueva Esperanza. There is at least one jail in each provincial capital. Most women offenders are sent to the Women's Rehabilitation Center in Panama City, which is run by a Roman Catholic order of nuns. It has acquired a reputation for being one of the best organized, cleanest, and most humane institutions in Central America.

**Prison Conditions.** Prison conditions remain harsh, despite attempts by the Prison Department to train guards. Most prisons are dilapidated and overcrowded. There is also a lack of separation of inmates according to the type or severity of the crime committed. Medical care

is inadequate; tuberculosis, AIDS, and other communicable diseases are common among the prison population. Recurring violence in the prisons has led to the death of 28 inmates and 142 serious injuries since 1996. Conditions in La Joyita led to a hunger strike by inmates protesting against the inhumane conditions, including overcrowding and the lack of sanitation, sleeping facilities, and recreation. Because prison security rests almost entirely with the PNP, tensions arise between PNP officers and their civilian directors. In addition, PNP officers are untrained for prison duty and generally find the assignment distasteful, which contributes to tensions and abuses within the system.

#### **Prison Statistics.**

- Total Prison Population: 10,630
- Prison Population Rate per 100,000: 354
- Pretrial Detainees: 55%
- Female Prisoners: 6.9%
- Juvenile Prisoners: 6.7%
- Number of Prisons: 73
- Official Capacity of the Prison System: 7,348
- Occupancy Level: 144.7%

*George Thomas Kurian*

# Papua New Guinea

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**Official country name:** Independent State of Papua New Guinea

**Capital:** Port Moresby

**Geographic description:** Group of islands in southeastern Asia, including the eastern half of the island of New Guinea, between the Coral Sea and the South Pacific Ocean

**Population:** 5,545,268 (est. 2005)



## LAW ENFORCEMENT

**History.** The first administrator of British New Guinea (now Papua), who was appointed in 1888, selected a tribal leader from each village and made him a village constable. These village constables continued to be appointed for the next seventy-five years. As a regular force, an armed constabulary was created in 1890 consisting of twelve constables from the Solomon Islands and two Fijian noncommissioned officers under a British commandant. This small nucleus was later expanded by the appointment of a number of Papuans whose main function was to act as escort to the lieutenant and the resident magistrates. In 1939 the prefix *Royal* was granted to the force, making it the Royal Papuan Constabulary. Meanwhile, in German New Guinea, a small police force consisting of Malays was formed on the British model. Control of these constables was vested in the district officers, or in the case of larger districts, a police master. Their main function was to conduct punitive expeditions against the natives. These two forces were joined together in 1952.

**Structure and Organization.** The Papua New Guinea Police Constabulary is under the operational control of a commissioner of police who reports to the minister of state for police. The constabulary headquarters is in Port Moresby. The command post comprises four major, functionally organized staff sections: Police, Training, Special, and Criminal Investigation. The first coordinates and directs the daily activities of police stations throughout the country. The second operates the Central Police Training Center at Bomana, near Port Moresby. The third is concerned with internal security and directs the activities of plainclothes police officers. The last maintains the Office of Criminal Records and the Fingerprint Bureau and operates ballistics, photographic, and scientific laboratories.

Besides security duties, the Papua New Guinea Constabulary is associated with a number of other related missions: fire fighting, controlling traffic, licensing of motor vehicles, and regulating the sale and use of liquor, explosives, and firearms. The constabulary also includes a

thirty-five-piece band that performs during parades and ceremonial functions.

The constabulary is divided into three operational elements. The Regular Constabulary is the bulk of the force consisting of full-time professional members, who are graded and ranked in quasi-military fashion as follows: commissioners, superintendents, inspectors, noncommissioned officers, and constables. The Regular Constabulary is usually unarmed, but rifles are issued in times of emergency. The Field Constabulary patrols rural and remote interior areas where no Regular Constabulary stations have been established. The Field Constabulary is armed with rifles and operates under the general supervision of the local administrative officers of the Department of District Administration. The size of the Field Constabulary is gradually diminishing as central authority over rural areas expands, new permanent police stations are set up, and field personnel are absorbed into the Regular Constabulary.

The Reserve Constabulary is a permanent corps of part-time volunteers appointed by the commissioner in areas where constabulary strength is not fully needed or where additional strength may be required periodically. Members of the Reserve Constabulary have the same authority, organization, and responsibilities as the Regular Constabulary.

Below headquarters level, the constabulary operates through four territorial commands, each headed by a senior police officer. The first division includes Papua and nearby islands, the second, third, and fourth are in New Guinea and consist of separate commands for highland, coastal, and island areas. Each territorial division is, in turn, divided into districts and subdistricts. Many interior areas, however, have not been brought under full governmental control, and police presence there is sporadic and minimal. In such places police functions are discharged by the field staff of the Department of Local Government.

**Education and Training.** All officers and personnel are recruited by voluntary enlistment. There are no educational requirements, only good character and health.

Personnel for the ranks are inducted as probationary constables at the Police Training Depot of the Central Police Training Center at Bomana. They undergo six months of training in police procedure, after which they are assigned to regular police stations for two years of training on the job. If at the end of this period they are deemed acceptable, they become full-fledged constables.

Officer training cadets are sent to the Police Training College at Bomana for a course of training that lasts four years. Successful cadets are then assigned to police stations for three years of additional on-the-job training. Graduates are commissioned as subinspectors.

**Uniforms and Weapons.** The duty uniforms worn by both officers and men are essentially the same except for the headgear. The uniforms consist of a light-blue shirt, dark-blue shorts, a black belt, and black shoes. Officers wear visored caps; other ranks wear berets. Officers and sergeants also have a dress uniform consisting of a light-blue shirt, dark-blue slacks, a Sam Browne belt, a dark-blue tie, and a dark-blue cap.

#### Police Statistics.

- Total Police Personnel: 7,012
- Population per Police Officer: 791

#### HUMAN RIGHTS

The government generally respects human rights. However, the police use excessive force, such as beatings, when arresting or interrogating suspects and engage in excessively punitive and violent raids. All police shootings are investigated by the police department's internal affairs office and reviewed by a coroner's court.

#### CRIME

**Crime Statistics.** Offenses reported to the police per 100,000 population: 766. Of which:

- Murder: 8.6
- Assault: 66.7
- Burglary: 63
- Automobile Theft: 22

#### CORRECTIONAL SYSTEM

The corrections system is separate from the police although it operates directly under the administrator in the executive branch of government. Operational control is vested in the Correctional Institutions Branch of the Department of Law, whose director, the controller of corrective institutions, has his office at the main facility of the system at Bomana. All jails are called correctional institutions, regardless of size.

The main facility at Bomana is a detention center for prisoners serving sentences of more than one year. It is a modern and progressive institution that provides literacy and training programs and work shops, and includes penal farms. Penal institutions in district headquarters house prisoners sentenced to less than one year. Short-term prisoners and those awaiting trial are placed in jails attached to each patrol post in urban areas.

**Prison Conditions.** The prison system suffers from serious underfunding, the deterioration of infrastructure, and the paucity of basic services. Many prisons have been

## *Papua New Guinea*

closed because of life-threatening conditions. In 2001 there were a number of prison escapes and at one point there were 200 escaped prisoners at large.

### **Prison Statistics.**

- Total Prison Population: 3,302
- Prison Population Rate per 100,000: 66
- Pretrial Detainees: 35.2%

- Female Prisoners: 4.2%
- Juvenile Prisoners: 5.9%
- Number of Prisons: 17
- Official Capacity of the Prison System: 4,040
- Occupancy Level: 87.4%

*George Thomas Kurian*

# Paraguay

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**Official country name:** Republic of Paraguay

**Capital:** Asunción

**Geographic description:** Landlocked country in south-central South America

**Population:** 6,347,884 (est. 2005)



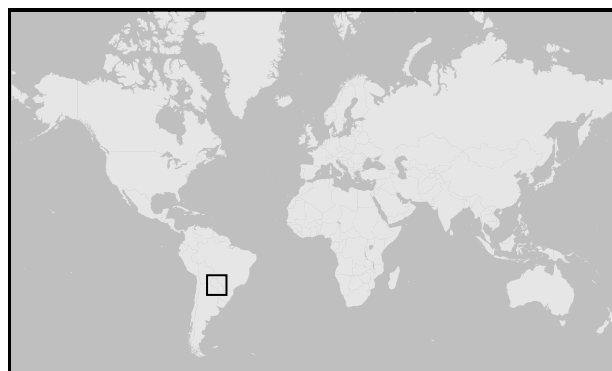
## LAW ENFORCEMENT

**History.** In Spanish colonial times formal law enforcement was limited to Asunción and to a few major cities. This situation continued well into the twentieth century, when the first national force was constituted under the Police Law of 1951.

**Structure and Organization.** The Paraguayan National Police has two branches under separate commands. The older branch, the *Policia de la Capital*, is the force that maintains law and order in the capital. It is divided into borough precincts; departments—Public Order, Investigations, and Training and Operations; and 4 directorates—Surveillance and Offenses, Identification, Alien Registration, and Political.

A special unit of the capital police is the Security Guard, which is called on during emergencies and ceremonial occasions. It consists of 2 rifle companies, 1 support company, and 1 headquarters company. Another special unit is the Police of the Presidency, which is the plainclothes secret service detail of the president. The Fire Department is also manned by police personnel.

Units of the Interior Police are under the control of the delegate (*delegado*) of the department to which they are assigned. Operational control of these units



rests with the chief of police (*jefe de policia*). The departments are divided into districts headed by a city judge (*alcalde*), under whose jurisdiction are police conscripts drawn from the district as well as neighboring districts.

The internal security organ is the Director General of Investigations, which handles undercover activities, surveillance, and counterterrorism. The Highways Police operates under the Ministry of Public Works.

**Education and Training.** There are four training establishments, all at Asunción:

- Police College for basic training
- Higher Police College for specialized training
- Noncommissioned Officer School for noncommissioned officers
- Police Training Battalion for in-service training

## *Paraguay*

**Uniforms and Weapons.** Khaki uniforms and berets are worn by all ranks in the summer, and navy-blue uniforms and caps are worn in the winter. Different ranks are denoted by different colored facings on the uniforms.

### **Police Statistics.**

- Total Police Personnel: 18,625
- Population per Police Officer: 341

### **HUMAN RIGHTS**

The government generally respects the human rights of its citizens, but there are serious problems in some areas. There are killings by security forces and incidents of torture and abduction. Arbitrary arrest, which was common during the Stroessner regime, continues. The 2000 Penal and Criminal Procedures Code provides the legal basis for the protection of fundamental human rights.

### **CRIME**

**Crime Statistics.** Offenses reported to the police per 100,000 population: 418. Of which:

- Murder: 11.5
- Assault: 54.2
- Burglary: 21.4
- Automobile Theft: 30.5

### **CORRECTIONAL SYSTEM**

The criminal justice system is governed by the penal code of 2000. The death penalty was abolished in 1967 and the highest punishment is life imprisonment with hard labor.

Prisons are under the control of the General Directorate of Penal Institutions, which, in turn, is under the Ministry of Justice and Labor. The principal facility is the National Penitentiary at Asunción. Others include the Tacumbu Penitentiary for adult males at Villa Hayes, 20 miles north of Asunción, the Women's Correctional Institute under the supervision of the Sisters of the Good Shepherd, and the Correctional Penitentiary for Minors at Emboscada, 25 miles northeast of Asunción.

In addition, each department has a prison or jail in its capital.

**Prison Conditions.** Prison conditions are substandard as a result of overcrowding, lack of proper sanitation, and abuse by guards. The worst prison is Tacumbu, the largest prison in the country; designed to hold 800, it has a population of 2,100, two-thirds of whom are awaiting trial. Other regional prisons hold about three times more inmates than their capacity. In the Coronel Oviedo prison more than 500 inmates are crowded into a facility built for 100.

Security is a major problem in all the prisons. The drug use by prisoners is rampant. Drugs, weapons, and knives are frequently smuggled into prisons and lead to hostage takings and killings by prisoners. Escapes and escape attempts are frequent. At Buen Pastor, a women's prison, there are reports of rapes of prisoners by their guards, even though the law prohibits male guards in such facilities. The Congressional Human Rights Commission criticizes the prisons for the poor nutritional value of prison diets. Prisoners are generally served only one meal a day, and it contains no meat or vegetables. Panchito López, a former youth detention center, was burned down in 2001 after complaints of abuse of inmates. In response to criticism, the administration has built new juvenile facilities at Itagua and Fernando de la Mora. The government has also decreed that convicted prisoners should be segregated from those awaiting trial.

### **Prison Statistics.**

- Total Prison Population: 4,088
- Prison Population Rate: 75
- Pretrial Detainees: 92.7%
- Female Prisoners: 5.1%
- Juvenile Prisoners: 10%
- Number of Prisons: 12
- Official Capacity of the Prison System: 2,707
- Occupancy Level: 151%

*George Thomas Kurian*



# Peru

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**Official country name:** Republic of Peru

**Capital:** Lima

**Geographic description:** Middle of western South America, bordering the South Pacific Ocean

**Population:** 27,925,628 (est. 2005)



## LAW ENFORCEMENT

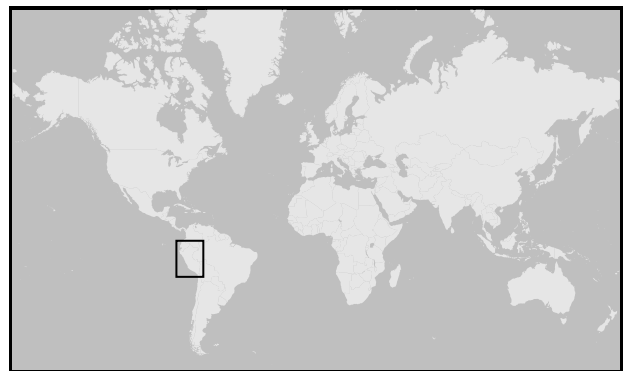
**History.** The Peruvian National Police (Policía Nacional del Perú) were created December 6, 1998, by national law 24949 as a result of the union of Peru's previous police forces, the Civil Guard, Investigation Police (Policía de Investigaciones), and the Republican and Health Guard (Guardia Republica y Sanidad) with the purpose of creating a single, more dynamic and professional organization.

As a result of the 1993 Political Constitution of the Peruvian State (Constitucion Politica del Estado Peruano) and article 166 contained within its text, the mission of the Peruvian National Police was set forth years before its final creation. The mission is as follows:

- Guarantee, maintain, and reestablish internal order
- Give protection and help to people and the community
- Guarantee observance of the law and security
- Prevent, investigate, and combat delinquency
- Guard and control the borders

### Structure and Organization.

**Principal Agencies and Divisions.** As outlined in the Organic Law of the National Police on December 22,



1999, in article 166 of the Peruvian Constitution, the National Police form part of the structure of the Ministry of the Interior. The National Police have the following organizational structure:

- Directorate (Organo de Dirección)
- Assessment Branch (Organo de Asesoramiento)
- Control Branch (Organo de Control)
- Consultative Branches (Organos Consultivos)
- Support Branches (Organos de Apoyo)
- Branches of Instruction and Indoctrination (Organos de Instrucción y Doctrina)
- Branch of Execution (Organos de Ejecución)

Specialized Branches include:

- Antidrug Branch (Dirección Antidrogas)
- Counterterrorism Branch (Dirección Contra el Terrorismo)

- National Defense and Border Control Branch (Dirección de Defensa Nacional y Control de Fronteras)
- Criminal Investigation Branch (Dirección de Investigación Criminal)
- Highway Police Branch (Dirección de Policía de Carreteras)
- Judicial Police Branch (Dirección de Policía Judicial)
- Prosecutorial Police (Dirección de Policía Fiscal)
- Ministry of the Public Police (Dirección de Policía de Ministerio Público)
- State Security Police (Dirección de Seguridad de Estado)
- Highway Safety Police (Dirección de Seguridad Vial)
- Tourist and Ecological Police (Dirección de Policía de Turismo y Ecología)

*Territorial Directorates:* With the passage of ministerial resolution 0982-2003-IN/Policía Nacional del Perú on June 12, 2003, the Peruvian National Police was divided into eleven directorates spread throughout the country. The headquarters for each directorate is situated near a major metropolitan area.

*Aviation Police:* The Peruvian Aviation Police (Dirección de Aviación Policial, DIRAVPOL) were legally instituted in 1984 with the mission of planning, organizing, directing, and controlling the instruction, flight training, and maintenance of aircraft in Peru. Before this unit's formation, experts and professionals from Latin American airline companies were consulted on the formation of a unit that was capable of aerial operations in a number of different environments.

The history of the aviation police is as interesting as are the exploits that have made this unit famous. On July 31, 1983, during an antidrug operation, three planes intended for use by drug traffickers were confiscated. These planes were taken to Mazamari, where they became the first planes used by DIRAVPOL. This unit also uses helicopters in its operations.

*Transit Police:* The Directorate of Transit Safety (Dirección de Seguridad Vial) has the mission of regulating transit in Lima and Callao. Among the actions that transit police are charged with are foot patrols, car patrol, and air patrol (through the Aviation Police). One of the chief responsibilities that traffic police must regularly address is the smooth flow of traffic during peak hours in places considered critical such as downtown Lima.

The mission of transit safety is fulfilled by three units within the directorate: the Unit of Transit Control, the

Unit of Motorized Transit Control, and the Phoenix Squadron. The Unit of Transit Control either works on foot or in squad cars in four zones in the city of Lima (Central Lima, South Lima, East Lima, and North Lima). The Unit of Motorized Transit Control and the Phoenix Squadron were created to address and combat the inherent problems and complications with traffic in metropolitan and surrounding areas.

*Directorate of Special Operations:* Based in Lima, the Special Operations Directorate of the Peruvian National Police handles situations that threaten the lives of Peruvians to maintain internal order. Situations that require the training and expertise of this directorate include cases of kidnapping, hostage rescue, and acts of terrorism.

The Special Operations Directorate was originally created in 1987 and integrated former members of special operations teams that had been dissolved. Thus, the new directorate adapted quickly with experience that would prove effective against domestic terrorist groups. The directorate was reorganized in 1993 with a new command structure, internal control, and a new support structure.

*Counterterrorism Directorate:* The Counterterrorism Directorate (Dirección Contra el Terrorismo) was formed in 1983 to stem the tide of revolutionary terrorism that was taking the country by storm. In 1991 the directorate was reformed as the National Counterterrorism Directorate (Dirección Nacional Contra el Terrorismo; DINCOTE). With this reformation, the directorate became accountable to the General Directorate of the Peruvian National Police.

DINCOTE has been successful against domestic terrorist groups. Among the many successful operations of the directorate was the June 1992 capture of Victor Polay Campos, the leader of the Tupac Amaru Revolutionary Movement. Perhaps the most widely cited success of the directorate was the capture of the Sendero Luminoso (Shining Path) leader Abimael Guzmán in September 1992.

*Police-Community Relations.* The Peruvian National Police has introduced reforms designed to increase the amount of citizen involvement in maintaining order. One program introduced by the National Directorate of Citizen Participation (Dirección Nacional de Participación Ciudadana) is known as Vigilant Neighbor (Vecino Vigilante). In essence, the program is a type of neighborhood crime watch where citizen groups cooperate with the police in information sharing.

Another way the citizenry is involved is through juvenile patrols (Patrullas Juveniles). This program is aimed at adolescents at risk of committing crime. Juvenile patrols consist of groups of youths, many of them gang members, who participate in programs designed to give the youths alternatives to crime and delinquency, including art classes, recreational sports, and cultural activities. Successful

participants are able to leave the program with a better education and new job skills.

## HUMAN RIGHTS

Following President Alberto Fujimori's resignation and Vladimiro Montesino's (former spy chief) arrest because of corruption scandals, the Peruvian government began new investigations into past human rights cases and established the Truth and Reconciliation Commission. In August 2003 the commission released its final report on twenty years of internal conflict and human rights abuses from 1980 to 2000. From the initial burning of ballot boxes by the Sendero Luminoso in Chusqui, Ayacucho, on May 17, 1980, to the eventual flight of former president Fujimori to Japan in November 2000, Peru has witnessed many forms of political violence and human rights violations committed by government forces and insurgent groups.

The Peruvian Human Rights Ombudsman's Office estimates that in since the mid-1980s there have been 30,000 victims of political violence. No less than 4,000 individuals "disappeared," thousands of individuals were arbitrarily detained, 400,000 were displaced, and the victims of torture were too many to be accurately counted. Information gathered from more than 160,000 people in 530 locations around Peru shows that many victims were people from ethnic groups and social sectors historically marginalized and discriminated against. Three successive administrations led by Presidents Fernando Belaúnde Terry, Alan García Pérez, and Fujimori used various strategies and methods to address the situation. During all three regimes state security forces and rebels committed grave human rights abuses.

## CRIME

There appears to be a consensus that crime prevention strategies in Latin America that stress deterrence are ineffective and incompetence and corruption on the part of the government, including the police, makes the problem of crime much worse in the region. Four characteristics of Latin American crime have been offered by scholars to explain why Latin American crime is different from other regions. First is the endemic pattern of poverty and inequality. A second characteristic is the cultural pattern of male chauvinism. Third is the presence of corrupt law enforcement that ebbs and flows in intensity depending on the country being examined. The last characteristic is the drug trade, which has become an omnipresent problem in Latin America.

Changes in crime levels in Peru, as well as in other Latin American nations, have been linked to economic, political, and social changes within the society. However, crime statistics in Peru do not provide an adequate

description of actual crime levels, considering that some areas do not report their crime statistics as well as the unwillingness of many Peruvians to report crimes to the police. Thus, a dark figure is present. That said, official crime data show dramatic increases in crime throughout the 1980s. Official police figures indicate an increase in crime of approximately 18 percent between 1980 and 1986.

The recorded homicide level for Peru from 1995 to 1997 was approximately 12 incidents per 100,000 citizens. In comparison to other countries such as Colombia or South Africa, this rate appears to be high but not as violent as other countries. The available data does suggest that violent crime in Peru has increased markedly since the mid-1990s. It is approaching the serious levels of the early 1990s.

The occurrence of Peruvian crime can be categorized into three groups. Organized transnational/national crime, which is mostly related to drugs and arms trafficking, money laundering, and so on. It is carried out by well-organized groups, sometimes involving government officials. Street crimes include assaults, attacks, robberies, small-scale drug peddling, racketeering, and so on. They are usually carried out by single or isolated individuals. Juvenile delinquency includes assaults, attacks, robberies, and street violence. It is carried out by juvenile gangs.

**Threats to the Criminal Justice System in Peru.** In the 1980s Peru was racked by deadly insurgent rebels who formed a terrorist group known as the Sendero Luminoso. The violence peaked in 1983 and 1984 in Ayacucho, one of Peru's poorest provinces. More than 25,000 people were killed during the warring years in Peru. Besides the Sendero Luminoso, which continues to operate on a small scale, Peruvian police must face the threat posed by drug traffickers and organized crime groups.

During Fujimori's presidency (1990–2000) terrorism perpetrated by Sendero Luminoso was greatly reduced. Additionally, a decades-old border war with Ecuador was effectively ended with the signing of a treaty. However, Peru is faced with extreme poverty and high unemployment rates. Since the end of Fujimori's term and the presidency of Alejandro Celestino Toledo Manrique, the country is trying to reinstall democracy and forget the memories of the previous twenty years. One of the problems Peru faces in its mission to erase the images of violence and authoritarianism is a high level of criminal activity and violence from groups spanning the spectrum of organization, arms proliferation, and connections to criminal organizations outside the country.

**Drugs.** The production of cocaine paste has served as a source of income for impoverished Peruvian families,



*Two men are arrested by Peruvian police after spray painting an ancient Incan stone wall in Cuzco, Peru, January 19, 2005. After appearing in court, bail for the two was set at \$30,000 for defacing the wall with graffiti. AP IMAGES.*

especially in the Huallaga Valley, for decades. During the 1980s and 1990s Peru was the major Andean supplier of coca leaf for the production of cocaine. However, the use of the coca leaf is as much embedded in Peruvian culture (coca was used before the country was being colonized by the Europeans), as it is in the economic survival of families, drug traffickers, and rebel groups.

Organized crime groups began to capitalize on coca cultivation in the 1970s and business was good for these groups as well as for rebel groups in the 1980s. Efforts by the government in the 1980s to eradicate coca cultivation proved to be of limited success. A change of strategy in the 1990s concentrated on reducing support by the farmers for Sendero Luminoso rebels by depenalizing coca cultivation. This gave the government more time to concentration on the violent insurgency that had already cost thousands of lives. By the late 1990s Peru was no longer the world's largest supplier of coca leaves; most of the market moved to Colombia, where drug cartels and

rebel groups such as the Revolutionary Armed Forces of Colombia and the United Self-Defense Forces of Colombia make millions of dollars each year.

Despite the drop in coca cultivation, drug trafficking continues to be a problem in Peru. This is due, at least in part, to a sustained demand from cocaine in developed countries in North American and Europe. As opposed to large drug cartels that operate in other countries, organized crime groups linked to the drug trade in Peru largely consist of small groups known as *firmas* (firms). The situation has a further destabilizing effect when noting that Peruvian drug trafficking firms, once subordinate and dependent on Colombian organized crime groups, have now become largely independent through the development of new trafficking routes and new ways to process coca paste into cocaine.

The cultivation of coca continues to be legal in Peru, though other uses for the crop remain illegal. In 1999 coca eradication efforts were at an all-time high: 13,800

hectares were destroyed. However, in 2002 slightly more than half of the 1999 level was destroyed (7,100 hectares). To further combat the drug problem, the Peruvian government developed a long-term plan known as the Drug Use Prevention Commission in 1996. Led by President Toledo, the committee was reformulated in 2001. It has developed a 2002–2007 plan to combat the drug problem. The new strategy includes eradication efforts, drug abuse reduction, and alternate development programs to give farmers other economic options.

**Statistics on the Drug Problem.** According to the Drug Enforcement Administration (DEA), the cultivation of coca has dropped 70 percent since 1995. In 2001 only 34,100 hectares were reportedly used in the country for coca cultivation. This may explain why the number of eradicated hectares has dropped. A smaller area devoted to growing coca will make such areas harder to find. Thus, in the Peruvian case lower figures on eradication may be a good sign. The DEA further estimates that Peru's potential cocaine production has also dropped. The drop in potential production is estimated at 68 percent, mirroring the drop in usable land for cultivation. According to 2000 figures, the estimated cultivation potential for Peru was placed at 145 metric tons. This was in stark contrast to estimates of 460 metric tons for 1995.

### CORRECTIONAL SYSTEM

Peru's prisons are administered by 3,075 employees, with a guard staff made up of about 4,000. Article 234 of the constitution of 1979 emphasizes the reeducation and rehabilitative functions of the penal system rather than simply punishment, with the goal of reintegration of the prisoner back into society.

Of a 1990 prison population estimated at 40,000, about half were in the twenty-five jails in Lima. In the early 1990s the government under Fujimori began a program of building new prisons and rehabilitating old ones but financial limitations left the project incomplete. In a survey of the prisons carried out in 1987 to assess their general physical state, only 14 were determined to be in good condition, 59 were average, and 36 were poor; 2 Lima prisons were not surveyed.

Among the most important prisons, all in Lima, are Lurigancho Prison, built in 1968; Canto Grande Prison, built in the 1980s; Miguel Castro Prison; and two women's prisons, Santa Mónica Prison in Chorrillos District, built in the 1950s, and Santa Bárbara Prison.

The National Penitentiary Institute has the mission of directing and controlling Peru's system of national prisons. The goal is to ensure that Peruvian prisons offer

the reeducation, rehabilitation, and reinsertion of prisoners into society and the establishment and maintenance of the country's penal infrastructure.

**Prison Conditions.** In the second half of the 1980s Sendero Luminoso insurgency exacerbated the country's already deplorable prison conditions. One of the Sendero Luminoso's early successes was a March 1982 raid on the Ayacucho Prison, freeing many of the prisoners, including several Sendero Luminoso militants. Even though officials had been warned of a possible attack, prison officials chose to disregard the warning.

Deplorable prison conditions have contributed to rising levels of violence in prisons. Riots have become commonplace in many installations and sometimes result in a cycle of violence perpetrated both by prisoners and correctional personnel. In 1986, for example, the Peruvian military killed 244 Sendero Luminoso inmates while putting down riots at three Lima penitentiaries. In a similar incident in 1992 over thirty inmates were killed during a riot at Canto Grande Prison.

Another problem related to the country's rebel insurgency is the segregation of Sendero Luminoso members from other prisoners. The Sendero Luminoso turned this policy into an advantage by creating minicamps, where the group's ideology continued to flourish. In some instances the inmates were able to virtually control their own lives within the prison through informal contracts with prison guards. There is little doubt that this segregation policy made the coordination of prison riots much easier.

### Prison Statistics.

- Total Prison Population: 32,129
- Prison Population Rate per 100,000: 114
- Pretrial Detainees: 69.8%
- Female Prisoners: 7.2%
- Juvenile Prisoners: 0.1%
- Number of Prisons: 81
- Official Capacity of the Prison System: 20,497
- Occupancy Level: 148.3%

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*Adam Dulin*

# Philippines

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**Official country name:** Republic of the Philippines

**Capital:** Manila

**Geographic description:** Archipelago in Southeast Asia between the Philippine Sea and the South China Sea

**Population:** 87,857,473 (est. 2005)



## LAW ENFORCEMENT

**History.** The Spanish colonization in the 1500s ushered in the concept of a formal national police force. The Guardia Civiles (Civil Guards) had the primary obligation of policing the occupied territories (Campos 1991). The U.S. occupation of the Philippines in 1901 introduced a national police concept called the Philippine Constabulary (PC). The PC had nationwide jurisdiction similar to its predecessor, the Guardia Civiles. It was established by the U.S. colonial government to preserve peace and order. The PC also provided the nucleus of the first regular division of the commonwealth's army in 1936. It remained an element within the army (after 1946 as the Military Police Command) until 1950, when it was reestablished as a separate force. It was formally renamed the Philippine Constabulary in 1959.

After its renaming, the PC officially constituted a national police force and essentially operated as a gendarmerie, holding primary authority for law enforcement and domestic security. It was responsible for dealing with large-scale crime, conducting wide area operations, and enforcing the peace and national laws, especially in remote areas where other forces were nonexistent or ineffective.



The constabulary also played a prominent role in combating the Muslim and Communist insurgencies.

Constabulary forces throughout the country were supported and controlled through a system of regional commands, with one command in each of the country's twelve political regions. Under the operational control of the area commands, the regional commands controlled the provincial PC. These 73 provincial headquarters, in turn, supervised 234 constabulary companies, which were the constabulary's line units. Regional Special Action Companies provided backup to the line companies and acted as counterinsurgency strike forces. The constabulary also had a variety of specialized units with nationwide responsibilities that operated independently of the regional command system. These included the Criminal Investigative Service, Highway Patrol Group, Security Group, Crime Lab, and Support Command. The Philippine Constabulary Training Command was responsible for instructing enlisted constables and their

officers, whose training paralleled that of the army. In 1983 the constabulary created an elite national reaction force, the Philippine Constabulary Special Action Force, with the capability to combat terrorism, hijacking, and insurgency. These additions contributed to the overall growth of members of the constabulary during the 1980s, from approximately 33,500 in 1980, to an estimated 45,000 members in 1990.

Until the mid-1970s, when a major restructuring of the nation's police system was undertaken, the PC alone was responsible for law enforcement on a national level. Independent city and municipal police forces took charge of maintaining peace and order on a local level, calling on the constabulary for aid when the need arose. The Police Commission, established in 1966 to improve the professionalism and training of local police, had loose supervisory authority over the police. It was widely accepted, however, that this system had several serious defects. Most noteworthy were jurisdictional limitations, lack of uniformity and coordination, disputes between police forces, and partisan political involvement in police employment, appointments, assignments, and promotions. Local political bosses routinely used police as private armies, protecting their personal interests and intimidating political opponents.

To correct such deficiencies, the 1973 constitution provided for the integration of public safety forces. Several presidential decrees were subsequently issued, integrating the police, fire, and jail services in the nation's more than 1,500 cities and municipalities. On August 8, 1975, Presidential Decree 765 officially established the joint command structure of the PC and Integrated National Police (INP). The constabulary, which had a well-developed nationwide command and staff structure, was given the task of organizing the integration. The chief of the PC served jointly as the director general of the INP. As constabulary commander, he reported through the military chain of command, and as head of the INP, he reported directly to the minister (later secretary) of national defense. The National Police Commission was transferred to the Ministry (later Department) of National Defense, retaining its oversight responsibilities but turning over authority for training and other matters to the PC and INP.

The INP was assigned responsibility for public safety, protection of lives and property, enforcement of laws, and maintenance of peace and order throughout the nation. In practice, the PC retained responsibility for dealing with serious crimes or cases involving jurisdictions separated from one another, and the INP took charge of less serious crimes and local traffic, crime prevention, and public safety.

The INP's organization paralleled that of the constabulary. The thirteen PC regional command headquar-

ters were the nuclei for the INP's regional commands. Likewise, the constabulary's seventy-three provincial commanders, in their capacity as provincial police superintendents, had operational control of INP forces in their respective provinces. Provinces were further subdivided into 147 police districts, stations, and substations. The constabulary was responsible for patrolling remote rural areas. In metro Manila's four cities and thirteen municipalities, the INP's Metropolitan Police Force shared the headquarters of the constabulary's Capital Command. The commanding general of the Capital Command was also the director of the INP's Metropolitan Police Force and directed the operations of the capital's four police and fire districts.

As of 1985, the INP numbered some 60,000 people, a marked increase over the 1980 figure of 51,000. Approximately 10 percent of this staff were fire and prison officials, and the remainder were police. The Philippine National Police Academy provided training for INP officer cadets. Established under the INP's Training Command in 1978, the academy offered a bachelor of science degree in public safety following a two-year course of study. Admission to the school was highly competitive.

The INP was the subject of some criticism and the repeated object of reform. Police were accused of involvement in illegal activities, violent acts, and abuse. Charges of corruption were frequent. To correct the INP's image problem, the government sponsored programs to identify and punish police offenders and training designed to raise their standard of appearance, conduct, and performance.

On January 1, 1991, the PC and the INP were combined to form the Philippine National Police (PNP). The PNP was created in 1991 under Republic Act No. 6975. Dramatic changes were planned for the police in 1991. The newly formed PNP was to be a strictly civilian organization pursuant to the constitutional provision that the state shall establish and maintain one police force, which shall be national in scope and civilian in character. The PNP was also removed from the armed forces and placed under a new civilian department known as the Department of the Interior and Local Government (Gutang 1993). Likewise, the PNP took immediate responsibility for most duties of the former INP and the responsibility for the counterinsurgency efforts against Muslim secessionists and Communists.

### **Structure and Organization.**

*Principal Agencies and Divisions.* The National Police Commission is the agency mandated by the constitution and the major police reform laws such as Republic Act Nos. 6975 and 8551 to administer and control the PNP. Under the Philippine National Police Reform and Reorganization Act of 1998 (R.A. No. 8551),



the commission regained the powers to investigate police anomalies and irregularities and to administer police entrance examinations and is granted summary dismissal powers over erring police officers.

In 1966 Congress enacted Republic Act 4864, otherwise known as the Police Act of 1966, to provide the foundation for the much needed police reforms in the country. It created the Police Commission to achieve and attain a higher degree of efficiency in the organization, administration, and operation of local police agencies and to place the local police service on a professional level.

Since 1966 the commission had undergone several changes in its organizational structure. It was reorganized in 1972 as the National Police Commission. Originally under the Office of the President, it was transferred to the Ministry of National Defense in 1975 by virtue of Presidential Decree 765, known as the Police Integration Law. This decree also established the INP with the PC as the nucleus. Ten years later in 1985 it was returned to the Office of the President pursuant to Executive Order No. 1040. In 1989 Executive Order No. 379 placed the INP directly under the command, supervision, and control of the president.

The same executive order vested the National Police Commission with the powers of administrative control and supervision over the INP. With the passage of Republic Act No. 6975 on December 13, 1990, the PNP was established under a reorganized Department of the Interior and Local Government (DILG). A new National Police Commission was created within the DILG for the purpose of effectively discharging the functions prescribed in the constitution and provided in the act.

On February 25, 1998, Congress passed into law Republic Act No. 8551, otherwise known as the Philippine National Police Reform and Reorganization Act of 1998. This act strengthened and expanded the commission's authority over the PNP to include administration of police entrance examinations, conduct of precharge investigations against police anomalies and irregularities, and summary dismissals of erring police members.

The command group consists of officers who control and supervise the entire police organization. The chief of the PNP heads the entire organization. There are three other offices that directly assist the PNP chief in this capacity.

The chief of the PNP commands, supervises, and controls all elements of the police. He or she issues detailed instructions regarding personnel, funds, records, property, correspondence, intelligence, operations, training, and such other matters as may be necessary to effectively carry out the functions of the organization. He or she prescribes, subject to the approval of National Police

Commission, the table of organization and equipment, functions, duties, and powers of various staff, services, installations, and other units of the PNP. The chief of the PNP or the subordinate official he or she authorizes has the power to issue subpoena and subpoena duces tecum in connection with the investigation of cases.

The deputy chief for administration assists the chief of the PNP in the exercise of responsibilities relative to the PNP personnel, human resource (training) and doctrine development, logistics, comptrollership, technical research, and material development activities. He or she likewise assists the chief of the PNP in directing, controlling, and supervising the national administrative support units such as Logistics Support Service, Computer Service, Finance Service, Health Service, Communications and Electronics Service, Chaplain Service, Legal Service, Engineering Service, and Headquarters Support Service. As second in command, he or she exercises duties that may be delegated to him or her or as directed by the chief of the PNP.

The deputy chief for operations assists the chief of the PNP in the exercise of responsibilities relative to PNP operations, intelligence, planning police-community relations, and investigation activities. He or she likewise assists the chief of the PNP in directing, controlling, and supervising the national operational support units such as Maritime Group, Aviation Security Group, Narcotics Group, Special Action Group, Criminal Investigation and Detection Group, Civil Security Group, Intelligence Group, Traffic Management Group, Police Security and Protection Office, Police Community Relations Group, and Crime Laboratory Group. As third in command, he exercises duties that may be delegated to him or her or directed by the chief of the PNP.

The chief of directorial staff primarily coordinates the activities of the PNP Directorial Staff, disseminating instructions of the chief of the PNP, and supervising many command activities. The office has the primary function of ensuring the strict implementation of existing plans and policies, as well as projects and activities pertaining to personnel, training, intelligence, research, community relations, investigation, and other major thrusts of the PNP. He or she coordinates the conduct of command and staff conferences, held both inside and outside the PNP national headquarters and the visits of foreign dignitaries and national leaders, as well as the timely submission of requirements and reports to higher offices on issues, incidents, and matters concerning peace and security including the results of PNP efforts against all forms of criminality throughout the country.

At the PNP headquarters, the director general has ten directorial staff:

- Directorate for Personnel and Records Management

- Directorate for Intelligence
- Directorate for Operations
- Directorate for Human Resource and Doctrine Development
- Directorate for Logistics
- Directorate for Research and Development
- Directorate for Comptrollership
- Directorate for Plans
- Directorate for Police-Community Relations
- Directorate for Investigation and Detective Management
- Administrative and operational support units under the director general

The following are the descriptions of the specific functions of the various directorial offices in the PNP headquarters.

*Directorate for Personnel and Records Management:* Manpower buildup, proper placement, and instilling discipline among its personnel are the primordial concerns of this directorate.

*Directorate for Intelligence:* This office primarily gathers, coordinates, and analyzes police intelligence information. It is also responsible for disseminating intelligence information to different units in the PNP and the national government.

*Directorate for Operations:* The Directorate for Operations is the tactician of the PNP. As the tactician, it plans, directs, controls, coordinates, and supervises PNP operations so that police forces are used to their optimal advantage.

*Directorate for Human Resource and Doctrine Development:* The directorate's main concern is human resource and doctrine development. It supervises the conduct of in-service training programs, individual training programs, and specialized courses to provide all members of the PNP with specialized skills and technical knowledge necessary to effectively carry out their law enforcement duties.

*Directorate for Logistics:* This directorate oversees the expenditure of the logistical budget for maintenance and other operating expenses.

*Directorate for Research and Development:* This directorate determines and develops specifications and standards for all PNP equipment in accordance with acceptable local and international standards. It conducts testing and evaluation of clothing, material, vehicles, and equipment procured or programmed to be procured by this directorate.

*Directorate for Comptrollership:* This directorate handles the disbursements of funds of the organization. It conducts various management audit and inspections of the different PNP units.

*Directorate for Plans:* This directorate develops plans and programs to the attain mission and vision of the PNP.

*Directorate for Police-Community Relations:* This directorate develops and implements plans and programs that promote community and citizen's participation in the maintenance of peace and order and public safety. Its tasks include information and networking activities that help foster a better public understanding of the PNP and its efforts.

*Directorate for Investigation and Detective Management:* This directorate is mandated to instill investigative skills among the police uniformed personnel (police commissioned and noncommissioned officers) down to the municipal police stations.

*Administrative Support Units:* The PNP Health Service looks after the health needs of the members of the PNP to promote sound health and well-being for its personnel.

The Communications and Electronics Service is responsible for establishing an effective police communications network. For operational accomplishments, this service provides communications support and assistance to the various PNP activities.

The Engineering Service provides for the overall planning, implementation, supervision, and evaluation of the PNP engineering program relative to administrative, construction and repair projects, land utilization, housing projects, and other activities.

The Logistics Support Service is responsible for the procurement, distribution, and management of all the logistical requirements of the PNP including firearms and ammunition.

The Legal Service provides quality, efficient, and effective legal services to the PNP and assistance to its members' legal dependents.

The Computer Service is responsible for the design, implementation, and maintenance of a database system for the PNP. It is also develops information systems for the different PNP units.

The Headquarters Support Service provides administrative and service support to the national headquarters, PNP, and Camp Crame. This service also keeps Camp Crame worker-friendly through regular garbage collection, clean-and-green activities, demolition of all unregistered structures and establishments, and repair of facilities.



*Wilfredo Garcia, the Philippine police chief superintendent, looks over seized firearms collected as part of an initiative to crack down on crime in suburban Manila, August 27, 2005. Garcia and his forces upped their efforts to address the recent activities of criminal gangs, who were using assault weapons in more frequent daytime robberies and kidnappings. AP IMAGES.*

The Finance Service is responsible for the custody of PNP funds. It implements policies and fiscal directives to address the problem of the PNP personnel concerning finance matters.

The Chaplain Service is a national support unit mandated to provide spiritual and other counseling services for the moral growth of the PNP personnel and their dependents.

*Operational Support Units:* The Aviation Security Group, in coordination with airport authorities, secures all the country's airports against offensive and terrorist acts that threaten civil aviation, exercises operational control and supervision over all agencies involved in airport security operation, and enforces all laws and regulations relative to air travel protection and safety.

The Traffic Management Group enforces traffic laws and regulations. It promotes safety along the highways,

enhances traffic safety consciousness, and renders various forms of assistance to motorists.

The Narcotics Group enforces all laws relative to the protection of the citizenry against dangerous and other prohibited drugs and substances.

The Criminal Investigation and Detection Group undertakes the monitoring, investigating, and prosecuting all crimes involving economic sabotage and other crimes of such magnitude and extent as to indicate their commission by highly placed or professional criminal syndicates and organization. It likewise investigates all major cases involving violations of the revised penal code and operates against organized crime groups, unless the president assigns the case exclusively to the National Bureau of Investigation.

The Maritime Group performs all police functions over Philippine territorial waters and rivers. This group

implements Operation Plan Shore Watch, which sets forth the operational guidelines on the heightened security measures and seaborne security patrols. Operation Plan Shore Watch is being implemented by all regional maritime offices within their respective areas of responsibility to prevent possible attacks by various groups and criminal elements targeting innocent civilians and public facilities like ports, piers, ferry terminals, beach resorts, and other vital installations in the Philippine coastal areas.

The Intelligence Group serves as the intelligence and counterintelligence operating unit of the PNP.

The Special Action Force functions as a mobile strike force or reaction unit to augment regional, provincial, municipal, and city police forces for civil disturbance control, counterinsurgency, hostage-taking rescue operations, and other special operations.

The Civil Security Group provides administrative services and general supervision over the organization, business operation, and activities of all organized detectives, watchmen, security guard agencies, and company guard forces.

The Police Security and Protection Office provides security for government officials, visiting dignitaries, and private individuals authorized to be given police protection.

The Police Community Relations Group implements plans and programs that will promote community and citizens' participation in the maintenance of peace and order and public safety.

The Crime Laboratory Group provides scientific and technical investigative aid and support to the PNP and other government investigative agencies. It also provides crime laboratory examination, evaluation, and identification of physical evidences involved in crimes with primary emphasis on their medical, chemical, biological, and physical nature.

**Local Police.** The local police forces are those that are found in the regions, provinces, cities, municipalities and metropolitan areas. It must be noted that there is continuity of command from the highest officer to the lowest official. Thus, police offices in the local areas receive orders from the national headquarters.

**Police Regional Offices.** At the different regions, the fifteen regional offices maintain organizational structures that are similar to the national structure. However, the organizational structures in the regions are streamlined. The fifteen regional offices and their locations are as follows:

- Regional Office 1: Camp Gen Oscar Florendo, Parian San Fernando, La Union

- Regional Office 2: Camp Adduru, Tuguegarao, Cagayan
- Regional Office 3: Camp Olivas, San Fernando, Pampanga
- Regional Office 4: Camp Vicente Lim Canlubang, Laguna
- Regional Office 5: Camp Simeon A Ola, Legazpi City
- Regional Office 6: Camp Martin Delgado, Iloilo City
- Regional Office 7: Camp Sergio Osmena Sr., Cebu City
- Regional Office 8: Camp Ruperto K Kangleon, Palo, Leyte
- Regional Office 9: Camp Justice R. T. Lim Boulevard, Zamboanga City
- Regional Office 10: Camp Alagar, Cagayan de Oro City
- Regional Office 11: Camp Catitipan, Davao City
- Regional Office 12: Camp Amado Dumlao Sr., Sultan Kudarat
- Regional Office 13: Camp Rafael Rodriguez, Libertad, Butuan City; ARMM—Camp Salipada Pendatun, Parang, Maguindanao
- Procar Office: Camp Bado Dangwa, La Trinidad, Benguet
- National Capital Region: Camp General Tomas Karingal, Sikatuna Village, Quezon City

The National Capital Region, which covers metro Manila, is divided into five districts, and each one is headed by a district director. The five districts are Western Police District, Manila; Eastern Police District; Northern Police District; Central Police District, Quezon City; and Southern Police District.

**Provincial Police.** Each region is composed of several provinces. The police provincial director coordinates and administers all police activities in each town and city within the province.

**City and Municipal Police.** These police offices maintain peace and order in the local area. These cities or municipalities are headed by a chief of police. Local police forces are not substantially controlled by the local executives. Their usual participation is the selection of the chief of police from among three or four nominees that come from the regional or provincial police offices. Nevertheless, local officials also play a role in law enforcement. By presidential decree, the justice system in the *barangays* empowers village leaders to handle petty and

less serious crimes. The intent of the decree was to reinforce the authority of local officials and to reduce the workload on already overtaxed Philippine law enforcement agencies.

**Hierarchy and Rank.** There are sixteen ranks with three major classifications. The first are star-rank officers, who occupy the top commands in the hierarchy. Star-rank personnel are appointed by the president. The next group includes the commissioned officers. These commissioned officers occupy the ranks of inspector to chief superintendent. These officers are appointed to the rank by the PNP and the National Police Commission after satisfying the established criteria. The third group consists of noncommissioned officers. The lowest rank for this group is Police Officer 1 and the top rank is the Senior Police Officer 4. The following are the rank classifications in the PNP arranged from highest to lowest:

- Director General
- Deputy Director General
- Director
- Chief Superintendent
- Senior Superintendent
- Superintendent
- Chief Inspector
- Senior Inspector
- Inspector
- Senior Police Officer 4
- Senior Police Officer 3
- Senior Police Officer 2
- Senior Police Officer 1
- Police Officer 3
- Police Officer 2
- Police Officer 1

**Salaries.** PNP members receive salaries from the national government, although local government units are authorized to provide extra incentives and allowances. Salaries of police officers are standardized across the country commensurate to their ranks. As of July 2002, the starting salary for a noncommissioned officer was 12,005 pesos (US\$214) per month. The starting salary of the lowest ranking commissioned officer (i.e., inspector) was 22,113 pesos (US\$402) a month. The uniformed members also receive allowances such as the cost of living allowance, clothing allowance, hazard pay, and longevity pay.

**Retirement Age.** PNP members remain in the service until the age of fifty-six, which is the mandatory retirement for all police officers. Police officers who have incurred permanent physical disability in the line of duty are also considered retired regardless of their age. Officers who incur partial physical disability are not considered retired but are separated from the service with corresponding severance pay.

**Awards and Decorations.** The PNP recognizes significant contribution from its members by giving awards, decorations, and citations:

- *Medalya ng Kagitingan* (Medal of Valor)—This is awarded to any member of the PNP for action of the recipient involving conspicuous gallantry and intrepidity at the risk of life and limb above and beyond the call of duty. To justify this award, a member of the PNP must perform in action a deed of personal bravery and self-sacrifice above and beyond the call of duty so conspicuous as to distinguish him- or herself clearly above his or her comrades in the performance of more than ordinary hazardous service.
- *Medalya ng Kabayanihan* (Distinguished Conduct Medal)—This is awarded to any member of the PNP for acts of conspicuous courage and gallantry in the face of an armed enemy or acts of heroism so notable and involving a risk of life so extraordinary as to set him or her apart from his or her comrades.
- *Medalya ng Katapatan sa Paglilingkod* (Distinguished Service Medal)—This medal is awarded to PNP members. The accomplishment of the duty should have been complete before submission of recommendation or, if the person being recommended has been transferred before completion, the accomplishment must have been determined to be exceptional or significant.
- *Medalya ng Katapangan* (Bravery Medal)—This medal is awarded to PNP members.
- *Medalya ng Katangi-tanging Gawa* (Outstanding Achievement Medal)—This medal is awarded to PNP members and civilian personnel of the Republic of the Philippines and of friendly foreign nations.
- *Medalya ng Kadakilaan* (Heroism Medal)—This is awarded to members of the PNP for heroism not involving actual conflict with an armed enemy.

**Police-Community Relations.** The PNP aims to engage the community so that the community can regularly assist the PNP in its mission of maintaining peace and order. The police at the station level actively participate in the formal community-based organization even

at the *barangay* levels. Government organizations, non-governmental organizations, civic organizations, and even business groups actively support the PNP in every undertaking that directly affects the community. This necessitates the institutionalization of the philosophy of the Community-Oriented Policing System (COPS) at all levels of the PNP, where every police officer is expected to become a COPS practitioner. The objective of COPS is to change the perceptions of the public toward the PNP. Specifically, it aims to develop a police officer as someone to be respected, rather than feared; someone who is a friend, a protector, and a community leader.

To reach this stage, the PNP formulated the Medium-Term Development Plan (MTDP). Initially, education efforts are made at the regional and provincial levels to emphasize the importance of community partnership. On the first year of the MTDP, People's Day activities were geared toward imparting skills and knowledge on crime prevention and control.

Aside from these plans, the PNP has developed some strategic programs for developing better community relations. The PNP established the Council of Community Elders, whose members serve as partners of the police on problem solving. As of 2003, there were 1,451 councils with 11,210 members. The PNP has a livelihood and skills development program for the youth called the Out-of-School Youth Servicing toward Economic Recovery. The PNP also targets students by having a school-based protection program that aims to promote peace and order in the schools. The program calls for the creation of councils in schools. This council includes the local police, school authorities, officers of the parent-teachers association, local businesses, and other nongovernmental and civic organizations. The aim of the program is to reduce violence on campuses, particularly gang- and fraternity-related violence.

The PNP has also taken advantage of the cellular phone technology to make it more accessible to the public. The PNP TXT 2920 provides better access to police assistance twenty-four hours a day, seven days a week.

#### **Special Police.**

*Special Action Force.* The Special Action Force (SAF) is assigned to the national headquarters and to regional and provincial barracks for immediate deployment to areas that need special tactics and weapons. The SAF is also deployed in special combat operations, especially in counterinsurgency efforts.

*Riot Police.* Each local police unit is allowed to maintain civil disturbance units that are primarily involved in crowd control during rallies and demonstrations. These units are supported by either provincial or regional reaction groups (in most cases these are SAF

units). These reaction groups are called in to supplement local police forces not only for riots but also for other police emergencies.

*Traffic Police.* The Traffic Management Group has the primary function of policing and maintaining safety on the highways. City police offices usually create traffic units within their departments. Municipal police departments usually do not have special traffic units but every noncommissioned patrol officer is expected to render traffic services such as taking accident reports, directing traffic, and helping motorists.

**Education and Training.** Under Republic Act No. 8551, a baccalaureate degree is a mandatory minimum requirement for entry into the police service. For rank promotion, police officers are required to meet several education and training requirements. The highest educational requirement for promotion to any rank of position is a master's degree. On top of these academic requirements, there are several specific trainings and civil service eligibilities that one must possess to move up the ranks.

*Recruitment and Conditions of Service.* The applicant must be at least twenty years of age but not more than thirty years old. There is also a height requirement (men: 5 feet, 4 inches; women: 5 feet, 2 inches). However, a civilian applicant may be exempted from the requirement for age, height, or education if he or she has already availed of the corresponding age, height, educational requirement waiver from the National Police Commission, before the filing his or her application for examination. Also, members of the cultural minorities/indigenous communities are automatically exempted from the height requirement on submission of a certification on his or her membership issued by the National Commission on Indigenous Peoples or the Office of Muslim Affairs, whichever is applicable.

Every year about 15,000 men and women go through the rigor of applying for cadetship. These recruits are tested on physical agility, intelligence, and character. Among these applicants about 350 are chosen and on average, about 200 of them graduate to become officers. For the rank and file, about 25,000 apply for police service. On average, about 5,000 are able to serve as police personnel.

Section 27 of the Republic Act No. 6795 provides that the ideal manning level should be 1 police officer for every 500 population and that this ratio should not be less than 1:1,000. The same law also specifies the rank and position for key officials. The purposes of these provisions are for the PNP to have efficient administration, supervision, and control of the members of the organization. Approved through the National Police

Commission Resolution No. 92-23, the Police Manual provides for the rank distribution in the PNP.

As of 2005 the recruitment of PNP officers was primarily established under section 33 of the Republic Act No. 6975, which reads:

Sec. 33. Lateral Entry of Officers into the PNP— In general, all original appointments of commissioned officers in the PNP shall commence with the rank of inspector, to include all those with highly technical qualifications applying for the PNP technical services such as dentists, optometrists, nurses, engineers, and graduates of forensic sciences. Doctors of medicine, members of the Bar, and chaplains shall be appointed to the rank of senior inspector in their particular technical service. Graduates of the Philippine National Police Academy (PNPA) shall be automatically appointed to the initial rank of inspector. Licensed criminologists may be appointed to the rank of inspector to fill up any vacancy after promotions from the ranks are completed.

Therefore, under the law officers are apparently divided into those who perform line functions and those who perform technical functions. Those who perform line functions enter through the officer's corps either laterally or from the ranks. Graduates of the PNPA and licensed criminologists enter the service laterally and they perform line functions. Promotable senior police officer 4s enter the officer's corps through the ranks. Promotion from the ranks considers only a pool from the promotable senior police officer 4s. Therefore, PNP personnel who are from the ranks have to start with the initial rank of police officer 1.

The technical officers such as doctors, nurses, dentists, engineers, and lawyers are not automatically appointed and they only occupy the technical positions and not the line positions. It must be noted that, except for the graduates of PNPA who have automatic entry into the officer's corps, all the appointees to the officer's corps must undergo some officer orientation course such as Officer's Orientation Course or Officer's Candidate Course.

**Uniforms and Weapons.** The PNP uniforms may be classified into three types: gala uniforms, general office attire, and combat uniforms. Gala uniforms are worn during formal occasions and functions. This is usually a dark-blue bush coat. At other times, police officers use formal coats with the rank insignia and other regalia. This attire is usually dark blue and its upper garment is a long-sleeved coat. These are mostly worn by top-ranking officers.

General office attires are those that the police wear as part of their daily uniform. Men wear dark-blue pants with a light-blue stripe on its side. Women wear a skirt of

the same color. The upper garment is sky-blue with thin white stripes. On some occasions, the chief of police may wear civilian clothes. The prescribed civilian attire may be a coat and tie or a barong tagalog.

Combat uniforms are those that are worn by special forces or those assigned in combat zones. This type of uniform is also worn by special reaction forces such as SWAT teams and the SAF. This type of uniform is usually a light chocolate-brown fatigue, while others use a black fatigue uniform.

The standard weapon of the members of the PNP is a 9-mm caliber automatic pistol. However, special operations units are usually provided M16s as their primary weapon. Some of these special operations officers are provided with grenade launchers. For riot police officers, they are usually equipped with batons and tear gas launchers. Aside from the provision of these traditional lethal weapons, all police officers are required to undergo Arnis training (an indigenous martial arts technique using a long baton).

**Badges, Logo, and Heraldry.** Officers are issued a badge that contains the logo of the PNP and the commission number of the police officer. The following is an explanation of the PNP logo and the meanings of the symbols:

- **Lapu-Lapu** (figure of a man with a sword)— The great Filipino hero of Mactan, the prototype of the best and most noble in Filipino manhood who is the symbol and embodiment of all the genuine attributes of leadership, courage, nationalism, and self-reliance and of a people-based and people-powered community defense. The benevolent and heroic warrior who derived added strength from a cohesive, determined, and loyal people is today a fitting symbol and prototype as well of people power to preserve values, customs, traditions, way of life, and the rule of law through a solid community-based police system. Lapu-Lapu also personifies civilian constitutional authority.
- **Laurel**—A green laurel with leaves symbolizes the fourteen regional commands. It is also a symbol of the honor, dignity, and privilege of being a member of a noble organization where the call to public service is par excellence a commitment to public trust.
- **Service-Honor-Justice**—Added distinct ideals for the officers of the PNP to ensure efficiency, integrity, cohesiveness, camaraderie, and equanimity, all of which enhance community acceptance and support to attain its mission of peacekeeping and law enforcement.

- **Shield**—The symbol of the PC, the first national police by virtue of Organic Act No. 175, enacted by the Philippine Commission on July 18, 1901. For nearly ninety years of service, the PC has performed with honor, professionalism, and courage. The PC has carved out a large part of the glorious pages of Philippine history, as attested by its proudly and deservedly garnering eighty-six of the ninety-two Medals of Valor, the highest honor that a grateful Filipino nation can bestow on its gallant sons and daughters in the service of the republic. Most appropriately therefore, the PC became the nucleus of the INP in 1975 to nurture the then embryonic concept of the nationalization of the country's local police forces.
- **Three Stars**—These stars represent the three major islands in the Philippines—Luzon, Visayas, and Mindanao—and the 1,700 islands and the territorial integrity wherein the PNP must enforce the law and maintain peace and order with professionalism, zeal, and dedication in keeping with the highest ideals and traditions of service to its country and people.
- **Sun**—This symbolizes the flowering, maturing, and ultimate realization of the glorious evolution of the PC/INP into a national police organization—“national in scope and civilian in character”—as enshrined in the 1986 constitution. The traditional light rays represent the eight first provinces that rose in arms against Spain in the Philippine Revolution of 1896, whose ideals of courage and patriotism the members of the National Police must possess.

**Transportation, Technology, and Communications.** The PNP uses vehicles such as cars and motorcycles. It has a few helicopters, but these are not used for patrol purposes. It also has motorboats, but rural areas have *bancas* (small paddled boats) that are used to patrol rivers and seashores. The PNP has relatively scarce vehicles and equipment. For example, as of June 2002, the PNP had a total of 2,951 motorcycles in its inventory, which represent less than 30 percent of the required number of motorcycles based on the table of equipment prescribed by the National Police Commission (“162 New Motorbikes to Boost Police Mobility” 2002).

The PNP intends to concentrate on developing its operational capability by focusing its expenditures on ground mobility and fire power. Therefore, it intends to equip its police officers with the necessary firearms as well as the needed resources for faster response.

In a country where cellular phones are almost twice as many as landline phones, the PNP's Central Operations

Center installed five additional phone lines. The activation of these phone lines increased the access of the community to the police. The PNP also has a Web site to provide the community with updated information about the police. It also launched an emergency telephone system called REACT 166. This emergency dialing system is similar to the United States' 911 emergency. In addition, the PNP has taken advantage of the cellular text messaging service by establishing Club 2920, where citizens can report emergencies and other police information through text messages dialing the numbers 2920. Even with these modern communications technologies, the PNP maintains the use of two-way radios as a means of communication, especially among its provincial offices and remote areas of operation.

**Surveillance and Intelligence Gathering.** Local police departments are encouraged to develop their surveillance and intelligence gathering capabilities. However, the local forces are mostly confined to gathering human intelligence (i.e., detecting suspicious characters and activities in their areas of operation). High-level surveillance and intelligence gathering (i.e., those that involve sophisticated equipment and training such as wire taps and infiltration using Deep Penetration Agents) are conducted by the operational support units, primarily the Intelligence Unit. Independently, all the operational support units undertake surveillance and intelligence gathering operations. As of 2001 there were approximately over 13,000 community-based information networks with over 30,000 informants being used for intelligence gathering. Most intelligence operational activities are undertaken to address problems involving organized crime and insurgencies.

The Intelligence Unit also conducts counterintelligence operations to address misconduct and disloyalty among the members of the PNP. It should make its service relevant to all, especially those who are less in power, material goods, and influence. The emphasis is on people-driven efforts because the people know best on what their needs and priorities are. Republic Act No. 8551 created the Internal Affairs Service, which aims to proactively investigate officers who are suspected of abusing their authority and engaging in illegal acts.

**Police Officers Killed in the Line of Duty.** Southern Philippines and communist terrorist-related incidents have contributed to several deaths of officers in line of duty. The data from the Directorate for Operations and the Directorate for Personnel and Records Management through its Personnel Accounting Information System indicate that there were a total of thirty-eight police personnel killed in action in 2002 and thirty-six in 2003.



## CRIME

**Criminal Identification and Forensics.** The PNP is supported by the National Bureau of Investigation. As an agency of the Department of Justice, the National Bureau of Investigation is authorized to investigate, on its own initiative and in the public interest, crimes and other offenses against the laws of the Philippines; to help whenever officially requested investigate or detect crimes or other offenses; and to act as a national clearing house of criminal records and other information. In addition, the bureau maintains a scientific crime laboratory and provides technical assistance on request to the police.

Executive Order No. 386 as amended by Executive Order No. 145 dated August 27, 1999, provided for the establishment of the National Crime Information System (NCIS) Project. The NCIS aims to develop and institutionalize an information system that systematizes the collection, storage, processing, interpretation, and dissemination of reliable and comprehensive criminal justice statistics and provides decision-support mechanisms in the treatment of offenders, thus contributing toward the enhanced criminal justice performance. This project involves the nine agencies under the criminal justice system: the PNP, National Prosecution Service, the Court, the Bureau of Corrections, the Bureau of Jail Management and Penology, the National Bureau of Investigation, the Parole and Probation Administration, the Board of Pardons and Parole, and the National Police Commission.

With this information system, each of the agencies maintains a database of case information using its own application system. The system, which allows information sharing among the agencies under the criminal justice system, reduces the amount of manual data entry and establishes a standard for data correctness and reliability that would facilitate faster and efficient exchange of crime and offender information among the participating agencies.

**Organized Crime.** The following describes the success of the PNP in its campaigns against certain organized crimes such as kidnapping, carjacking, smuggling, illegal drugs, illegal gambling, robbing banks, and terrorism and anti-insurgency.

***Kidnapping and Serious Illegal Detention.*** Statistics show that kidnapping incidents have significantly declined (1996 to 2001). The decrease in kidnapping incidents is attributed to the relentless effort and campaign of the PNP to apprehend the perpetrators of these incidents.

The campaign against kidnap-for-ransom gangs has been put on high gear with the activation of the National Anti-Kidnap-for-Ransom Task Force (NAKTF). With the Police Anti-Crime and Emergency Response provid-

ing main operational support, the antikidnap-for-ransom campaign led to the arrest of a significant number of wanted kidnap-for-ransom personalities in the last quarter of 2003, including the four most wanted on the NAKTF list. In addition, 122 suspects were arrested and 31 killed in antikidnap-for-ransom operations. The solution efficiency in 2003 reached 79 percent with sixty-five out of eighty-two cases solved.

The PNP attributes many of the kidnappings and serious illegal detention cases to the worsening Philippine economic conditions. The Southern Philippines Secessionist Group and the Abu Sayaff Group have also turned to kidnap-for-ransom activities primarily to generate resources and to serve as a tool for political leverage.

***Carjacking Incidents.*** The campaign against carjacking has gained headway and has resulted in the number of people being arrested for carjacking. The rate of carjackings peaked in 1997, with it being 7.4 percent higher than in 1996. On the one hand, 2000 posed the lowest number of stolen vehicles with a total of 1,336, approximately 19 percent lower than 1999. The campaign against highway robbery on commodities or hijacking was strengthened in 2003 by a cooperative agreement that bound law enforcers and private-sector organizations to a common action agenda to solve the recurring problem. The Memorandum of Agreement signed by five government agencies and four private-sector organizations set the stage for more comprehensive police action on the ground, with the full support of the companies and organizations that have been affected by the operations of these hijacking syndicates. By 2003 the PNP was successful in bringing down the average number of cars stolen per day by 23 percent (from 8.1 per day in 2002 to 6.2 per day in 2003).

***Smuggling.*** The PNP's strict implementation of maritime and aviation laws has resulted in a decrease in the number of reported cases of smuggling and an increase in the number of persons arrested and cases filed in court. The PNP, the Bureau of Customs, and other law enforcement agencies have established collaborative efforts in solving the problem of smuggling. Since in 2001 there has been a tremendous drop of cases reported.

***Illegal Drugs.*** The continuing proliferation of illegal drugs in many parts of the country remains to be a major law enforcement concern. The number of reported cases involving dangerous drugs and the number of persons arrested showed a notable increase in 2003. The PNP created the Anti-Illegal Drugs Special Operations Task Force in June 2003. In its six months of operations, this task force seized more than 13.0 billion pesos' (US\$237 million) worth of shabu and ephedrine. Sixteen clandestine laboratories and warehouses were dismantled, eleven of which were laboratories with complete manufacturing facilities, and five storage warehouses that contained

significant volumes of chemical precursors and laboratory equipment. Since 2003 a total of 23,382 persons have been arrested by the task force and 16,620 cases have been filed in court.

**Illegal Gambling.** One of the major campaigns of the PNP is to contain illegal gambling all over the country. All regional police offices have been ordered to step up their drive against *jueteng* (a numbers game) and all other forms of illegal gambling. In 2000 the PNP intensified its antigambling operations. For that same year, the anti-illegal gambling campaign led to an increase in the number of persons arrested for the crime and the number of cases filed in court. As a result, the data show a decreasing rate of cases reported since 2001. It is projected that the statistics for illegal gambling will show positive results in the coming years with the drive against illegal gambling operators and financiers. The revitalized campaign against illegal gambling, which is intended to make the Philippines a “no *jueteng*” country, has been marked by not only a sustained effort but also a groundswell of support from the local leaders and religious authorities. Following the December 15, 2002, directive from the chief of the PNP to the regional directors, the compliance has reached a 91.5 percent level, with eighty-six of the ninety-four provincial/city/districts having been certified “no *jueteng*” as of December 29, 2003.

**Bank Robbery.** The resurgence of bank robbery incidents in the third quarter of 2003 led to the creation of the Philippine National Police Anti-Bank Robbery Special Operations Task Force. This task force is focused on consolidating information and mounting operations against identified bank robbing groups. One of the highlights of this task force was the arrest of more than ten suspects following a series of bank robberies in Palar Village, Taguig, and metro Manila.

**Terrorism and Anti-Insurgency.** The Philippine contribution to the global war against terrorism has been in the form of arrests of key personalities in the international network of terrorist organizations, including Mukhlis Yunos and Taufek Refke, as well as the prevention and deterrence of possible violent attacks.

The PNP provides support to the armed forces of the Philippines in the anti-insurgency campaign. However, the successive attacks on police stations in far-flung areas since 2002 have heightened police readiness and responsiveness against communist terrorists. Implementing the twin strategy of static and active defense, the PNP has repulsed several New People’s Army attacks against police stations in Quinapondan, Eastern Samar; Naga City, Camarines Sur; San Lorenzo Ruiz, Camarines Norte; and Zaragoza, Nueva Ecija. The proactive stance has not only shown police capability in defending its citizenry but

has also highlighted the bravery of its police officers on the ground.

**Crime Statistics.** In 2003 there was a 2.4 percent decrease in crime volume, from 85,776 in 2002 to 83,704 in 2003. Crime-solution efficiency also improved by 2.1 percent compared to 2002 figures. Responding to the clamor for decisive action against snatchers and thieves that were victimizing the citizenry on the streets, the police reported that the force stopped the trend. As of the latest records, there has been a 42.5 percent decrease in street crimes on a national level since the campaign against street crimes began. Most notable is the 56.2 percent decrease in the national capital region (1,008 incidents in March 2003 versus 441 incidents in October 2003). The three-pronged thrust of checkpoints, walking the beat, and deployment of mobile forces/stations has been identified as the key to this downtrend.

According to the latest PNP crime report, the total crime volume went down in the first quarter of 2003 by 4 percent compared to the same quarter of 2002. The following are the specific crime reports on major classifications:

- 6 percent decrease in index crimes (17,939 in 2003 compared to 19,031 in 2002)
- 2 percent decrease in nonindex crimes (16,793 in 2003 compared to 17,122 in 2002)

There were major decreases in homicide (15%) and physical injury (8%). The number of crimes solved increased by 2.3 percent. Crimes against persons decreased by 2 percent, particularly homicide (down 9.8%). Crime-solution efficiency has improved by 3 percent, with an increase of 5.5 percent for solution efficiency on index crimes. The crime volume was the lowest in 1997 and it started to climb in 1999. At the start of the twenty-first century, the crime volume began to dip again.

## HUMAN RIGHTS

Police have often been suspects in a number of arbitrary and unlawful killings, disappearances, illegal detention, and abuse. The Commission on Human Rights investigated twenty-two complaints of killings for the first six months of 2003, the same number as in the first six months of 2002. The Commission on Human Rights included killings by antigovernment insurgents in its investigations. The Task Force Detainees of the Philippines (TFDP), a non-governmental organization, documented six summary executions of civilians by government forces and insurgents through June 2003. In combating criminal organizations, security forces sometimes resorted to summary execution of suspects, or “salvaging.” Police and military spokesmen

explained these killings as the unavoidable result of a shootout with suspects or escapees. Statements by various local government officials have condoned extrajudicial killings as an acceptable means to fight crime. The Commission on Human Rights suspected PNP members in a majority of the human rights violations involving deaths that it investigated through June 2003.

The police are also being blamed for disappearances of people and the illegal detention of suspects. Families of Victims of Involuntary Disappearances, a domestic nongovernmental organization, reported twenty-one disappearances in 2003. The Commission on Human Rights investigated seventy-two cases of illegal arrest and detention through June—an increase of 24 percent from the number recorded during the same period in 2002. The TFDP documented thirty-six cases of politically motivated arrests by the government through July 2003. The TFDP and the Philippine Human Rights Information Center, another nongovernmental organization, both estimated the total number of political prisoners in the country at approximately 200 (Bureau of Democracy, Human Rights, and Labor 2004). The 2003 Amnesty International report documents at least a dozen of cases where suspects were illegally arrested, detained, or abused during investigation.

#### CORRECTIONAL SYSTEM

The Bureau of Jail Management and Penology (BJMP), also referred to as the Jail Bureau, was created pursuant to Section 60, Republic Act No. 6975, which took effect on January 2, 1991. Apparently, this is an upgraded version of its forerunner, the Office of Jail Management and Penology, which was created in 1976.

In the late 1980s institutions for the confinement of convicts and the detention of those awaiting trial included a variety of national prisons and penal farms as well as many small local jails and lockups (Sanchez 1984). In general, the national prisons housed more serious offenders, and those serving short-term sentences were held in local facilities. The prison system at the national level was supervised by the Bureau of Prisons of the Department of Justice. The bureau was responsible for the safekeeping of prisoners and their rehabilitation through general and moral education and technical training in industry and agriculture. The bureau also oversaw the operation of prison agro industries and the production of food commodities.

In 1991 the newly formed BJMP took over administration of local jails. The BJMP is organized similar to the PNP. The command, control, and supervision of the jail personnel are located at the central headquarters in Manila. The head of the BJMP is headed by a director. There are also regional offices in the jail hierarchy.

The prisons are managed on a national level by the Bureau of Corrections. The bureau is attached to the Department of Justice and is headed by a director. The government maintains seven correctional institutions and penal farms. These prisons are each headed by a warden. The nation's largest prison is the National Penitentiary at Muntinlupa, metro Manila. The penitentiary serves as the central facility for those sentenced to life imprisonment or long-term incarceration. It is divided into two camps to separate those serving maximum and minimum penalties. The Correctional Institution for Women is also located in metropolitan Manila. There are also facilities that are combinations of a prison and penal farms. These are located in far-flung areas such as those Zamboanga City, Palawan, Mindoro Occidental, and several others in the Visayas and Mindanao provinces.

Some prison inmates may be eligible for parole and probation. Before serving their sentence, felons, who are not charged with subversion or insurgency or who have not been on probation before, can apply for probation. Probationers are required to meet with their parole officers monthly, to avoid any further offense, and to comply with all other court-imposed conditions. After serving an established minimum sentence, certain prisoners can apply to their parole board for release. The board can also recommend pardon to the president for prisoners it believes have reformed and who present no menace to society. The Parole and Probation Administration is responsible for the administration of prison release programs. This office is also attached to the Department of Justice.

**Prison Conditions.** Prison conditions in the Philippines are generally poor and prison life is harsh. Among the noted complaint is the overcrowding of prisons. Because of overcrowding, prisoners suffer from physical as well as mental diseases. In 2003 the Human Rights Commission noted that prisoners developed boils, diarrhea, and other respiratory problems because of poor ventilation in prisons. The commission also noted that facilities lacked an adequate supply of medicine and laboratory equipment. Thus, the commission concluded that the facilities were not fit for human confinement.

Aside from the structural problems, the prisons also suffer from logistical problems. The institutions can barely afford to feed their inmates with a measly daily allowance of 30 pesos (US\$0.50). Prisoners have to rely on donations from family, friends, and charitable institutions to eat decently. Another problem is the system of mayors, where cells are basically controlled and administered by inmates themselves. This practice promotes gangsters in prison. Finally, inmates complain of violation of their basic human rights such as legal consultation

and conjugal rooms and of suffering sexual abuse and harassment. Because of these problems, a European human rights commissioner asked the Philippine government to improve its prison system. As a response, the Philippine government immediately released funds to build new jail facilities.

**Prison Statistics.** In 2002 the national and provincial prisons held 97,968 inmates (National Statistics Coordination Board 2003). The seven national prisons held 27,582 inmates, including 1,055 females. The prison population rate per 100,000 was 86. Pretrial detainees made up 58.2 percent of the total prison population, while females made up 5.5 percent and juveniles 3.0 percent. The official capacity of the prison system was 45,000 and the occupancy level was 156.4 percent. The New Bilibid Prison in Muntinlupa City, metro Manila, held the most number of inmates (16,134) and was above its capacity limit by 85 percent. The National Correctional Institute for Women also in Manila held approximately 950 prisoners and was also over its capacity limit by 90 percent. The rest of the prisoners were confined in five other institutions and were mostly located in the Visayas and Mindanao areas. Most prisoners were in the maximum security category, where 12,233 (49%) out of 25,002 were in maximum security. According to the 2003 National Statistics Coordination Board survey, the top-three crimes committed by inmates were homicide (26%), murder (23%), and rape (12%). As of 2003 there were about a thousand inmates on death row and twenty-seven of them were women (National Statistics Coordination Board 2003).

There were 3,325 inmates released from prison in 2002 with the following breakdown: released on parole, 2,519; expiration of sentence, 627; pardon, 6; others, 173. It should be noted that there are no alternative community corrections programs because of lack of financial and personnel resources.

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*Melchor C. de Guzman*

# Poland

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**Official country name:** Republic of Poland

**Capital:** Warsaw

**Geographic description:** Located in eastern Europe, east of Germany and west of Russia

**Population:** 38,635,144 (est. 2005)

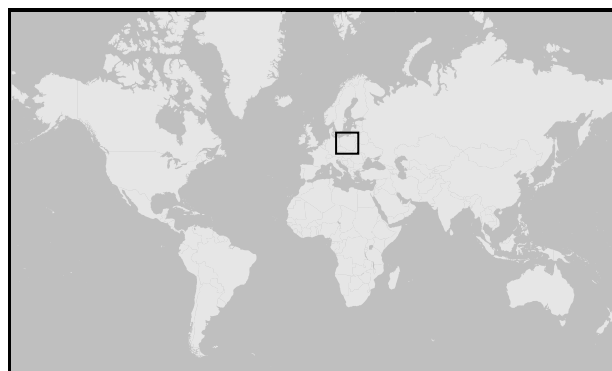


## LAW ENFORCEMENT

**History.** Poland has over a thousand years of tradition. In the early Middle Ages the present-day administrative and judicial police functions were performed by royal officials, such as palatial comes, governors, and castellans. During the Noble Republic police functions belonged among others, such as major-domos, *voivodes*, and *starosts*. During the Four-Year Sejm (from 1791) questions of security and public order were dealt by the Police Commission of Both Nations (Poland and Lithuania).

After the republic's fall (1795–1918) police tasks in the Polish territory were taken over by the Russian, Austrian, and Prussian invaders, respectively. Before Poland regained its sovereignty following World War I, various social and civic organizations interested in public order protection were established in the Polish territory. Guards and militias formed by these organizations differed from each other.

Construction of the police organization based on the Law of July 24, 1919, on the State Police was one of the most important goals of reviving the state. The process was realized for a few years. Its course was not easy and different in various parts of the country. The leading authority was the chief commandant of the State Police,



and the country was divided into police districts. On September 1, 1939, the police service in Poland had approximately 35,000 police officers.

After Poland lost its sovereignty to Germany during World War II, the Polish police (*policja granatowa*) became a subsidiary to the German police force that was established in the occupied territory (Generalne Gubernatorstwo). The Polish police were not trusted by their occupants. Several of its officers cooperated with the Polish resistance movement. Meanwhile, the Polish police officers who were captured by the Soviets faced a different destiny. About 6,000 of them were put in Ostaszków camp. Another 9,000 soldiers, government officials, and intellectuals were sent to internment camps in Kozielsk and Starobielsk. These prisoners of war were murdered by Soviet authorities in the spring of 1940.

In 1944 the Civic Militia (*Milicja Obywatelska*) was organized. The decree on the Civic Militia of October 7, 1944, stated that it was a public law enforcement

formation of the Public Security Department. Besides having ordinary police functions, the militia was given an executive role by the communist authorities. In 1954 the Ministry of Public Security was replaced by the Public Security Committee, and the Civic Militia was moved to the newly established Ministry of Internal Affairs. In 1956 the Civic Militia was moved back to the Public Security Committee because a newly established Security Service (Służba Bezpieczeństwa) was placed in the Department of Internal Affairs. In December 1981 the Civic Militia, alongside the army and other public services of the state, was used to enforce and maintain a state of emergency. In other cases the Civic Militia was used to restrain unrests and social dissatisfaction. In 1983 *voivode*-ship and regional headquarters of the Civic Militia were renamed to *voivode*-ship and regional offices of internal affairs.

Following the political upheaval in Poland and subsequently in Central and Eastern Europe in 1989, the Civic Militia and Security Service were dissolved one year later. In their stead the police and the Office of State Protection (at present the Internal Security Agency and the Intelligence Agency) were established. The basic legal act is the Law on the Police of April 6, 1990 (with further amendments). The present philosophy of the police is not to act by way of repression but in close cooperation with society and according to a rule of political disengagement. The Polish police cooperate with the police forces from other countries within the Interpol and Europol systems. Police officers have been or actually are in missions abroad (peacekeeping or democracy building operations) organized under the auspices of international organizations (e.g., United Nations, Organization for Security and Cooperation in Europe, European Union, and Western European Union) in the following countries: former Yugoslavia, Iraq, Croatia, Bosnia and Herzegovina, Tajikistan, Albania, and Kosovo. The Polish police also have liaison officers in a few countries (e.g., the Netherlands, Russia, Ukraine, and Baltic states). Police officers are members of International Police Association and International Association of Chiefs of Police.

**Structure and Organization.** According to the Law on the Police of April 6, 1990, the police are a uniformed and armed formation serving society and intended for protection of people's security and for maintaining security and public order. The name *Police* belongs to this formation exclusively. Besides the police, there are several other types of law enforcement agencies, such as Border Guards, Internal Security Agency, Intelligence Agency, Customs Inspection, Railway Guards, Prison Service, Government Protection Bureau, State Fishing Guards, State Game-Keepers Guards, State Fire Guards, municipal and communal guards, and various special armed

protective formations. Police tasks in the military are performed by the Military Police.

The basic duties of the police are:

- To protect the life and health of the people and their property
- To provide security and public order in public places, in public transportation and communication, on the highways and streets, and on the waterways designated for common use
- To prevent crimes and criminal activity by cooperating with state agencies, self-governmental bodies, and public organizations
- To detect crimes and misdemeanors and pursue the offenders
- To provide supervision via municipal guards and special armed forces
- To cooperate with the police services of other nations and international organizations
- To gather, process, and transmit criminal information
- To maintain the National Information System

**Principal Agencies and Divisions.** The Polish police are composed of the following kinds of services: criminal (33% of police officers), preventive (58%), and supporting the police activity in organizational, logistic, and technical fields (9% of police officers). Their separate organizational entities are:

- Court Police
- Higher School of Police, police training centers and police schools
- Prevention units and antiterrorist subunits
- Research and development units

Other kinds of the police service can be established by the chief commander of the police with approval of the minister of internal affairs and administration. The chief commander, who is subordinated to the minister of internal affairs and administration, is responsible for the protection of the people and the maintenance of public safety and civil order. The chief commander is appointed and dismissed by the prime minister at the request of the minister of internal affairs and administration. The chief commander has three deputies who are appointed and dismissed by the internal affairs minister. The chief commander's office is the National Police General Headquarters, which is composed of bureaus managed by directors. The most important is the Central Bureau of Investigation (about 2,000 officials). There is also the Chief Commander's Cabinet, the Protection of Classified

Information and Inspection Bureau, the Internal Affairs Bureau, the Internal Audit Unit, the Police Strategy Bureau, the Crime Intelligence Directorate, the Central Forensic Laboratory, the International Police Cooperation Bureau, the Logistics Bureau, the Financial Bureau, the Communication and Automation Bureau, the General Staff Bureau, the Crime Combat Tactics Bureau, the Police Academy, and the National Center of Criminal Information.

The following organs are responsible for the protection of the people and the maintenance of public safety and civil order: *voivode*-ship commandants (Szczecin, Gdańsk, Bydgoszcz, Poznań, Olsztyn, Białystok, Gorzów Wielkopolski, Łódź, Lublin, Kraków, Wrocław, Opole, Katowice, Rzeszów, Kielce, and Radom) and metropolitan commandant (Warsaw), commandants of specialized police stations (railway, water, airport, and metro—15), county commandants (270), municipal commandants (65), and police station commandants (618). Their supporting offices are respectively: *voivode*-ship headquarters of the police, Warsaw Metropolitan Headquarters of the Police, specialized police stations, county headquarters of the police, municipal headquarters of the police, and police stations. The *voivode*-ship (metropolitan) commandant of the police is appointed and dismissed by the minister of internal affairs and administration at the request of the chief commander of the police in agreement with the *voivode*. The county (municipal) commandant is appointed and dismissed by the *voivode*-ship commandant in agreement with the *starost* of a district. The police station's commandant is appointed and dismissed by the county (municipal) commandant after consulting a chief officer(s) group of villages (mayor or president of a city).

**Salaries.** The police service ensures a relative stability of employment; however, it does not guarantee particularly high salaries. Salary depends on several factors, the most important being classification, which comprises eighteen professional groups (categories). As such, the basic salary is 1,355 Polish zlotys. To determine the actual salary, one can multiply this by the respective coefficient. For the lowest group (1) it is 0.65, for the highest group (18) it is 4.41.

The basic salary is supplemented by allowances. An allowance for a term of service becomes available after two years' service. One percent is applied for each year of service, up to 20 percent. Between twenty and thirty years of service the allowance increases by 0.5 percent per year, coming up to maximum amount of 25 percent. The following are sample allowances (in zlotys) for the respective police rank: private (320), sergeant (440), staff ensign (595), commissioner (635), supercommissioner (640), inspector (790), and inspector general (990). The following are more specific examples of allowances

(in zlotys): private with two years of service (1,400 zlotys), a sergeant with five years of service (1,900 zlotys), a subcommissioner with fifteen years of service in a position of specialist (2,684 zlotys), a commissioner with eighteen years of service in a position of an expert (3,310 zlotys), a supercommissioner with twenty years of service in a position of the police station's commandant (3,490 zlotys), a subinspector with twenty years of service in a position of commandant of district police (4,870 zlotys), a subinspector with twenty years of service in a position of head of division in National Police General Headquarters (5,200 zlotys), an inspector with twenty-one years of service in a position of deputy commandant of regional police (6,230 zlotys), an inspector with twenty-two years of service in a position of director of bureau in National Police General Headquarters (7,060 zlotys), a superinspector with twenty-two years of service in a position of commandant of regional police (7,210 zlotys), and an inspector general with twenty-five years of service in a position of chief commander of the National Police (12,490 zlotys).

Functional allowances are granted in three categories according to the position held: in the amount of 60 percent of basic salary (e.g., police spokesman), 70 percent (e.g., head of division) and 80 percent (e.g., chief of the police station). An official (service) allowance is granted in an amount up to 50 percent of the basic salary. A uniform allowance is paid once a year; its amount depends on rank (and to a small degree on sex). The following are sample uniform allowances (in zlotys) for the respective police rank: inspector general and superinspector (2,930 zlotys), commissioned officers (2,056 zlotys), and noncommissioned and other police officers (2,020 zlotys).

**Retirement Age.** Equal retirement rules refer to officials of the police, Internal Security Agency, Intelligence Agency, Border Guards, Government Protection Bureau, State Fire Guards, and Prison Service. Retirement assessment is based on the police officer's last occupied post. Retiring pensions come under valorization. Minimal retirement rights require a minimum of fifteen years of service; then, the retiring pension amounts to 40 percent of its assessment basis. For each year of service above the minimum of fifteen years, a retiring pension is raised by 2.6 percent. The retiring pension is also raised for various types of service performed in conditions particularly dangerous to life and health. Finally, a total amount of retiring pension cannot exceed 75 percent of its assessment basis. In the case of a full term of service (thirty years) a retired police officer obtains a retiring pension equal to his or her previous salary (in other words 100%) for twelve months. The age of a police officer is of no importance to gaining retirement rights.

**Hierarchy and Ranks.** The Ministry of Internal Affairs and Administration supervises the police, Border Guards, and State Fire Guard. The minister is the superior of the chief commanders of all these services. One of deputies of the minister is to supervise police work. The chief commander of the police is superior to all police officers. The *voivode*-ship commandant and county (municipal) commandant are superiors to police officers in the area of their activity. Besides their own tasks (investigation, prevention, and detection of crimes) the police also execute court, prosecutor, state administration, and territorial self-government orders. Police officers are subject to particular service discipline. However, if performance of an order issued by a prosecutor, state administration, or territorial self-government will lead to committing a crime, the police officer can refuse the execution of the order. This police officer should, neglecting official channels, report immediately to the chief commander of the police in such a situation. In connection with the performance of official duties, a police officer enjoys protection provided for public officials by the penal code. The following lists the four police corps and the respective police ranks within:

- Corps of Commissioned Officers of the Police (inspector general, superinspector, inspector, junior inspector, subinspector, supercommissioner, commissioner, and subcommissioner)
- Corps of Ensigns of the Police (staff ensign, senior ensign, ensign, and junior ensign)
- Corps of Noncommissioned Officers of the Police (staff sergeant, senior sergeant, and sergeant)
- Corps of Privates of the Police (senior private and private)

Promotion within the privates, noncommissioned officers, and ensigns corps is determined by superiors. A police officer can be promoted to the first commissioned rank (subcommissioner) if he or she has completed the Higher School of Police or, if he or she possesses a university education, has finished a training for graduates from higher schools and has passed an exam for commissioned officers. The president, acting by a proposal made by the minister of internal affairs and administration, promotes police officers to the first commissioned rank and to ranks of superinspector and inspector general. The chief commander of the police can be promoted to other ranks of commissioned officers.

Appointment to the next higher rank should be adequate to an official position taken and depends on an official opinion about the respective police officer. However, promotion to a respective rank cannot be earlier (besides in particular cases of advancement) than after a certain number years of service have been met for each

rank: private (1 year), senior private (1 year), sergeant (2 years), senior sergeant (2 years), staff sergeant (2 years), junior ensign (3 years), ensign (3 years), senior ensign (2 years), staff ensign (4 years), subcommissioner (3 years), commissioner (4 years), supercommissioner (4 years), subinspector (3 years), junior inspector (4 years), and inspector (4 years). Police officers dismissed from the service are allowed to use their possessed rank by adding "retired." Deprivation of police rank follows a deprivation of Polish citizenship, conviction with legal validity by a court to an additional penalty of civic rights deprivation, or a penalty of deprivation of liberty for an offense committed with a low motive. In cases provided for by law, the lowering of a police rank is possible (e.g., as a result of a punishment within a disciplinary proceedings).

**Police-Community Relations.** The need to define in a new manner relations between the police and the local communities developed in Poland in the early 1990s. The term *community policing* is difficult to translate into Polish. In Polish practice it means simultaneously a philosophy; a strategy of police activity; and a partnership of cooperation between the police, individuals, and public and private institutions. Local communities have witnessed the following results: an increase in feeling safe and having a better quality of life, having more influence on police activity, and holding the police responsible for protecting society. The police have experienced more efficient crime prevention, are more successful at combating crime, and have a higher level of acceptance and prestige. However, it depends on mental (awareness of a service role) and organizational changes within the police themselves. At present, decentralization of the police tasks and competencies is being realized.

A fundamental institution is the community police officer. A basis for his or her activity is immediate contact with the local community, flexibility, nonbureaucratic manner of activity, and expedition and efficiency of intervention. The following are a few of the programs that are conducted: "My Community Police Officer" and "Safe Town/City," and within the latter: police educational programs (e.g., "Safe Way to School"), "Neighbor's Anticrime Program," "Be Helpful to the Addicted," and "Be Alert and Cautious." An essential element is building an image of the police within public relations. All police units have public relations people who are responsible for working with the media. Social confidence in the police is still on a high level. Social feeling of security within the neighborhood is an increasing process.

#### **Special Police.**

**Riot Police.** In Poland these units are called prevention troops. They were established in twenty-two of



the largest cities by the chief commanders of the police. The troops number 6,000 police officers and are divided into companies and platoons. The troops are held in reserve by the chief commander of the police and are used anywhere in the country to control massive entertainment events and ceremonies, to pursue extremely dangerous criminals, to control protests and gatherings, and to maintain public order during states of emergency, such as during dangerous public disturbances, disasters, calamities and epidemics, and acts of terrorism. The troops stay and perform their tasks in the respective territory of the police *voivode*-ship headquarters. When the troops are not engaged in organized action, they do a patrol service for local police units.

**Traffic Police.** The most important tasks of the traffic police are to ensure security, order, and fluency of traffic on public roads, to prevent offenses and misdemeanors on the roads, and to apprehend perpetrators. The traffic police use photo radars set up in unseen places to record misdemeanors. These radars record the car, its registration number, its speed, the face of the driver, the date and time, and the location. Misdemeanors are recorded without stopping drivers. Road incidents are also documented by video radar installed in unmarked patrol cars. Every police unit has at least one department (section) of traffic police. Sometimes there is one department common for traffic and preventive police.

**Education and Training.** After 1990 the system of professional training was modified as regards substantial and methodological matters. The experiences of other countries (Great Britain, United States, France, and Germany) were used to introduce new curricular elements like human rights and freedoms and social communication. An important challenge was the necessity to train a new staff. It resulted in approximately 46 percent of police officers leaving the service between 1990 and 1996.

The professional training of police officers is now conducted on three levels: basic, specialist, and commissioned officer. Successful completion of training for each respective level is required for future career advancement in the police service. New recruits must go through basic professional training, regardless of their level of education. The focus of this level is general preparation for preventive service in the police. Specialist professional training gives a background for performance in one of three basic police functions: preventive, criminal, and logistics. The commissioned officer level is intended for police officers with several years in the service who passed both basic and specialist training. It covers police officers of the previously mentioned kinds of service. The intent of this training is to obtain an officer's rank and to further possibilities, such as seeking the post of command



**Members of Greenpeace are detained by police in Warsaw, Poland, February 11, 2005.** Activists were protesting against the importing of genetically modified organisms (GMO) into the country. The protest took place outside the offices of Poland Prime Minister Marek Belka. AP IMAGES.

in the police. Training focuses on interactive methods (simulating activity) and has a convertible nature because it is combined with professional practice in the police stations.

Until the past few years basic training was conducted by thirteen training centers. Activity at most of them was suspended due to a decline of recruitment to the police. As such, basic training duties were taken over by the police schools, which also handle specialist training (the police schools in Piła and Katowice—criminal service; the police school in Słupsk—preventive service; and the Police Training Center in Legionowo and the Higher School of the Police in Szczytno—all services). Future commissioned officers are trained in the Higher School of the Police in Szczytno, where improvement courses for managerial staff of the police are conducted as well. Future commissioned officers obtain a complete education in such police disciplines as traffic police, prevention,

tactics in fighting against various forms of criminality, criminalistics, criminology, and victimology, various law disciplines (e.g., administrative and constitutional law, substantive criminal law, law of criminal proceedings, police, civil, and finance and international law), police professional ethics, human rights and freedoms, philosophy, sociology, psychology, economy and finance, and foreign languages (Russian, French, German, and English). The police officers having a higher education can pass a shortened training for commissioned officers. Within the Police Training Center in Legionowo exists the International Center for Special Police Training, which organizes international courses and conferences, primarily for central and east European countries.

**Recruitment and Conditions of Service.** Access to the police service is freely open for all men and women who have Polish citizenship, do not have a criminal record, enjoy full public rights, have at least a secondary education, have physical and mental powers (ability) to serve in armed units (formations) amenable to particular internal discipline, and are willing to subject themselves to it. Physical and mental powers are ascertained by medical commissions. Before entering on service duties a police officer takes the following oath:

“I, the citizen of the Republic of Poland, conscientious taking on myself duties of police officer, pledge: to serve the People faithfully, to protect legal order set up by the Republic of Poland’s Constitution, to guard security of the state and its citizens, even with a risk of my own life. Performing tasks charged to me, I pledge to respect law strictly, keep loyalty with constitutional organs of the Republic of Poland, comply with an official discipline and fulfill orders of my superiors. I pledge to keep state and official secrets, as well as honor, dignity and good name of the service and to abide rules of professional ethics.”

The official relationship of a police officer originates in virtue of an appointment. Appointment for standing follows three years of preparatory service. A competence to appoint a police officer to an official post, to shift, and to release from the post is exercised by the chief commander of the police, the *voivode*-ship (metropolitan) commandants, the county (municipal) commandants, and the commandants of the police schools. Appointment depends on the police officer’s level of education, professional qualifications, and duration of the police service. A periodic opinion is given about a police officer. If he or she does not agree with the passed opinion, he or she can submit an appeal to a higher superior in a due term. A police officer can be shifted to perform the service duties or seconded for temporary service in another place, offi-

cially or at his or her own request. The decision on shifting or secondment is taken by the chief commander of the police (the whole state territory) or by the commandants of different levels (*voivode*-ship, city, and county). Term secondment is up six months; in exceptional cases it can be extended to twelve months by the chief commander of the police. A police officer can be seconded, with his or her approval, by the chief commander of the police to perform the service duties outside the police in the country or abroad. A police officer can be charged with performance of official duties at another post in the same place for a term up to twelve months. A police officer has to be shifted to the minor (lower) post in case of sentencing for appointment to the lower post punishment in disciplinary proceedings. He or she may be shifted to the minor post in the following situations:

- Decision issued by a medical commission on permanent inability to perform official duties at a taken post, if there is no possibility to appoint him or her to an equivalent post
- Uselessness as regards the occupied post, which is ascertained in an official opinion in terms of preparatory service
- Being discharged from official duties after receiving two succeeding official opinions issued with at least six months’ break between them
- Liquidation of the occupied official post or for other reasons justifiable by organizational needs, if there is no possibility to appoint him or her to another equal post
- At a request of a police officer

A police officer who does not agree with being shifted to a lower post can be released from the service. A police officer has to be suspended from service activities if criminal proceedings against him or her in case of intentional offense prosecuted by the public prosecutor were instituted (usually up to three months). A police officer can be sent (*ex officio* or at his or her request) to a medical commission in the internal affairs department to determine a state of health and physical and mental ability to the service and to ascertain a causal nexus between respective illness and the service. He or she has to be released from the service in the following cases:

- Decision taken by a medical commission on permanent inability to the service
- Uselessness in the service settled by an official opinion in terms of preparatory service
- Disciplinary sentencing to dismissal from the service
- Valid in law sentencing for intentional offense prosecuted by the public prosecutor

- Renunciation of Polish citizenship or acquisition of a foreign state's citizenship

However, a police officer can be released from the service in the following situations:

- Being discharged from official duties after receiving two succeeding official opinions issued with at least six months' break between them
- Valid in law sentencing for an offense other than an intentional one prosecuted by the public prosecutor
- Appointment to another country's service and taking a function resulting from elections in the local government or in associations
- Becoming qualified for a retirement pension in virtue of obtaining thirty years in the service
- Liquidation of the police organizational unit or its reorganization connected with reduction of staff, if shifting of a police officer to another police unit or to a lower official post is not possible
- Expiration of twelve months from cessation of the service because of illness

In certain situations a reappointment in the service is possible (e.g., when decision on release from the service will be abrogated or recognized as null and void). A policewoman cannot be released from the service when she is pregnant and during a maternity leave (except in situations strictly provided for by the law). A police officer released from the service obtains the service certificate and at his or her own request an opinion on the service. He or she can require correction of the service certificate and appeal in due term to a higher superior as regards the service opinion.

**Uniforms and Weapons.** According to the law being in force in Poland, the police are a uniformed formation. The law determines the kinds of and wearing manner of a uniform, insignia of rank and identity badges, rules of wearing of uniforms, medals, and badges, as well as uniform standards. The uniforms, insignia of rank, and identification badges are proprietary and are worn exclusively by police officers in the line of duty. There are four types of uniforms: service, official, gala, and training. Service, official, and gala uniforms differ from each other by the kind of material and some accessories (e.g., a gala cord is a supplement to official and gala uniforms). Basic uniform elements are: gray-blue jacket or tunic with shoulder straps on which are insignia of rank, navy-blue trousers (inspector general and superinspector have dark-blue stripes), black leather shoes, gray-blue cap with dark-blue rim (it has a crowned eagle in silver with the inscription *Policja* [Police] on the cap) or navy-blue beret

with an eagle (antiterrorist units), and blue or white shirt (with navy-blue tie). The accessories are leather belt and gloves. In the colder months a short overcoat or overcoat with a navy-blue scarf are worn. In summer time a blue or white short-sleeved shirt (white one with a tie) is worn; there are insignia of rank on the shoulder straps. Uniforms for women differ slightly from the men's (e.g., women wear navy-blue skirts).

The Polish police use handguns, revolvers, smooth-bore rifles, machine guns, rifles, and carbines. P-64 handguns (120,000 pieces) and P-83s (8,600 pieces) are mostly personal firearms for police officers. Since the early 1990s the police have been using modern repeating handguns—Glock 17, Glock 18, and Glock 26 (7,200 pieces) with Parabellum ammunition 9mm gauge, as well as revolvers (mainly Astra, Taurus, and Smith and Wesson; 1,150 pieces). In the early 1990s smooth-bore 12mm gauge rifles (2,500 pieces) were added. They are used by antiterrorist troops, Central Bureau of Investigation units, and preventive and traffic police services. At present, obsolete machine guns—43 and 63 types—have been replaced by Glauberyt machine guns (9mm gauge). Over 11,300 pieces of these weapons have been purchased. Furthermore, police officers of the Central Bureau of Investigation and antiterrorist units use Uzi and MP5A3 machine guns (500 pieces). Since 2000 a weapons modernization program for the police and the Border Guards has been in progress. Among others, P99 Walther automatic handguns have been introduced.

#### **Transportation, Technology, and Communications.**

The police use patrol and operational cars, field cars, ambulances, trucks, buses, and motorcycles. Some services use special cars, armored transporters, helicopters, and motorboats. They also use bulletproof helmets and jackets, gas masks, shields (including bulletproof ones), all kinds of batons, chemical throwers, water throwers, bullet-resistant coveralls, surveillance mobile robots, as well as police radars and breath tests. For coercive measures they use handcuffs, stingers, horses, and police dogs. In criminalistics there are investigation kits, chromatographic apparatus and spectral ones, portable metal, drug, and gas detectors, and equipment for taking fingerprints and transferring them into the Automated Fingerprint Identification System (AFIS) system.

Technology is obviously the most modern component supporting the police. The teleinformatic infrastructure corresponds to international standards (including European Union ones) and is fully prepared to cooperate and exchange information with other international systems (e.g., Schengen Information System, Europol, and Interpol). Since January 1, 2003, the National Center of Criminal Information has been functioning. Its tasks are

gathering and transmitting criminal information. The system enables coordinated exchanges of information about criminality, crimes, and offenders. Applied solutions ensure the highest technological level of security. The system is useful to the police, the public prosecutor's office, Border Guards, Customs, taxation control and taxation offices, the Government Protection Bureau, the Military Police, the general inspector of financial information and financial information authorities, and the public administration authorities competent in matters of citizenship, foreigners, and repatriation.

The basic police informatic system is the National Police Information System, which is based on the most modern technological solutions and on the Oracle database. It can cooperate and exchange information with other systems (domestic and international). Its data provides information about wanted/missing persons, stolen vehicles, documents, objects, and weapons, criminal incidents, and acts of investigation. The system contains data concerning 12 million offenses, 7.8 million persons, and over 2.5 million stolen vehicles, documents, and objects. Access to the National Police Information System and nonpolice databases is secured by 5,000 stationary workstations in the police units and 400 mobile ones in patrol cars. The National System of Criminal Intelligence and Analysis has been working since 2004. It makes it possible to ascertain connections between events, persons, and objects. As of 2005 AFIS and the infrastructure for electronic fingerprinting (live scanners) compatible with Eurodac (regional police and border guards units) were being developed. The police intranet is also used for communication.

**Surveillance and Intelligence Gathering.** In cases of the most serious and intentional offenses and when other measures appear to be ineffective, a district court may decide on an operational control. A written application for this is submitted by the chief commander of the police (with prior written acceptance of the general public prosecutor) or by the *voivode*-ship police commandant (with prior written acceptance of the district public prosecutor). An operational control concerns the correspondence, delivery, and information transmitted by a telecommunications network. It lasts up to three months. A district court may prolong it in justifiable cases. In these situations it can also be decided on covert purchase or selling items of criminal origin, or objects that manufacturing, possessing, and trading in are forbidden, as well as an acceptance or giving a material profit. The decision belongs to the chief commander of the police (or *voivode*-ship commandant) after a written acceptance is made by a district public prosecutor. This activity lasts up to three months; it can be prolonged in justifiable situations. In these situations the police are allowed to

use information concerning contracts of insurance and such data as bank secrets. After receiving an application from the chief commander of the police or *voivode*-ship commandant, the district court will make a decision. The police can also use secret informants.

**Duties and Rights of a Police Officer.** A police officer is obliged to keep his or her duties embodied in the affirmation formula. He or she has an obligation to refuse exercising of a superior's order or order issued by other bodies if its execution would be connected with the commitment of a crime. A police officer should wear the service uniform and equipment. The chief commander of the police determines situations in which a police officer in the line of duty has no obligation to wear a uniform. A police officer should produce an identity card that provides his or her name and identification and the organ that issued the card. A police officer must not enter into paid work beyond the service without approval of his or her superior. A police officer is obliged to make a report on his or her financial position (situation). He or she is not allowed to be a member of any political party. Such memberships are ended when entering the service. A police officer should inform his or her superior about his or her membership in domestic associations functioning beyond the service. An affiliation to foreign or international organizations or associations requires approval of the chief commander of the police or a superior duly authorized by him or her. A police officer should report to his or her immediate superior on his or her planned abroad travel if it is longer than three days. Police officers can associate themselves in the police trade union. However, there is only one trade union in the police community and police officers have no right to strike.

A police officer obtains a compensation if he or she suffers a detriment to his or her health or sustains damage to property in connection with the line of duty. In case of the death of a police officer in connection with the service, an indemnity is acquired by members of his or her family. Family members left by deceased police officers are entitled to police dependents' pension.

A newly appointed police officer is provided with a uniform free of charge. Later on, he or she is given a currency equivalence to complete his or her uniform. A police officer has a right to annual paid rest leave (26 working days). Police officers who perform their duties in extremely difficult conditions and who have attained a respective age or length of the service are entitled to paid extra holidays (up to 13 working days annually). There is also a possibility of being granted paid sick leave, special leave, and leave without pay for important reasons.

A police officer who does his or her duties satisfactorily, has initiative, and improves his or her professional qualifications may be:

- Awarded a citation
- Awarded a citation by an order
- Given remuneration or material reward
- Given short-term leave
- Awarded a departmental mark of distinction
- Recommended for a national medal
- Given an early promotion to a higher police rank
- Appointed to a higher official position

**Police Officers Killed in the Line of Duty.** Every year, more than 10 police officers are killed and about 450 are injured in the line of duty. Between the establishment of the police in 1990 and mid-2003, 92 police officers have been killed in the line of duty (2 of them in missions abroad—Iraq and Bosnia and Herzegovina). The names of the dead police officers are enrolled on the Commemorating Plate (at the Police General Headquarters and other police units). In 1997 the chief commander of the police established the Aid Foundation for Widows and Orphans of Dead Police Officers, which renders material assistance to the surviving dependents. In Warsaw there is the obelisk “Republic of Poland—for the Dead Police Officers” commemorating officials who have been murdered or killed in defense of the country since 1919. Memory about them is a stable and important element of tradition of this public service. Every year during the Police Festivity ceremonies take place there.

#### HUMAN RIGHTS

Before 1990 the attitude toward human rights was informal, both in the state and within the police. Nowadays, the observance of human rights and freedoms is considered to be one of the most essential components of state and progressive policing. Relations between human rights and the police are characterized by the protection of human rights as one of the fundamental police tasks, by the observance of human rights in the line of duty, and by the consideration of a police officer as a specific subject of human rights. Since 1999 the police have been involved in successive and unprecedented worldwide programs of the Council of Europe that are devoted to human rights. The Chief Commander’s Plenipotentiary for Human Rights is responsible for the executive coordination of these programs in Poland. In celebration of the fiftieth anniversary of signing the European Convention on the Protection of Human Rights and Fundamental Freedoms, the international conference

“The Police Officer as a Subject of Human Rights” was organized at the end of 2000. In mid-1999 the World Organization against Torture and Center for Human Rights of Jagiellonian University carried out a pilot study on human rights awareness of young police officers in urban centers—Warsaw and Kraków (Mac Veigh 1999). Polish police have also been involved in preparation of the Council of Europe’s guide on European Convention’s values and human rights standards (Joint Informal Working Group on Police and Human Rights 2000). The Polish Charter on Rights of Victims was issued in 1999. The police are supported by the nongovernmental organizations Helsinki Committee, Helsinki Foundation for Human Rights (School of Human Rights), Center for Rights of Women, and La Strada.

#### CRIME

An increase in crime and unfavorable changes in its structure were the negative and indirect results following the political transformation in Poland after 1989. The transformation led to a disorganization of social life, unemployment, and a sudden deterioration of status of some social groups. The number of recorded offenses increased by over 60 percent between 1990 and 1989. Unfavorable tendencies in the crime structure included an increase in the threats of offenses against people and to a minor degree against their property; an increase in aggression, violence, and brutalization of criminals; more frequent use of firearms and explosives against individuals and law enforcement officials; the appearance of criminal terrorism and revenge crime; the development of organized crime, its professionalization and internationalization, and an increase in the number of criminal groups and organizations; an increase in the number of foreign perpetrators (e.g., so-called Russian-speaking criminals); an increase in demoralization of juveniles and their participation in the commitment of crime; an increase in economic and financial crime connected with the transformation process (e.g., corruption); the appearance of electronic (computer) crime; and offenses related to mass events (e.g., football matches and concerts).

**Criminal Identification and Forensics.** The National Police Information System has been functioning since January 1, 2003. It is a basic system of criminal information in the country. It consists of several mutually related modules:

- Incidents that are offenses mostly as well as traps. These are details about the category of crime, date and place of its commitment, and full particulars of crime (among other losses and secured traces).
- Information about perpetrators or suspects, wanted/missing persons, unidentified persons, and

unidentified dead bodies. These data include photos (right profile, frontal, and silhouette), signalment, peculiarities (e.g., scars and tattoos), pseudonyms, fingerprints, addresses, criminal and social contacts, and committed crimes.

- Things (including documents) having a number, thereby enabling unmistakable identification. These are things caused by a crime, used to commit a crime, or having or would have other connections with a crime or its perpetrator, which possessing or trafficking in are illicit.

There are also the National Collection of Cartridge Cases and Bullets from Scene of Crime, the Collection of Arms and Ammunition Samples, the Central Register of Lost Arms, the Central Register of Anonymous Documents, the Central Register of DNA Codes, and the Bank of Smells. Contemporary Polish forensics is a complex discipline. It uses methods and achievements of other domains from psychology and linguistics to chemistry and physics. One of the bureaus within the National Police General Headquarters is the Central Forensic Laboratory; there are also forensic laboratories in *voivodeship* police headquarters. The secret services, Military Police, Border Guards, and Polish Forensic Association have their own forensic units.

**Organized Crime.** Organized crime is a relatively new phenomenon in Poland. Its existence was officially confirmed in the early 1990s. Polish criminal law does not use the term *organized crime* in principle. In police practice it is understood as a hierarchical criminal organization established as profit-seeking to commit continual and various crimes and planning to secure its objectives by corruption, extortion, and use of violence. Organized crime includes illegal traffic in narcotic drugs and psychotropic substances, counterfeit currency and securities, frauds causing damage to governmental programs and international funds, crimes against tariffs, tax, and foreign currency exchange regulations by participation in criminal affairs, money laundering, illegal traffic in arms and radioactive materials, environmental crime, crimes against good morals, illegal gambling, racket, and corruption.

The dynamic development of organized crime is linked to the transformation of a political system, an expansion of private property, the development of a banking system and stock exchange, and an increase in goods circulation and in market of services, both in the country and in international relations. There is a threat not only to the private sector and freedom of trade but also to the security of the country. Particularly, connections between criminals and political circles are dangerous. Since 1994 a special police service has been combating organized crime (at present, the Central Bureau of Investigation with its

regional branches in the whole country). Similar organizational units exist within the public prosecutor's office. Combat against organized crime is also conducted by secret services, customs and finance services, Border Guards, military information services, and Military Police. During the last few years new legal solutions have been used (crown witness, incognito witness, controlled purchase, and covertly supervised delivery). Poland cooperates internationally (Interpol, Europol, and Schengen) and is a party to many international agreements.

## CORRECTIONAL SYSTEM

The corrections system is overseen by the Ministry of Justice. The prison services are public and the uniformed services are managed by a general director. Besides the Central Board of Prison Service there are fifteen regional inspectorates (Białystok, Bydgoszcz, Gdańsk, Katowice, Koszalin, Kraków, Lublin, Łódź, Olsztyn, Opole, Poznań, Rzeszów, Szczecin, Warszawa, and Wrocław).

The Central Training Center of Prison Service in Kalisz has three components:

- Officer's Division (10 months)—fields of study: penitentiary, security, evidentiary, employment and human resources, working conditions, logistics, financial affairs, and health services (number of graduates in 2003: 283)
- Officer Cadet Division (extension)—fields of study: penitentiary, security, administration, financial affairs, logistics, evidentiary, health services, communication, and employment
- Noncommissioned Officer's Division (5 months)—fields of study: security, evidentiary, logistics, financial affairs, employment, health services, administration, communication, and transportation; there are also 13 Training Centers of Prison Service (in 2003 about 8,000 people completed their courses)

Concerning the penitentiary infrastructure, 96 out of a total 156 prisons and remand prisons were constructed before World War I. Only 36 units were built after World War II. In 1938 Poland had a total of 344 correctional facilities and remand prisons. Concerning the age of these facilities, 8 were built between the thirteenth and eighteenth centuries, 86 date from nineteenth century and the beginning of the twentieth century, 15 were built between 1918 and 1939, and 6 were based on converted World War II prison-of-war camps. At present, there are 70 remand prisons and 86 prisons. Of the latter, 32 are external units and 2 are for mothers with small children.

Concerning prison manufacturing facilities, on December 31, 2003, there were 15 state-run prison manufacturing facilities and 27 auxiliary farmstead penitentiary institutions and remand prisons. Prison manufacturing facilities employ about 3,200 people, including 1,150 prisoners. In 2003 these subjects achieved the highest level of income from sale of products and services—580,000,000 zlotys.

The prisons are overpopulated and in bad financial condition. Since 2001 the prison population has increased by over 50 percent, while the total number of the prison officers has increased by only 1.3 percent. There is no place for over 13,000 convicted people (Prison Management in Poland 2004).

**Prison Conditions.** Reform of the Polish correctional system in the early 1990s was recognized by western European countries as a model solution for central and eastern Europe. The quality of penitentiary activity considerably increased in spite of the relatively small expenditure of money. The prison service officers' treatment of the prisoners was changed because they recognized that the prisoners have some rights. A set of correctional measures was widened. It resulted in the improvement of prisons and an increase in the most important factors determining the efficiency of penitentiary institutions. During the last few years the number of imprisoned

people has been increased and at the same time the costs for the correctional system have been reduced. Repeated failures concern penitentiary activity, immediate tutoring, employment policy, and health protection. The United Nations Committee on Human Rights has reservations regarding the practical implementation of minimal imprisonment rules. Among the prisoners there are more and more hardened criminals, members of organized crime groups, and extremely demoralized prisoners. Feelings of safety both among prisoners and the prison service officers has declined.

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*Jacek Wegrzyn*

# Portugal

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**Official country name:** Portuguese Republic

**Capital:** Lisbon

**Geographic description:** The most westerly of continental Europe, occupying the greater portion of the western littoral of the Iberian Peninsula

**Population:** 10,566,212 (est. 2005)



## LAW ENFORCEMENT

**History.** The Portuguese government is a parliamentary democracy with an elected president, a prime minister, and a Legislative Assembly that are all freely elected by an anonymous ballot process. The internal security of the state is mainly the responsibility of the Ministry of Justice and Internal Administration. All security forces are subordinate to the government, and there is a defined distinction between the civilian police force and the military. This is an important point because before the 1970s this was not the case. In fact, the government was much more totalitarian in nature, with civilian criminal law being enforced by military personnel.

This totalitarian form of government ended in April 1974 during the revolutionary overthrow of the Caetano regime, which resulted in the establishment of a democratic government. Problems of fear and mistrust between the citizens and the police were a major issue during this time and this resulted in many revisions of the policing structure and the criminal code in Portugal. The constitution drafted in 1976 specifically addressed the responsibility of the police to defend the new democratic process and sought to ensure that they acted within



the legal parameters stipulated in written codes. This then clearly established limits to their own discretion and authority. The police were to observe the rights, freedoms, and safeguards of all citizens regardless of political patronage.

The constitution of 1976 drastically altered the role of the police to protect the civil rights of the population. This new constitution provided guidelines and obligations for criminal investigation and the treatment of suspects. The constitution also made it clear that citizens would not be held without trial or imprisoned without a defined sentence. This was important because before this it was common for people to be imprisoned for a variety of political crimes with charges that were unclear and with detentions of undetermined periods. Further telling of the changes being made was the fact that habeas corpus was reinstated in Portugal as another safeguard against unfair detentions. The habeas corpus addition applied to both criminal and military courts helping to ensure fairness in the detention of citizens. To add



further weight to this provision, it was declared that a judge must answer any habeas corpus request within eight days. This demonstrated how the new government fully intended to expand the rights of citizens within the criminal justice system.

Another central component to the historical change of criminal justice in general and policing in particular was the clear disapproval of torture and other means of forced interrogation of the accused. Principles concerning the legalities of searches, seizures, and interrogations were all included into the constitution. Though these were all positive developments, there was still a period of unrest in the nation during the transition to a democratic form of policing.

During the months that followed the revolution, a sharp rise in crime was experienced that was especially problematic for the nation. This was because of the governmental state of flux that existed and because the police themselves were not always certain about their role within society. The disappearance of social and moral constraints as a result of tradition, regardless of the fact that they emanated from an authoritarian era, led to a state of near chaos in the country. It was not until the civilian police force was completely reorganized and retrained to operate in Portugal's new political environment that the nation saw stability. Furthermore, during this transition period it was necessary for the armed forces to maintain internal order. This initially seemed to breed more of the same mistrust between the policing personnel and the civilian population. However, control of the policing function was returned to civilian control in the form of the Ministry of Administration in 1976. This marked the official beginning of improved policing and police-community relations throughout the nation.

One final piece of history in Portuguese policing is likewise important but has as much to do with Europe in general. In 1985 France, Germany, and the Benelux countries signed an agreement in the Luxembourg border town of Schengen to remove controls at the "internal" borders between participating member-states and to introduce "flanking measures" to tighten up security at their common "external" frontier. That meant establishing common policies on asylum, immigration and visas, police cooperation, and the exchange of information between national immigration authorities. This is often referred to as the Schengen Agreement. This development has also produced the Schengen Information System, which is a database tool used to assist European Union members in internal policing of immigration patterns. In 1995 Portugal joined the Schengen Agreement and since then has been an active member in matching EU policing standards.

## Structure and Organization.

*Principal Agencies and Divisions.* There are two primary divisions within the policing system of Portugal. The Public Security Police (Policia de Seguranca Pública, PSP) and the National Republican Guard (Guarda Nacional Republicana, GNR). One other prominent division of the Portuguese policing system is the Policia Judiciaria, which is a police force that is highly specialized in technical, scientific, and even academic arenas. The Policia Judiciaria is theoretically autonomous from both the tactical and the investigative point of view. Beyond the Policia Judiciaria, all other types of police are divided by special types of duty.

The GNR was originally formed in 1913 and was a heavily armed quasi-military force that was technically called a constabulary. This constable force was structured in a military fashion up to the battalion level. It was actually meant to be a counterbalance against the military and was first employed to contain revolts from pro-monarchy resisters who were still in the military. Initially, the function of the GNR was to maintain a policing function in the rural areas of Portugal, but over time the GNR began to assist municipal police in riot control during various demonstrations, particularly those dealing with labor unrest. The GNR has typically been stationed in various major cities and district capitals of the various regions of Portugal. Some are also stationed in smaller areas of the more rural areas of Portugal.

By contrast, the PSP is a paramilitary police force that answers to the Ministry of Internal Administration. The basic mission of this police force was to protect property and public security in urban areas. Before 1953 the urban police had been under the control of the various provincial governors. During the colonial wars security police assault units were dispatched to Africa, where they assisted in combat operations against guerilla forces. However, the PSP has been reorganized and retrained since 1975, with its military equipment being given to the Portuguese Army. PSP detachments operate from the divisional headquarters in Lisbon and from the eighteen districts of Portugal. The eighteen districts and two autonomous regions are Aveiro, Azores, Beja, Braga, Bragança, Castelo Branco, Coimbra, Évora, Faro, Guarda, Leiria, Lisboa, Madeira, Portalegre, Porto, Santarém, Setúbal, Viana do Castelo, Vila Real, and Viseu. These districts are further divided into northern, southern, and central regions. Separate headquarters are in Madeira and the Azores.

The Policia Judiciaria is a more specialized branch of the police but is common enough to be considered a separate division of policing. This branch of police acts in conjunction with the court system in investigating crimes, especially those that involve subversion (politically driven) and terrorism. This police force is considered more



*A group of Portuguese police officers protest against their poor working conditions and press for better wages and benefits, Lisbon, Portugal, June 22, 2005. AP IMAGES.*

elite and prestigious in Portugal. It is a hierarchically organized body of police that reports to the minister of law enforcement. This police force is provided with excellent resources as its special relationship with the judiciary, coupled with the nature of its tasks, creates a demand for state-of-the-art equipment because of necessity.

**Salaries.** The Federal Research Division (1993) has documented the salaries of police in Portugal. In 1993 a typical patrol officer only earned the equivalent of approximately US\$390 a month.

**Police-Community Relations.** Police-community relations have improved since the 1970s with the overthrow of the Caetano government. However, the use of torture is reportedly used among many of the police and detention personnel in Portugal. Though this is being removed from Portugal's policing tactics, isolated incidents are still reported to occur. This has caused some distrust among the citizens and those who visit the country. Portugal is actively trying to improve the police-community relationship.

Intertwined within the notion of police-community relations is the use of the community policing concept that

is common throughout much of the European Union and has thus been adopted within the Portuguese policing system of service delivery. However, improved training is not the only initiative that has emerged in Portugal; the creation of specific programs has been implemented on a nationwide basis. According to the Consultive Counsel for the Formation of Security Services and Forces of Portugal (2003), Portugal has incorporated four specialized programs within each police jurisdiction:

1. Launched in 1996, the Safe Schools Program targets all the school systems in Portugal. This program is designed to protect school children and to sensitize them to the police in an effort to build future police-citizen community relations. Officers work in pairs with police vehicles set aside specifically for this duty. The officers are given specific training for this program. There are about 1,000 officers who are assigned to this program with roughly 450 police vehicles in place at school systems throughout Portugal. Officers are equipped with cell phones and first-aid kits to assist the community. Roughly 6,000 schools are included in this program.

2. The Aid 65, Safety for Senior Citizens provides for the reinforcement of policing in areas frequented by seniors. The police partner with institutions that provide services to senior citizens. Furthermore, teams of police have been created that specialize in security concerns of the elderly. This program is designed to protect citizens who may be in need for reasons beyond security and to improve relations with a generation that may have memories of the older era of policing in Portugal.
3. The Safe Commerce Program is designed to ensure the protection of local shop owners and business vendors. It is designed to improve police reactions to businesses that operate at the neighborhood level and are thus part of the common civilian population's routine economic and cultural development. The program ensures that there is a direct line of communication between shop owners and the police. The police likewise advise shop owners on security matters and invite the citizens of the surrounding area to various evening community training sessions.
4. The Crime Victim Support Program provides reception, guidance, and attendance to crime victims. This program includes partnerships with social service agencies and has officers specially trained for crime-victim trauma support. Also, in police stations throughout most of Portugal, separate physical facilities are provided for crime victims that are designed to provide a receptive environment that is not sterile and mechanistic in appearance.

**Special Police.** In 1990 the Fiscal Guard (Guarda Fiscal; also known as Treasury Police) was a border control force of 8,500 charged with customs inspections and the collection of import duties. In addition, they investigate smuggling, tax evasion, and illegal financial transactions, particularly those involving import or export businesses and currency exchange. Most of its uniformed and plain-clothes police are stationed at frontier crossing points, ports, and terminals of entry. The monitoring of entries and departures by foreigners also produces a flow of information needed by internal security agencies. The Maritime Police have functions similar to a coast guard service.

**Recruitment and Conditions of Service.** All potential police applicants are required to have Portuguese citizenship and to pass a special criminal inquiry that goes beyond the general requirements. Different specialty divisions may have different types of additional qualifications. For instance, police jobs in public telecommunications,

computer science, and human resources may all require demonstration of skills specific to that line of work.

Requirements for admission to training consist of at least a secondary education. The age of these applicants must be between twenty-one and thirty years. The period of training for most of the policing positions is approximately one year. This is followed by a probationary period in which the applicants demonstrate competency in their given assignments. For the technical jobs dealing with computers or communication technology, applicants have to demonstrate technical expertise and they must be certified with a professional qualification. Some positions require the completion of a degree (the Licenciatura degree, which is the equivalent to a bachelor's degree). This is especially true with the Polícia Judiciária.

**Uniforms and Weapons.** The uniforms of the Portuguese police vary with the type of police unit. In municipal areas police wear blue uniforms; these police are typically the PSP and will not often be found outside the jurisdiction of their town. In the countryside and beyond municipal districts the police wear green uniforms that are typically quasi military in appearance; these police are the GNP.

**Police Statistics.** According to the Consultative Council for the Formation of the Security Services and Forces of Portugal (2003), there are approximately 26,000 GNR police and 22,000 PSP police. Furthermore, the GNR have approximately 600 different police stations that are responsible for about 90 percent of Portugal. By contrast, the PSP have approximately 200 different police stations that are responsible for the urban areas of Portugal; this computes to roughly 10 percent of Portugal, but over 40 percent of the Portuguese population (Consultative Council for the Formation of the Security Services and Forces of Portugal 2003). Riot police have typically consisted of the GNR. Traffic police are a special brigade that is stationed throughout various regions of Portugal. In addition, there are another roughly 1,500 specialized officers and investigators. The types of vehicles and equipment used include commando armored cars and at least twelve Alouette II helicopters of German manufacture.

## HUMAN RIGHTS

As mentioned earlier, the Portuguese police have had community relations problems because of their previous methods of torture and interrogation. However, this is being eradicated from the policing elements of Portugal. In fact, in 2001 the Committee against Torture inspected the Portuguese criminal justice system and simply suggested that the country should maintain its vigorous measures of moving the police culture in Portugal to one that respects human rights. This clearly shows how

the Portuguese government is making acceptable progress to protect the human rights of those who come into contact with its criminal justice system. However, in demonstrating that there is still work yet to be done, the committee did specifically note that criminal investigation and prosecution of public officers should be continued whenever appropriate when it was revealed that acts of torture, or cruel and inhuman or degrading treatment had been committed by them. It also expressed concern at continuing reports of a number of deaths and ill treatment arising out of contact by members of the public with the police and the interprisoner violence in prisons.

According to Amnesty International, citizens enjoy a broad range of civil and other human rights. Civil rights are outlined in the constitution with specific reference to the Universal Declaration of Human Rights. An ombudsman, chosen by the legislature, is Portugal's chief civil and human rights officer. Any citizen may apply to the ombudsman for relief. The ombudsman receives roughly 3,000 complaints annually, with many of these cases of alleging misadministration by the bureaucracy or delays in the judicial process. The principal human rights problem concerns credible reports of beatings of detainees or prisoners by police or prison personnel. It should be noted that these infractions against human rights are becoming less and less common as the police continue to professionalize. The government, criticized for being slow to investigate such reports, has dismissed or forcibly retired some officials found guilty of such abuse.

When considering arrest, detention, and/or exile, it is up to the investigative judge to determine whether an arrested person should be detained, released on bail, or released outright. Persons may not be held more than forty-eight hours without appearing before an investigating judge. Investigative detention is limited to a maximum of six months for each suspected crime. If a formal charge has not been filed within that period, the detainee must be released. In cases of serious crimes (such as murder, assault, or armed robbery), or more than one suspect, investigative detention may be for up to two years and may be extended by a judge to three years in unusual circumstances. A suspect in preventive detention must be brought to trial within eighteen months of being formally charged. If the suspect is not in detention, there is no specified period for going to trial. A detainee has access to lawyers and the nation of Portugal will assume the cost if necessary.

With respect to women, Amnesty International (2003) reports that women's groups have drawn increasing attention to the largely hidden problem of domestic and other violence against women. The law does provide for criminal penalties in cases of violence between spouses. However, Portuguese society maintains traditional social

mores based on patriarchy and this discourages many battered women from recourse to the judicial system. In addition, there are criticisms about the services themselves since it seems that Portugal lacks enough facilities to provide relief to battered women. Traditional attitudes of male dominance persist but are changing gradually.

Lastly, concerning the issue of racial and ethnic minorities, Amnesty International finds some points of interest. First, the principal minority groups are immigrants, legal and illegal, from Portugal's former African colonies. African immigrants sometimes do organize and protest perceived institutional racism in Portugal. The government does deny that significant racist offenses have occurred, and for the most part it would appear that these denials are valid in Portugal. However, within the broader Portuguese society, as opposed to the criminal justice system, this is not necessarily as true. The Portuguese media reports of racially motivated incidents that were perpetrated by small, unorganized skinhead groups. Overall, it was reported that the police pursue such incidents as promptly as they pursue other crimes.

#### CRIME

Crime in Portugal is mostly concentrated in Lisbon, the capital, and Oporto. Regardless, several Portuguese cities have been encouraged, through the European Forum for Urban Safety, to develop municipal prevention plans; by 1990 the highest rise in criminal behavior was in the area of drug-related offenses. Court cases for drug use rose by 54 percent and those for selling drugs by 33 percent. Drug agencies claim that there are 50,000 heroin addicts in the Lisbon region and 50 percent of young people between the ages of sixteen and twenty-one who are arrested are drug users.

**Organized Crime.** Though not necessarily the most widespread crime problem in Portugal, developments exposing corruption in Portugal while organizing for Euro 2004 nonetheless drew international attention. Police arrested sixteen people, including the Euro 2004 league president for questioning over alleged match-fixing during the games. This was part of a yearlong anticorruption operation that uncovered several crimes of document falsification, sports corruption, and influence peddling.

Beyond the drug problem in Portugal, there is one other major source of organized crime activity that has proven to be particularly troublesome: human trafficking. International trafficking rings take Portuguese women abroad, often to neighboring Spain, and bring foreign women to Portugal. The Portuguese women involved tend to be from poorer areas and are often, but not always, drug users. The vast majority of foreign women come from Brazil, but some come from Africa as well. Many of the

Brazilian women are further transported to neighboring England, Spain, and France to work in the sex industry. Thus, just as with the drug trade, Portugal serves as a major gateway and shipping point for human sex workers. Russian Mafia organizations have emerged in Portugal and are now providing a supply of eastern European women for the sex trade in Portugal. One such network reportedly sells Moldovan and Ukrainian women for the equivalent of around US\$4,000 each. The authorities broke up one such ring in 1999 that was headed by a nuclear scientist from the former Soviet Union.

**Crime Statistics.** Decolonization in Africa has brought over 800,000 unemployed refugees to Portugal, some of whom became involved in crime. Regardless of the reality of this claim, the Portuguese media and mainstream conservatives often portray this as a stark reality. The media frequently point toward young adults and discharged soldiers, unemployed and unable to emigrate, turning to crime. While statistics on the commission of crime between 1984 and 1988 showed a reduction in most categories, crime statistics from 1996 to 2000 showed that Portugal had a 13 percent rise in overall crime (Barclay and Tavares 2002). This is important because among the European Union (EU) nations crime rose an average of only 1 percent. Gordan Barclay and Cynthia Tavares (2002) report that Portugal's rise in overall reported crimes is the third-highest in the EU following Belgium (17 percent) and Austria (15 percent).

Drug offenses increased from 1,154 to 1,782 during the 1980s and continued to soar, resulting in Portugal's ultimate decriminalization of most drug-related offenses (Bureau of Democracy, Human Rights, and Labor 2001). Portugal was an important transshipment point for narcotics because of its geographic position near the North African coast and on the air routes between South America and western Europe. The Portuguese media and government make the claim that indigenous drug use and production are not considered to be major problems, but this is contradictory to the reality in the prison system and in the treatment programs throughout the nation.

With violent crime the situation is much different. Though not unknown in Portugal, violent crimes are somewhat less a concern. Murders are generally crimes of passion and are only infrequently associated with robbery. Premeditated homicide is punishable by a prison sentence of sixteen to twenty years, although mitigating circumstances often lead to reduced terms. In 1988, out of a total of 513 homicide arrests 205 were for negligent homicide; 331 of the arrested received prison terms (Barclay and Tavares).

Comparing homicide rates in various capital cities of the EU, Lisbon had only 85 homicides between 1998

and 2000, putting the homicide rate at only 1.55 per 100,000 citizens. This was well below the EU average of 2.48 per 100,000, making the capital of Portugal less dangerous than many capital cities of the EU member nations. Throughout the nation of Portugal, a total of 116 homicides were reported in 1996 and 127 were reported in 2000. This was an increase of 9 percent over the four-year period. However, when restricting this examination of homicides to between 1998 and 2000, the number of homicides went down by 3 percent (1998 had 150 homicides, followed by 1999, which had 131 homicides, and then 2000, which had 127 homicides). Thus, the number of homicides was higher than in 1996, but the trend toward the increase in numbers seems to have been countered (Barclay and Tavares 2002).

By contrast, of this small rise in EU crime, an average of 14 percent included a rise in violent crime. Portugal had a 28 percent rise in violent crime, which means that while indicators of homicide were lower than average, the amount of violent crimes aside from homicide has increased and is double the average increase throughout the European Union. In 1996 a total of 15,494 violent crimes (assault and sexual assault) were reported in Portugal. This rose in 1997 to 16,733 and then dipped to 15,463 in 1998. This dip in violent crime is ironic because this is the same year that the number of homicides was highest during this same four-year period. Though speculation, it is proposed this is probably the result of the overwhelming drug trade that had plagued Portugal during this time, resulting in an inflated number of homicides that were specifically linked to drug warfare, while throughout the rest of the nation generalized criminal assaults were declining. In 1999 reported cases of violent crime rose to 18,492, followed by yet another corresponding rise to 19,780 in 2000 (Barclay and Tavares).

Domestic burglaries declined between 1996 and 2000, with 22,798 being reported in 1996 and only 21,153 being reported in 2000. This is roughly a 7 percent decrease, but it is not clear if this is a literal decrease or just a failure to report this kind of crime among Portuguese citizens. On the contrary, between 1996 and 2000 there was a 32 percent rise in motor vehicle theft (Barclay and Tavares).

Barclay and Tavares note that the International Crime Victim's Survey of 2000 found that only 15 percent of all Portuguese report crime victimization, putting Portugal on par with nations such as Japan that are considered relatively safe countries in which to live. Among the reporting EU countries, this was the lowest victimization rate and only Northern Ireland reported the same percent of victimization. Thus, Portugal is tied for the lowest percentage of reported crime victimization throughout the EU (Barclay and Tavares).

Larceny was by far the most common form of crime. In 1988 over 41,000 thefts of all kinds were recorded. More specifically, there were 12,800 thefts under aggravated circumstances, 4,000 armed or violent thefts, 7,400 cases of breaking and entering, and 5,300 automobile thefts. In 1988 nearly 4,000 cases of fraud and more than 17,000 cases involving bad checks were reported, although few of the latter resulted in court trials (Barclay and Tavares).

#### CORRECTIONAL SYSTEM

The Portuguese prison system operates under the Ministry of Justice. The type of prison regime to which an offender is sentenced is determined by the district punishment court on conviction. Youthful offenders are often given opportunities to learn trades. The mastery of a trade while in prison and good behavior are considered in reducing time spent in prison. Individuals convicted three times of the same crime are considered a danger to society and are not usually eligible for parole. Unlike other prisoners, who might be allowed to do farm work, they might be kept to a strict prison regime. All prisoners are allowed to earn money for their work while in prison, and work is considered a necessary part of the rehabilitation process.

**Prison Conditions.** Amnesty International reports that although investment in prisons has increased and buildings have been renovated in the past few years, the prison system of Portugal is still held to be inadequate. Besides being overcrowded, many of the facilities do not have adequate physical accommodations for long-term human dwelling. Poor hygiene and medical services have also been cited. Some facilities are thought to have problems with infectious diseases as well (International Centre for Prison Studies 2004). In 2004 an inspection was conducted by the ombudsman for justice who recognized that the prison authorities have made an effective effort to improve the living conditions during the past few years. However, these improvements did not offset the rampant contagious diseases and the widespread drug dependency among inmates in the prison population. In fact, the drug dependency issue has become a primary concern among prison officials, particularly when considering that drugs are a major social issue in Portugal. It is hoped that the decriminalization of drugs in Portugal will result in less inmates with drug dependency issues in the prison system. This would most likely reduce the amount of infectious disease within the prison system since the HIV/AIDS issue is so intertwined with the drug dependency issue of inmates in the Portuguese prison system.

The U.S. Department of State reports that health problems such as hepatitis and drug dependency remain a concern and prisoners suffer from a high AIDS infection rate. In 1999 the health-services director of the Bureau of Prisons reported that seven out of every ten convicts entering the prison system were infected with AIDS, hepatitis B, or hepatitis C. An estimated 20 percent of the total prison population is infected with AIDS. Tuberculosis is also on the rise. Prison health services, although still not adequately staffed, have benefited from increased spending on health services, the use of local health-care providers to help prison inmates, and the construction of new health-care facilities in many prisons.

**Prison Statistics.** As of 2004 there were 59 prisons and 3 military prisons in Portugal. Of the civilian prisons, there were 20 central prisons, 35 regional prisons, and 4 special institutions (International Centre for Prison Studies). The total prison capacity of the Portuguese prison system was 11,603. The Portuguese prison system is overcrowded with more inmates than are designed for these facilities. Because of this, many criminal punishments are handled through fines or probation. There are over 14,000 inmates, of which 6,964 were adult males, 475 were adult females, and 922 were youths under the age of 21 (International Center for Prison Studies). There were 186 military prisoners. The prison population had remained fairly stable between 1984 and 1988. By far, the largest institutions were the central prisons, which had a total capacity of 4,870. The regional prison capacity was 1,758; the special prison, 706; and the military prisons, 299 (Federal Research Division 1993).

The incarceration rate of Portugal is 134 persons per 100,000 as based on an estimated prison population of 13,223 in September 2003. Within the prison population of Portugal, 29.2 percent are held as pretrial detainees or are on remand. About 8.1 percent of the inmate population is female, and another 2.1 percent are juvenile offenders. Further still, roughly 12 percent of the Portuguese prison population consists of foreign offenders (International Centre for Prison Studies).

Seven reformatories held 457 male youths, and 211 female juveniles were detained at three institutions. The remainder were assigned to observation and social action centers at Lisbon, Porto, and Coimbra (International Center for Prison Studies). The average time served in prisons by adult males was about six months. The incarceration ratio in 1990 was 83 per 100,000 population, comparable to the ratios in neighboring Spain and France but only one-fifth that of the United States (Federal Research Division).

## MOST SIGNIFICANT ISSUE FACING THE COUNTRY

Perhaps the most significant issue facing this country is the illegal transportation of drugs. According to the European Monitoring Center for Drugs and Drug Addiction (2003), the number of hard-drug addicts in Portugal has escalated since the 1990s, and Portugal has Europe's highest HIV infection rate. Portugal, with a population of 10 million, has between 50,000 and 200,000 drug addicts. By contrast, the Netherlands, with 16 million inhabitants and a liberal drug policy, has an estimated 25,000 addicts (European Monitoring Center for Drugs and Drug Addiction; Tremlett 2001; Bureau for International Narcotics and Law Enforcement Affairs 1997).

Portugal is not a producer of cocaine or heroin, but it is an important transit point for cocaine from South America to the rest of Europe. The country's long coastline and infrequently patrolled waters around the Azorean islands, and a shortage of law enforcement resources encourage traffickers to use Portugal as a transshipment point (European Monitoring Center for Drugs and Drug Addiction; Tremlett; Bureau for International Narcotics and Law Enforcement Affairs 1997). Portuguese law enforcement entities attribute the drop in the quantity of drugs seized in the first half of 1996 to their heightened vigilance; they believe this may have deterred some traffickers or caused them to change their smuggling methods. Portugal was a party to the 1988 United Nations Convention.

Portugal's significance in the international drug trade stems from its location as an entry point to the rest of Europe for heroin and cocaine. Open borders with other western European countries facilitate the trafficking of heroin through the Netherlands and Spain and cocaine trafficking from Brazil. Although the size of the local drug user population is unknown, anecdotal information suggests it has increased in recent years. One indicator of this trend is the increased incidence of AIDS among intravenous drug users, which has grown fivefold over the last five years (Drug Reform Coordination Network 2001; European Monitoring Center for Drugs and Drug Addiction; Tremlett; Bureau for International Narcotics and Law Enforcement Affairs 1997).

Portuguese counternarcotics authorities demonstrated greater efforts at coordination. The government of Portugal organized a national coordination meeting of all relevant law enforcement agencies and departments; several regional meetings followed. The National Institute of Advanced Criminal Science has provided narcotics-related courses for officials from Angola, Mozambique, Cape Verde, and Guinea-Bissau. The PSP has also given counternarcotic courses to various African officials as well. Portugal and Spain signed a joint communication that

provides for the establishment of police stations along the border of both of these nations. Each of these stations will have both Portuguese and Spanish personnel working within them.

Because the drug problem is overwhelming Portugal, the government has decriminalized the use of drugs. It was reported that police had stopped arresting suspects and that the courts were dismissing cases rather than enforcing legislatively mandated sentences for up to three years. The drug liberalization is even more progressive and permissive than most other European countries. However, Portugal now observes drug abuse to be a disease rather than a criminal issue.

The Portuguese government has adopted a National Drug Policy Council that coordinates Portugal's demand-reduction and treatment programs. Demand reduction in Portugal has consisted mostly of a few government-funded treatment centers and a few educational programs. Many new private centers have opened in recent years, but their effectiveness has not been subject to any form of scrutiny.

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# Puerto Rico

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**Official country name:** Commonwealth of Puerto Rico

**Capital:** San Juan

**Geographic description:** Island in the Caribbean Sea east of Hispaniola, on the Mona Passage that leads to the Panama Canal

**Population:** 3,916,632 (est. 2005)



## LAW ENFORCEMENT

**History.** From 1837 to 1898 Puerto Rico was under Spanish military rule. In 1868 the Civil Guard was established by Spain with authority over all Puerto Ricans. After the Spanish-American War Puerto Rico was ceded to the United States under the Treaty of Paris in 1898. In 1900 the island was granted a civil government in which all real power was exercised by the United States and the governor and the executive council were appointed by the U.S. president. In 1901 the Insular Police of Puerto Rico were authorized, but existing municipal forces were retained. In 1946 the island was granted full autonomy with the right to elect its own governor and legislature. The Insular Police continued to exist, but they were all stationed in towns. In the rural areas there were no patrols since the abolition of the Civil Guard. Rural barrios lacked any resident law enforcement personnel.

It was only in 1956 that a true police department was established. It consisted of two separate branches: The Insular Police Commission, which dealt with recruitment and enlistment, only drafted rules and regulations and heard complaints against police for professional miscon-



duct or violation of law. The second branch was the Office of the Chief of Police, which handled all operational matters.

**Structure and Organization.** The office of chief of police consists of four functional branches: Administration, Inspection, Technical Services, and Field Operations. Each branch is headed by a chief of bureau.

The island is divided into five areas: Metropolitan, North, South, East, and West. Each area contains the following cities:

- Metropolitan: Bayamón, Carolina, and San Juan
- East: Caguas and Humacao
- North: Arecibo and Vega Baja
- South: Coamo, Guayama, and Ponce
- West: Aguadilla and Mayagüez



*Officers in Puerto Rico stand guard at a blockade outside a farmhouse where FBI agents earlier faced a showdown with Puerto Rican nationalist leader Filiberto Ojeda Rios, Hormigueros, San Juan, Puerto Rico, September 23, 2005. Ojeda Rios, who was wanted by the FBI for his involvement in a 1983 armed robbery, died after gunfire erupted when authorities attempted to arrest him. AP IMAGES.*

Each area office has five divisions: Administrative, Investigations, Intelligence, Traffic, and Juvenile Delinquency. The areas are divided into zones, which, in turn, are divided into districts. The Metropolitan Area is also responsible for the Capitol Police Force, Airport Police, and Mounted Police. A Detective Bureau operates as part of the Insular Police. A Public Relations Division at the headquarters serves the entire police force.

The chief of the Insular Police is the commanding officer who also heads the three-member Insular Police Commission. The commission establishes regulations and rules of conduct, directs recruitment and enlistment, appoints and removes all police personnel, sets salaries and compensations, and authorizes the annual budget.

The Federal Bureau of Investigation (FBI), U.S. Customs Service, and U.S. Marshals Service maintain bureaus in San Juan.

**Police at Work.** The normal working day is eight hours a day with a maximum of forty hours a week. Members of the force receive an annual vacation leave

of two and one-half days for each year of service and an annual sick leave of one and one-half days for each month of service.

Privates may be promoted to corporal by taking a competitive examination and corporals may be promoted to sergeant on recommendation of the chief of police. Noncommissioned officers are promoted to second lieutenant on the basis of competitive examination. All grades above second lieutenant are filled at the discretion of the governor.

**Education and Training.** To join the Insular Police Force, candidates must be high school graduates, between the ages of nineteen and thirty-five, 5 feet and 7 inches tall, fluent in Spanish, and have a good character. They must successfully pass physical, written, oral, and psychological tests. The initial appointment is for two years. Officers are commissioned by the governor.

After acceptance, a probationary member must complete a six-month residential study course in the

Police Academy, where he or she is given intensive training in criminal law, departmental rules, first aid, use of firearms, conduct of investigations, report writing, and court procedures. Additional courses cover photography, ballistics, public relations, juvenile delinquency, and racial problems. Outstanding students then proceed to study police science at the University of Puerto Rico and attend the FBI Academy at Quantico in Virginia.

**Uniforms and Weapons.** Police officers wear navy-blue shirts, trousers, and peaked caps. They carry a .38 revolver and a police baton. All patrols are in regular police cars. There are a few helicopters. Horses are used in the Condado beach area.

#### **HUMAN RIGHTS**

In 1972 a Prosecution and Appeals Commission was established to deal with human rights abuses by the police. The commission has five commissioners appointed by the

governor. The commission's administrative affairs are handled by a director.

#### **CORRECTIONAL SYSTEM**

The Prison Service is headed by a director who oversees the two main prisons and forty-eight smaller penitentiaries. The central prison is located in San Juan. There is women's prison, also in San Juan, and a juvenile detention facility.

**Prison Conditions.** Prison conditions generally conform to international and U.S. standards.

#### **Prison Statistics.**

- Total Prison Population: 15,046
- Prison Population Rate per 100,000: 386
- Pretrial Detainees: 38%

*George Thomas Kurian*

# Qatar

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**Official country name:** State of Qatar

**Capital:** Doha

**Geographic description:** Peninsula bordering the Persian Gulf and Saudi Arabia

**Population:** 863,051 (est. 2005)



## LAW ENFORCEMENT

**History.** The Qatar Police was established in 1948 under British auspices as a municipal police force for the town of Doha. At independence in 1971, the force was Arabized, but the British-inspired style and structure were retained.

**Structure and Organization.** Qatar has efficient security and police services. The civilian security force, controlled by the Ministry of the Interior, has two branches: the Police and the General Administration of Public Security. The Muhabith, a state security investigative unit, reports directly to the Office of the Emir, performs internal security investigations, collects intelligence, and is responsible for sedition and espionage cases. The Mukhabarat, a civilian intelligence service, also reports directly to the emir.

The police force is commanded by a commandant who is a senior military officer. For operational purposes, the emirate is divided into four departments: Airport, Doha, North, and Umm Said. Internal security functions are performed by the Emergency Police Force, which is stationed at Rayman Palace. Specialized sections include the Fire Brigade, the Coast Guard, the Seaport and Marine Section, the Mounted Section, and the Police



Air Wing. The Riot Division serves as a backup force to deal with demonstrations and civil emergencies.

The principal ranks in the police service are:

- Brigadier
- Colonel
- Lieutenant Colonel
- Major
- Captain
- Lieutenant
- Second Lieutenant
- Warrant Officer
- Staff Sergeant
- Sergeant
- Corporal
- *Shurti* (Policeman)

**Education and Training.** Training is provided for all ranks at the Police Academy in Doha.

**Uniforms and Weapons.** Officers wear navy-blue trousers and long-sleeved shirts, while other ranks wear navy-blue trousers and short-sleeved blue shirts. Woolen jackets are worn in winter. All ranks use submachine guns, rifles, pistols, and revolvers.

**Police Statistics.**

- Total Strength of the Police Force: 11,833
- Population per Police Officer: 73
- Percentage of Women: 4.57 percent

**HUMAN RIGHTS**

The government generally respects human rights; however, these rights are not guaranteed, but exist at the sufferance of the ruler. Foreigners, who make up over one-half of the population, have no rights and are frequently the target of abuse. The police also harass non-Muslims and those who offend the royal family.

**CRIME**

**Crime Statistics.** Offenses reported to the police per 100,000 population: 1,079. Of which:

- Murder: 2.1
- Assault: 7.1
- Burglary: 34.1
- Automobile Theft: 11.5

**CORRECTIONAL SYSTEM**

Prisons are administered by the director of the administration of the Penal and Reformatory Institutions under the Ministry of the Interior.

**Prison Conditions.** Prison conditions generally meet international standards. Women are held separately from men, juveniles from adults, and pretrial detainees from hardened criminals.

**Prison Statistics.** There is only one penal institution in the country, with an inmate population of 570, of whom 35.5 percent are pretrial detainees, 11.8 percent are female, and 55.6 percent are foreigners. There are no known juveniles in the system. The incarceration rate is 95 per 100,000 persons.

*George Thomas Kurian*

# Romania

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**Official country name:** Romania

**Capital:** Bucharest

**Geographic description:** Located in southeastern Europe, bordering the Black Sea, between Bulgaria and Ukraine

**Population:** 22,329,977 (est. 2005)



## LAW ENFORCEMENT

**History.** Ethnic Romanians are descendants of the Dacians, one of the Romanized Thracian tribes that inhabited the Balkan Peninsula during the first millennium B.C.E. The region was part of the Roman Empire until 275 C.E., at which point it was occupied by the Goths. Between the sixth and twelfth centuries Romania was overrun by the Huns, Bulgars, and Slavs. In the fifteenth century most of the territory (specifically the provinces of Moldavia and Walachia) was annexed by the Turkish Ottomans, and as the Ottoman Empire entered its long period of decline during the early nineteenth century, Romania came under the Russian sphere of influence. Walachia and Moldavia formally united as Romania in 1861 under the rule of Prince Alexander Cuza. Romania subsequently backed the Russians in their war against the Turks in 1877. After the end of the war the following year, Romania was finally recognized by the major European powers as an independent state ruled by King Carol I; formerly known as Prince Charles of Hohenzollern, who had overthrown Alexander Cuza in 1866.

Romania was at war again in 1913, this time against Bulgaria in the yearlong Second Balkan War, and in



1916 joined the Allied cause in World War I. The post-war reorganization of Europe saw Romania gain several territories from the Hapsburg Empire. During the 1930s, along with European countries, Romania experienced the rapid growth of an indigenous fascist movement, the Iron Guard. However, King Carol II, who suspended the constitution and established an absolute monarchy, prevented any constitutional government from taking power, and in 1940 the Germans occupied Romania and forced Carol to abdicate. The country was placed in the hands of General Ion Antonescu, who promptly joined the Nazis in their war against the Soviet Union. In 1944, with Soviet forces about to occupy the country, the Antonescu regime was overthrown and replaced by a coalition government of Communists, liberals, and social democrats under the titular leadership of Carol II's son, King Michael.

The Communists gradually established their political supremacy within the government, and in 1947 the

monarchy was deposed and the government declared the Romanian People's Republic. Nicolae Ceaușescu became the first secretary of the Romanian Communist Party in 1965 and held power in the country until the revolution during Christmas 1989. Despite being a member of the Warsaw Pact and the Council for Mutual Economic Assistance trading bloc, Romania was inclined to pursue independent policies, particularly with regard to military and foreign policy matters. Ceaușescu refused to allow other Warsaw Pact military forces to maintain bases in the country, and in 1968 he vigorously denounced the Soviet-led invasion of Czechoslovakia.

In 1985 Ceaușescu rejected the reformist policies of glasnost and perestroika, which were introduced by Mikhail Gorbachev, the new Soviet leader. Consequently, Romania lost its unique advantage as the maverick of the Soviet bloc. Also, domestic and international opposition increased as the true nature of the government's domestic policies became apparent. This included forced assimilation of minorities, tight rationing of basic items, and severe cultural and political repression. In mid-December 1989 protests in the city of Timișoara triggered a nationwide revolt. A large part of the army defected from the government to join the revolutionaries, and for several days the country was in a state of open civil war as the pro-Ceaușescu Securitate (secret police) mounted a desperate bid to prevent the collapse of the government.

The president and his wife were captured, quickly tried, and executed. The new government, under the provisional leadership of Ion Iliescu (the former secretary of the Communist Central Committee), was faced with a number of acute problems: the pacification of the country, the disbanding of the Securitate, the restoration of the economy, and the need to prepare Romania for peaceful multiparty elections. Iliescu has since become the dominant figure in Romanian politics, serving three terms as president. The next three years were a period of serious instability—occasionally breaking out into violence—as Romania made a painful transition from communist dictatorship to pluralist democracy.

The ruling National Salvation Front eventually split into two factions led by Petre Roman, who was the prime minister for eighteen months in 1990 and 1991, and President Iliescu, who formed his own breakaway party, the Democratic National Salvation Front (later renamed the Social Democratic Party of Romania). Over the next decade it was the Social Democrats who prevailed while the Roman faction dwindled away. However, at the November 1996 elections the Social Democrats lost control of both the presidency and the national assembly to a five-party alliance called the Democratic Convention of Romania.

In April 1998, however, Prime Minister Viktor Ciorbea resigned from office. Two transitional governments, lasting twenty-nine months respectively, held office until the next round of elections scheduled for November 2000. The Social Democrats returned to office and Iliescu took over once again as president.

Although the constant changes of government have confirmed that Romania is now a fully fledged and cohesive democratic state, they have made it difficult to pursue and execute major policy initiatives and this has undoubtedly held back the country's development since 1990. Economic progress has been irregular while Romania has not advanced as far as its east European counterparts toward its twin principal goals: membership in the North Atlantic Treaty Organization (NATO) and in the European Union. In 2002 Romania was formally invited to join NATO to the delight of Adrian Năstase, the government of premier. Membership of the European Union will take somewhat longer, however, and Romania will not be among the next wave of new entrants until after 2007.

**Structure and Organization.** Although the principal agencies and divisions of Romania are significant, the Romanian police are the governmental institution that citizens are most likely to have direct contact with on a regular, if not daily, basis. To civilians, the police represent "government in action" and thus may influence their overall opinions on and perspectives of the larger government, and its philosophy and applicability to their daily lives. Therefore, the police and their actions are of central concern in the transition to a democratic form of government. The actions of the police may either strengthen or weaken the public support necessary to sustain a viable democracy.

The national police force is the Gendarmerie created in 1850. The Gendarmerie has the following structure: the National Command of the Gendarmerie and the Territorial Command of the Gendarmerie with nine regional divisions at Timișoara, Cluj, Craiova, Constanța, Brașov, Targu, Mureș, Bacău, and Ploiești. These divisions are further subdivided into Judet (administrative district) commands, mobile intervention units, specialized subdivisions (such as alpine), the Mobile Intervention Brigade, training centers, and logistic and maintenance units.

**Police at Work.** The legal framework establishing the activities of law enforcement is primarily made up of Law No. 40/1990, which relates to the organization and functioning of the Ministry of Interior, and by Law No. 26/1994, which specifies the organization and functioning of the Romanian police. These two laws have to be completed with the Statute of the Policeman, the Deontological Code, and the Internal Regulations.

**Hierarchy and Ranks.** According to Ion Anghel Manastire (1989), the organizational structure of the Romanian police contains the following:

- General Inspectorate
- General Direction of Bucharest Municipal Police
- Police inspectorates (41 counties)
- Police inspectorates for railway, air and naval transports (3)
- Institutes for the training of the officers (3)

The central unit of the Romanian police is the General Inspectorate of Police, which commands, coordinates, and supervises the activity of the other police units. The minister of interior is in charge of the directorates, services, and offices of this organizational structure.

**Police-Community Relations.** Community policing training and technical assistance is provided for Romania's law enforcement officials and communities. Community policing is used as a form of crime prevention. The concept is based on the idea of a community-oriented, professional, and transparent police force, operating in close contact and mutual understanding with local communities. The aim is that the police see themselves and are perceived by society as a force at its service, not as an agency merely imposing law and order. The police must have the trust of the population. The basis of community policing is built on adequate legislation and support of the political leadership and senior police officials. Moreover, human rights education must be part of regular police training, and mechanisms of civilian control of police work have to be established. Community policing is also a custom-oriented approach to building partnerships to make communities safe and constitutes problem solving at the level closest to the problem. This form of policing involves channeling all the police resources to the neighborhood level to help solve problems and build self-reliant neighborhoods. Police enforcement strategies are based on priorities set through the community's identification of the problems.

The Research and Crime Prevention Institute has set forth some important areas of the Romanian Crime Prevention Partnership Program:

- Prevention of domestic violence
- Police-community partnership
- Prevention of drug and alcohol abuse
- Prevention of juvenile delinquency
- Prevention of property crimes
- Elimination of citizen tension and mistrust within the communities

- Police-community relationship and rights of citizens

**Local Police.** Local police authorities play an important role in the implementation of government strategies and policies at all local levels. The Romanian Police Department is a specialized state institution that exercises its functions within the Romanian territory. These functions are carried out in accordance with the regulations set in the Romanian Penal Procedure Code and in the Law No. 32/1968, which states the legal framework that is required for the fulfillment of police tasks and activities.

The Romanian police have approximately 52,000 policemen, of which 10,900 are officers, 37,000 are non-commissioned officers and military technicians, and 4,000 are civilians. More than 50 percent of these officers have acquired more than ten years of professional experience, with 17 holding doctorates and another 9,600 holding college degrees. However, because of the size and structure of Romania, the police force is able to have only 1 police officer for every 429 inhabitants.

**Special Police.** Founded in 1995, the Special Task Force of the Romanian police is assigned the most intricate operations. According to the head of the Special Task Force, some of the most basic operations include:

- Preventing and counteracting terrorist actions, seizing dangerous or armed criminals, and recovering kidnapped victims
- Granting protection to other government officials and police commanders
- Rescuing the victims of natural disasters and other catastrophes
- Defusing explosives
- Seizing radioactive materials

The bomb squad is another special police force of Romania with the basic activity including recognizing, defusing, and destroying explosive devices, which take the form of suspect parcels or vehicles, and any other cases in which explosives are used. Specialists from different regions are used to carry out specific tasks, such as bomb squad officers, chemists, electronics, physicists, and mechanics.

Another independent service of the Romanian Police Force is for control of firearms, explosives, and toxic substances. This department registers stolen and lost firearms and identifies crimes against the government in which explosives, radioactive, and nuclear substances are used. This special police service also supervises the administration that keeps the registration of authorized services dealing in operations with explosives and toxic substances.





*Students from the Romania Police Academy participate in a military parade to commemorate the eightieth anniversary of the country's reunification with Transylvania in Bucharest, Romania, December 1, 1998. The parade took place in front of the palace built by Nicolae Ceaușescu, a former Communist dictator in the country. Opinions about holding the celebration were split among political groups, some of who believed it was too costly in the face of tough economic conditions within the country. AP IMAGES.*

**Riot Police.** The purpose of the riot police is for protection and order maintenance throughout Romania. This force exercises its structures through the different departments such as the specialized forces of the security and order police, along with the road traffic police, which is always present throughout the streets. Security forces in rural areas also carry out specific duties. Romanian riot police officers, who are charged with maintaining peace, are equipped with protective gear, as well as batons, cuffs, and, depending on the circumstances, cars, horses, and dogs. The main objective of the riot police is to prevent disruptive and rebellious acts and impede on any other serious order disturbances. Another priority of the riot police is to undertake and reestablish public order in the streets by means of special intervention units of troops and police.

**Traffic Police.** The Traffic Police Department coordinates all police actions at the central level. Territorial units and offices direct the regional activities, while rural

areas use public order forces to control and monitor road traffic. The most frequent causes of traffic accidents in Romania are speed limit offenses, incorrect driving, trespassing, and jaywalking.

**Education and Training.** According to the Management and Human Resources Department, it is necessary to train and educate the workforce of the Romanian police "to enable them to fulfill their new tasks, to preserve the public peace and order, and to protect the private and public wealth, and the rights and liberties granted by the Constitution." It becomes a priority to educate and train the police force for them to respond to the developing trends of crime. The Police Academy provides a four-year academic study for the police officers and graduates of the law school. Vasile Lascar, the noncommissioned officers' school, also provides an eighteen-month training period for all the specific activities of the Romanian police. Besides the training provided at the training

facilities, a specialized professional training of the police officers takes place each year at each specific police unit.

**Surveillance and Intelligence Gathering.** As stated by the Informatics Department of the Romanian Police Department, the Romanian police are “presently equipped with mini and macro computers that have provided the necessary technical support for the information system consisting of a three-tier computer network: local, regional, and central levels.” The system is designed to provide the department with efficient information on economic and financial crime as well as stolen cars. Public records, traffic police services, and criminal records have also become readily available; as a result, administration and supervisors may now counteract criminal offenses. The Romanian police also use their technology in the field of simulated behavior data processing, such as polygraph techniques and physical-chemical analysis.

## HUMAN RIGHTS

The Romanian constitution, under Title 2 of the fundamental rights, freedoms, and duties (articles 22–49), grants all Romanian citizens the right to life, physical and mental integrity, personal freedom, defense, personal and family privacy, information, education, protection of health, vote, be elected, association, labor and social protection of labor, strike, protection of private property, inheritance right, petition, restriction on the exercise of certain rights or freedoms, as well as the freedom of movement, conscience, expression, and assembly.

## CRIME

According to the Judicial Police Department Brigade General in Romania, some significant factors that contribute to a high rate of criminal acts are:

- Insufficient education and the lack of a minor’s protection system
- Sections of uneducated citizens
- Excessive consumption of alcohol
- Citizen conflicts
- Lack of authority at home and in schools
- Victims of criminal offenses are not given adequate assistance

**Criminal Identification and Forensics.** The Forensic Institute of Romania classifies, administers, and directs activities related to the use of technical and scientific processes to investigate and help prevent criminal offenses. Highly trained and experienced police officers and specialists, along with trained experts in chemistry, biology, and

judicial anthropology, staff the institute and are well known for their expertise and proficiency.

The disciplined and capable police experts are skilled and trained to approach and effectively resolve an extended amount of investigations and inspections such as: dactyloscopy, graphoscopy, ballistics, trace analysis, and microquantitative determinations. These proficient services are used in the investigations of drugs, narcotic, toxicology, explosives, fire traces, different kinds of ink and paper, inorganic analysis, different kinds of paint, glass, soil, and metal, and processing latent fingerprints.

**Organized Crime.** A specialized organization in counteracting organized crime has been established in Romania to deal with the new forms of crime because of the social and economical changes generated by the transition within the state. Every year, quantities of narcotics and psychotropic substances are seized, while the authorities combat several criminal groups involved in illegal migration, national and foreign currency counterfeiting, smuggling of stolen cars, and the trafficking of humans.

## CORRECTIONAL SYSTEM

The General Department of Penitentiaries is a subordinate unit of the Ministry of Justice. In Romania the government, acting through the Ministry of Justice, decides on the prison policy, and by doing so, lays down the guiding principles for the institutional and organizational measures. The basic principles concerning the execution of penalties are provided by Law No. 23/1969, fundamentally amended in 1973, 1990, and 1992. This law contains provisions regarding the rights and obligations of the inmates, their work and wages, the grounds and procedures for their disciplinary responsibilities, conditional release, the surveillance of the convicts, access rights within the penitentiaries, the execution of the punishment at one’s workplace, the execution of fines, the execution of the complementary penalties, and the execution of the pretrial detention.

**Prison Conditions.** Since a number of old prisons are still in use, the Romanian prison system allows more than one prisoner to be housed per cell. At present, overcrowding poses a major problem. During mid-2001 the average percentage of overcrowding was approximately 44 percent beyond the originally planned capacity (National Institute for Research and Development in Informatics 2005).

## Prison Statistics.

- Total Prison Population: 38,805
- Prison Population Rate per 100,000: 179

- Pretrial Detainees: 15.7%
- Female Prisoners: 4.4%
- Juvenile Prisoners: 2.1%
- Number of Prisons: 45
- Official Capacity of the Prison System: 37,635
- Occupancy Level: 103.1%

#### **MOST SIGNIFICANT ISSUE FACING THE COUNTRY**

In 2001 and 2002 important steps were taken to criminalize illegal activities that posed a serious threat to public security. In Romania “human trafficking, together with all its social and economic implications, constitutes a phenomenon that has reached worrying dimensions.” To suppress it, a special law has been adopted to prevent and combat human trafficking. The law includes provisions regarding the prevention of trafficking, the penal measures, victims’ protection and assistance, enforced judicial procedures, as well as the promotion of international cooperation.

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# Russia

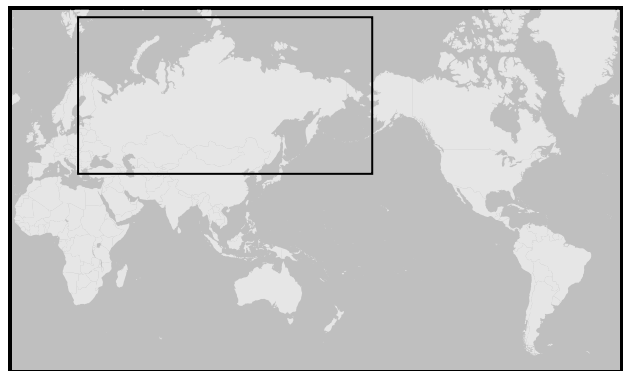
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**Official country name:** Russian Federation

**Capital:** Moscow

**Geographic description:** Largest country on the planet, stretching from the Baltic Sea to the North Pacific Ocean and covering northern Europe as well as central and northern Asia; located in the northern latitudes, much of Russia is closer to the North Pole than to the equator

**Population:** 143,420,309 (est. 2005)



## LAW ENFORCEMENT

**History.** The Ministry of Internal Affairs (Ministerstvo Vnutrennikh Del, MVD) of Russia was created in 1802 by a decree of Czar Alexander I as an integral part of the country administration system. Since that time, the MVD has been one of the key elements of Russia's internal security apparatus to maintain public order and national security.

Repeated devastating defeats of the Russian Army in World War I combined with a weak economy and uninspired leadership led to widespread rioting in the major cities of the Russian Empire and to the overthrow in 1917 of the 300-year-old Romanov dynasty. The Communists, under Vladimir Lenin, seized power soon after and formed the Union of Soviet Socialist Republics in 1922.

The Bolshevik regime created a police system that proved to be far more effective than the czarist version. It swept away the czarist police, so despised by Russians of all political persuasions, along with other czarist institutions, and replaced it with a political police of considerably greater dimensions, both in the scope of its authority

and in the severity of its methods. However lofty their initial goals were, the Bolsheviks forcibly imposed their rule on the people. They constituted a dictatorship of a minority that had to establish a powerful political police apparatus to preserve its domination.

The first Soviet political police, created in December 1917, was the All-Russian Extraordinary Commission for Combating Counterrevolution and Sabotage (Vserossiiskaia Chrezvychainaia Komissiiia po Bor'be s Kontrevoliutsiei i Sabotazhem, VChK; also known as the Vecheka or the Cheka). The Cheka was mostly an ad hoc organization, whose powers gradually grew in response to various emergencies and threats to Soviet rule. No formal legislation establishing the Cheka was ever enacted. It was to serve as an organ of preliminary investigation, but the crimes it was to uncover were not defined and the procedures for handling cases were not set forth.

This situation was the result of the extralegal character of the Cheka, which was conceived not as a

permanent state institution, but as a temporary agency to wage war against “class enemies.” Given its militant role and extralegal status, it is not surprising that the Cheka, which was headed by Feliks Dzerzhinsky, acquired powers of summary justice as the threat of counterrevolution and foreign intervention grew. After an attempt was made on Vladimir Lenin’s life in August 1918, the Cheka unleashed its violence on a wide scale—the so-called Red Terror—that continued until 1920 and resulted in thousands of deaths.

The civil war (1918–1921), the demobilization of the Red Army, and the introduction of the New Economic Policy (NEP) in 1921 brought about a changed atmosphere that seemed incompatible with a terrorist political police agency. Lenin himself spoke of the need for a reform of the political police, and in early 1922 the Cheka was abolished and its functions transferred to the State Political Directorate (*Gosudarstvennoe Politicheskoe Upravlenie*, GPU). When the Soviet Union was formed in December 1922, the GPU was raised to the level of a federal agency, designated the Unified State Political Directorate (*Ob’edinennoe Gosudarstvennoe Politicheskoe Upravlenie*, OGPU), and attached to the Council of People’s Commissars.

On paper, it appeared that the powers of the political police had been reduced significantly. Indeed, police operations, during the NEP period, were considerably less violent, and the staff and budget of the political police were reduced. Initially, the OGPU was subject to definite procedural requirements regarding arrests and was not given the powers of summary justice that its predecessor had. But the legal constraints on the OGPU were gradually removed, and its authority grew throughout the 1920s. The OGPU was drawn into the intraparty struggles that ensued between Joseph Stalin and his opponents and was also enlisted in the drive to collectivize the peasantry by force, beginning in late 1929, resulting in the death of upward of 5 million people.

In July 1934 the OGPU was transformed into the Main Directorate for State Security (*Glavnoe Upravlenie Gosudarstvennoi Bezopasnosti*) and integrated into the People’s Commissariat of Internal Affairs (*Narodnyi Komissariat Vnutrennykh Del*, NKVD), which had been given federal status earlier that year. The functions of the security police and those of the internal affairs apparatus, which controlled the regular police and the militia, were thus united in one agency.

The NKVD was a powerful organization. Besides controlling the security police and the regular police, it was in charge of border and internal troops, fire brigades, convoy troops, and, after 1934, the entire penal system, including regular prisons and forced labor camps known as the Gulag.

From 1934 to 1940 the NKVD took charge of many economic enterprises that employed forced labor such as gold mining, major construction projects, and other industrial activity. In addition, the Special Board, which was attached to the NKVD, operated outside the legal codes and was empowered to impose on persons deemed “socially dangerous” sentences of exile, deportation, or confinement in labor camps. The Special Board soon became one of the chief instruments of Stalin’s purges.

Stalin’s domination over the party was not absolute at this time, however. Dissatisfaction with his policies continued to be voiced by some party members, and elements existed within the leadership that might have opposed any attempt to use police terror against the party. Among Stalin’s potential challengers was Sergei Kirov, the chief of the Leningrad party apparatus. Conveniently for Stalin (and perhaps ordered by Stalin), Kirov was assassinated by a disgruntled former party member in December 1934. This provided Stalin with the pretext for launching an assault against the party. Although Stalin proceeded cautiously, a turning point had been reached and the terror machinery was in place. From 1936 to 1938, the NKVD arrested and executed millions of party members, government officials, and ordinary citizens. The military also came under assault. Much of the officer corps was wiped out in 1937–1938, leaving the country ill prepared for World War II. The era in which the NKVD, with Stalin’s approval, terrorized Soviet citizens became known in the West as the Great Terror.

The war years brought further opportunities for the political police, under the control of Lavrenty Beria, to expand its authority. The NKVD assumed a number of additional economic functions that made use of the expanding labor camp population. The NKVD also broadened its presence in the Red Army, where it conducted extensive surveillance of the troops. Toward the end of the war, the political police moved into areas formerly under German occupation to arrest those suspected of sympathy for the Nazis. They also suppressed nationalist movements in the Estonian, Latvian, Lithuanian, and Ukrainian republics.

Beria himself steadily gained power and authority during this period. In early 1946, when he was made a full member of the Politburo and a deputy chairman of the Council of Ministers (the new name for the Council of People’s Commissars), he relinquished his NKVD post, but he apparently retained some control over the police through his protégés in that organization. In March 1953, following Stalin’s death, Beria became chief of the MVD, which combined the regular police and the security police into one organization. Some three months later, he made an unsuccessful bid for power and was arrested by his Kremlin colleagues.

The “Beria affair” and the shakeup in the Kremlin that followed his arrest had far-reaching consequences for the role of the police in Soviet society. The party leadership not only arrested and later executed Beria and several of his allies in the MVD but it also took measures to place the political police under its firm control. From that point onward, violence was no longer to be used as a means of settling conflicts within the leadership and widespread terror was not to be employed against the population at large.

When the MVD was established in the postwar years, the security police was separated from the regular police. The MVD was originally established as a national ministry with headquarters in Moscow. In 1960 the Nikita Khrushchev leadership, as part of its general downgrading of the police, abolished the central MVD, whose functions were assumed by republic ministries of internal affairs. Then, in 1962 the MVD was redesignated as the Ministry for the Preservation of Public Order (Ministerstvo Okhrany Obshchestvennogo Poriadka, MOOP). This name change implied a break with the all-powerful MVD created by Beria as well as a narrower range of functions. The changes were accompanied by increasing criticism of the regular police in the Soviet press for its shortcomings in combating crime.

Following Khrushchev’s ouster in 1964, Leonid Brezhnev did much to raise the status of the regular police. In 1966, after placing one of his protégés, Nikolai A. Shchelokov, in the post of chief, Brezhnev reinstated the MOOP as a union-republic ministry. Two years later, the MOOP was renamed the MVD, an apparent symbol of its increased authority. Efforts were made to raise the effectiveness of the MVD by recruiting better-qualified personnel and upgrading equipment and training. Brezhnev’s death, however, left the MVD vulnerable to his opponents. Just a month after Brezhnev died in 1982, Shchelokov was ousted as its chief. Shchelokov was later tried on corruption charges. A similar fate befell Brezhnev’s son-in-law, Yuri Churbanov, who was removed from the post of first deputy chief in 1984 and later arrested on criminal charges. After bringing several officials from the party apparatus into the MVD, Brezhnev’s successor, Yuri Andropov, sought to make it an effective organization for rooting out widespread corruption; Mikhail Gorbachev continued these efforts in the mid-1980s.

The MVD had a wide array of duties. It was responsible for uncovering and investigating certain categories of crime, apprehending criminals, supervising the internal passport system, maintaining public order, combating public intoxication, supervising parolees, managing prisons and labor camps, providing fire protection, and controlling traffic. Until early 1988 the MVD was also in charge of special psychiatric hospitals, but a law passed in

January 1988 transferred all psychiatric hospitals to the authority of the Ministry of Health.

As a union-republic ministry, under the Council of Ministers, the MVD had its headquarters in Moscow and branches in the republic and regional government apparatus, as well as in territories and cities. The internal affairs apparatus across the country was subject to dual subordination; local internal affairs offices reported both to the executive committees of their respective local soviets and to their superior offices in the MVD hierarchy.

The MVD headquarters in Moscow was divided into several directorates and offices. The Directorate for Combating the Embezzlement of Socialist Property and Speculation was established in the late 1960s to control such white-collar crime as embezzlement and falsification of economic plan records. The Criminal Investigation Directorate assisted the Procuracy in the investigation of criminal cases. There was a separate department for investigating and prosecuting minor cases, such as traffic violations, and the Maintenance of Public Order Directorate, which was responsible for ensuring order in public places and for preventing outbreaks of public unrest.

The members of the *militsiia* (uniformed police), as part of the regular police force, were distinguished by their gray uniforms with red piping. The duties of the *militsiia* included patrolling public places to ensure order and arresting law violators, including vagrants and drunks. Resisting arrest or preventing a police officer from executing his duties was a serious crime in the Soviet Union, punishable by one to five years in prison. Killing a police officer was punishable by death.

The Office of Visas and Registration was charged with registering Soviet citizens and foreigners residing in each precinct of a city and with issuing internal passports to Soviet citizens. Soviet citizens wishing to emigrate from the Soviet Union and foreigners wishing to travel within the Soviet Union had to obtain visas from this office. The Office of Recruitment and Training supervised the recruitment of new members of the *militsiia*, who were recommended by work collectives and public organizations. The local party and Komsomol bodies screened candidates thoroughly to ensure their political reliability. Individuals serving in the *militsiia* were exempt from the regular military draft.

The chief vehicle for party control over the MVD was the State and Legal Department of the Secretariat, which had a special section for supervising the MVD. This section presumably participated in the selection of MVD personnel and evaluated the MVD’s work in terms of how well it carried out party directives.

Another means through which the party exercised control over the MVD was the Political Directorate of

the MVD. This directorate, a network of political organs existing throughout the MVD, was established in 1983 and operated in a way similar to that of the Main Political Directorate of the Soviet Army and Navy. The Political Directorate was reportedly created because local party officials were not exercising sufficient control over the activities of internal affairs officials, but were colluding with them in committing economic crimes.

In the late 1980s the Soviet Union continued to place great emphasis on ensuring security and internal order. Because it was governed by a monopolistic party whose leaders were not democratically elected, the Soviet system had no legitimacy based on popular support and, therefore, protected itself from internal and external threats by means of a strong security system. The system included the regular police, judicial organs, prosecutorial agencies, and the security police, as well as an external security and foreign intelligence apparatus. Even in the era of perestroika and glasnost ushered in by Gorbachev, the organs of internal security had a key role to play, despite the party leadership's apparent tolerance of criticism of the political system.

The Minister of Internal Affairs was usually a member of the Central Committee, but up to the end of the Soviet era, had never enjoyed membership in the Politburo. Thus, the regular police executed party policy, but had little voice in policy formulation at the national level. At the local level, however, the police chief may have had more impact on decision making in the law enforcement realm because he was generally included on both the local soviet executive committee and the local party committee.

**Internal Troops.** A component of the armed forces, the Internal Troops (*Vnutrennye Voiska*, VV), were subordinate to the MVD. Numbering approximately 260,000 men in 1989, they were one of the largest formations of special troops in the Soviet Union. The Internal Troops were first established in 1919 under the NKVD. Later, they were subordinated to the state security police, and then, in 1934, they were incorporated into the expanded NKVD. They were back under the authority of the security police in the early 1950s, but when the MVD was established, control of the Internal Troops shifted to the MVD.

Like the regular army, the Internal Troops, for the most part, were composed of conscripts, who were obliged to serve for a minimum of two years. The Internal Troops accepted candidates for commission both from the ranks of the armed forces and from civilian society. The MVD had four schools for training members of the officer corps, as well as a separate school for political officers.

The Internal Troops supported MVD missions by supplementing the *militsiia* in ensuring crowd control in large cities and, in emergencies, by helping to fight fires.

These troops also guarded large-scale industrial enterprises, railroad stations, certain large stockpiles of food and material, and certain communication centers that were strategically significant. One of their most important functions was preventing internal disorder that might threaten the regime's political stability. They took a direct role in suppressing anti-Soviet demonstrations in the non-Russian republics and strikes by Soviet workers. In this capacity, the Internal Troops probably worked with the MVD Security Troops.

There was little evidence to support the theory that the Internal Troops would serve as a counterweight to the regular armed forces during a political crisis. Most Internal Troops units were composed of infantry alone and were not equipped with artillery and tanks; in 1989, there was only one operational division of the Internal Troops in Moscow. According to some Western analysts, the Internal Troops were to perform rear security functions in the event of war, just as they did in World War II.

The September 1992 law "On the Internal Troops of the Ministry of Internal Affairs" defined their responsibilities as:

- Assisting Internal Affairs organs in maintaining public order and public safety and in providing the necessary lawful procedures during a state of emergency
- Protecting important state facilities, communications installations, and special cargo as well as assisting in accidents involving nuclear material
- Guarding forced-labor institutions and escorting convicts and prisoners

In November 1993 the VV had nearly 234,000 men, and following the breakup of the Soviet Union the Internal Troops, in theory, became state agencies intended to provide domestic security in peacetime that did not possess the organizational structure for conducting ground combat actions against a foreign enemy. Functions carried out by Russia's Internal Troops include disaster relief and security, counterdrug and counterterrorism efforts, and peacekeeping operations. However, they have been particularly active in the wars against Chechnya, which began in late 1994.

Internal Troop organizational elements include:

- Operational units (divisions and brigades) and troop units (regiments, separate battalions) comprising the MVD federal mobile reserve
- Special motorized troop units that support public order in most of Russia's large cities

- Large units and troop units for guarding important state facilities, including nuclear arms and nuclear energy complexes and special cargo
- Large units and troop units for guarding forced-labor institutions (this responsibility, involving some 100,000 men, has been transferred to the criminal punishment system)

**Structure and Organization.** As of 2005 the MVD headed the system of the agencies of internal affairs (police forces) and internal troops (gendarmerie). The internal affairs system comprises district divisions (MVD main offices in federal districts), republic ministries of internal affairs, main offices, and offices of internal affairs of other regions of Russia. Each city, depending on its size and population, has regional offices of internal affairs, each serving to enforce the law and public security within its jurisdiction in vertical subordination. The ministry also comprises offices (departments and divisions) of internal affairs for rail, air, and water transport, offices (departments) for especially important and restricted facilities, preliminary investigation agencies, district offices for material, technical, and military support, educational, research and development institutions and other divisions, enterprises, institutions, and organizations.

The System of Internal Troops comprises internal troops commands, formations, military units, military training institutions and institutions for internal troops, and internal troops administrative branches.

MVD activities are governed by the constitution of the Russian Federation, federal laws, presidential decrees, Russian government decrees and regulations, generally recognized principles and norms of International law, and international agreements of the Russian Federation.

The MVD is the central agency in the management of law enforcement and crime control in the Russian Federation. It is comprised of the Criminal Militia Service, the Public Security Service, the Federal Migration Service, and the Logistics Service headed up by deputy ministers.

The Criminal Militia Service consists of Chief Directorate for Criminal Investigation, the Chief Directorate for Combating Financial Crimes, the Chief Directorate for Combating Organized Crime, and the Directorate for Operational Investigation Information and Coordination Office of Criminal Militia Service.

The Public Security Service consists of the Chief Directorate for Public Order Maintenance, the Chief Directorate of State Road Safety Inspection, the Chief Directorate of Internal Affairs for Restricted Facilities, the Chief Directorate of Interdepartmental Security Guard Service, and the Coordination Office of Public Security Service.

The Federal Migration Service consists of the Chief Directorate of Internal Affairs for transport and Special Transportation, the Directorate for Passport and Visa Registration, the Migration Control Office, the Foreign Labor Migration Department, the Legal Office, the Office for Crisis Situations, the Office for Resource Provision, and the Finance and Economy Office.

The Logistical Service consists of the Office for Material and Technical Support, the Finance and Economy Department, the Medical Office, the Office for Communication and Automation, the Office for Capital Construction, the Coordination Office of Logistical Service, and the General Service Office.

The independent divisions are the Office of General Affairs, the Main Office for Internal Security, the Control and Auditing Office, the Internal Troops General Headquarters, the MVD Committee of Inquiry, the Forensic Expertise Center, the Chief Directorate for Organization and Inspection, the Chief Directorate for Special Technical Actions, the Chief Directorate for Investigations, the National Central Bureau of Interpol, the Mobilization Training Office, the Main Center for Information, the Chief Directorate for Staffing and Personnel, the Main Legal Office, the Office for International Cooperation, and the Office for Information and Regional Contacts.

The minister of internal affairs heads the MVD. The minister is a member of the Russian government and the chairman of the board of the MVD. He is appointed and dismissed by the president of the Russian Federation as proposed by the prime minister. The minister of internal affairs bears personal responsibility for the fulfillment of the tasks to be performed by the ministry, subordinate agencies of internal affairs (police forces), and internal troops (type of gendarmerie). The tasks of the minister include:

- Organizing the work of the ministry
- Guiding the police and internal troops activities
- Defining the MVD officials jurisdiction
- Approving staffing and central administration and subordinate structures
- Issuing orders and other normative acts, including those binding on authorities, organizations, and citizens
- Submitting draft orders for consideration by the president and the government
- Appointing and dismissing MVD officials
- Conferring primary specialized titles on middle- and top-ranking officers, primary officer titles, and specialized and military ranks up to general rank inclusive
- Recommending MVD officers for decorations





*Officers detain a protestor outside the Belarus Embassy in Moscow, May 4, 2005. Several protestors gathered outside the embassy in efforts to advocate the release of Belarusian and Ukrainian activists who were arrested in Minsk, Belarus, for taking part in an antigovernment rally. AP IMAGES.*

The minister delegates some of the responsibilities for MVD administration to his deputies and defines their jurisdiction and specific area of responsibility.

Researchers on the Russian police system, most notably Mark Galeotti, have outlined the intentions of the MVD to reform its structure. As of 2003 the ministry was drafting a new Law on the Police that would completely reshape the structure of Russian law enforcement.

**Recruitment and Training.** To enter the police force, recruits must be Russian citizens between the ages of eighteen and thirty-five with at least secondary-level education. Recruitment is a federal responsibility. The Ministry of the Interior operates twenty-two institutions of higher education and eleven specialized vocational schools for police officers and there are branches of these institutions in every major city. The institutions of higher learning offer five to six years of study and the vocational

schools two to three years of study. Each year about 100,000 cadets attend these institutions.

#### **Police Statistics.**

- Total Strength of the Police Force: 700,000
- Population per Police Officer: 205

#### **CRIME**

**Narcotics.** Russia is a transit country for heroin and opium, most of which comes from Afghanistan and is destined for Europe. Given the porous nature of the Russian border with Central Asia and the limited technical and financial support for law enforcement, Russia is ill equipped to check the flow of Afghan heroin into the country.

Heroin from Southwest Asia flows through Central Asia, particularly Tajikistan and Kazakhstan, over the

southern border into Russia, for domestic distribution and consumption and for transshipment to Europe and, to a much lesser extent, the United States. The Caspian Sea port city of Astrakhan and the Black Sea port of Novorossiysk are major transit points for Turkish and Afghan heroin into Russia. Vast amounts of daily sea traffic, consisting of passengers, cars on ferries, and bulk goods in trucks are used to conceal heroin moving into Russia. Both routes mentioned earlier are also used in reverse to smuggle multiton quantities of the precursor chemical acetic anhydride to the clandestine laboratories that produce Afghan and Turkish refined heroin. The lack of border controls with China and Mongolia facilitates smuggling, including drug trafficking, through that region.

In the east the Russians continue to import the precursor ephedrine from China for Russian domestic production of methamphetamine in kitchen labs in quantities for personal use. Cocaine traffickers also route Colombian cocaine for transshipment to Europe and elsewhere through Russian seaports and airports.

Russia is also a consumer of heroin because of high availability and low prices. Production of amphetamines and synthetics for domestic consumption is minor, but on the rise. Designer "club" drugs are increasingly popular with Russia's youth. Typically, ecstasy is produced in the Netherlands and Poland. However, in 2003 there were several reports by both the Russian MVD and the Federal Security Service (Federalnaya Sluzhba Bezopasnosti Rossiyskoy Federatsii, FSB) that ecstasy labs now exist in Russia. Although ecstasy tablets produced in Russia are believed to be of low quality, low prices for domestic pills attract Russian youth. Cocaine trafficking is not widespread in Russia, as the prices remain high. Although there have been many reports of cocaine being transported to the Russian port of St. Petersburg, no significant seizures of cocaine occurred in Russia in 2003.

Heroin trafficking and abuse continues to be a major problem facing Russian law enforcement agencies and public health agencies. Since the events in Afghanistan in 2001, opium cultivation and heroin production in Afghanistan has risen dramatically. Given Russia's large and porous borders with Central Asia, Afghan opium/heroin transiting Russia to Europe has become a major problem for Russia. This rise in heroin trafficking is reflected in the increase of drug-related crimes and the number of HIV/AIDS cases.

Drug abuse within Russia is a matter of concern for national health officials. In the beginning of 2003 there were 340,000 registered drug addicts in Russia. This figure only reflects those addicts who are known to health officials. The number of drug users in Russia is estimated to be between 3 million and 4 million people. Most drug

users are under thirty and approximately 30 percent are heroin addicts. According to the Ministry of Health, as of October 2003, there were 251,000 officially registered HIV/AIDS cases in Russia, but the actual number is estimated to be between 700,000 and 1.5 million. As of 2005, 70 to 80 percent of all transmissions were through intravenous drug use.

Domestic distribution of drugs is handled by traditional Russian criminal organizations that have long conducted other criminal operations in various regions of Russia. Trafficking into the country is often handled by members of various ethnic groups who tend to specialize in certain categories of drugs in specific areas. Afghans, Tajiks, and other Central Asians mainly import heroin across the southern border with Kazakhstan into European Russia and western Siberia.

In November 2003 the Russian government passed legislation reducing the sentence for possession of drugs for personal use from a maximum of three years in jail to a fine. Additionally, Russia passed legislation increasing the maximum jail terms for drug dealers from fifteen to twenty years.

President Vladimir Putin has stated that controlling corruption is a priority for his administration. However, implementing this policy presents a constant challenge. Inadequate budgets, low salaries, and lack of technical resources and support for law enforcement hamper performance, lower morale, and encourage corruption. In October 2003 five GKN agents were arrested on charges of extortion. The agents were allegedly taking bribes not to launch a criminal case against a drug trafficker. The agents were former MVD officers.

In October 2003 reports of corruption among newly assigned GKN officers in Russia's Far East indicated that corrupt officers could earn up to 7,000 rubles (US\$230) a month for protecting one drug sales point. A former police officer was sentenced to seven and a half years in prison for drug trafficking. There were no reported cases of high-level narcotics related corruption.

**Trafficking in Persons.** The law prohibits trafficking in persons; however, trafficking in women and children is a problem. There are no reliable estimates of its scope, but trafficking is believed to be widespread.

In December 2003 the Russian government enacted amendments to the criminal code criminalizing human trafficking and the use of forced labor and expanding criminal liability for recruitment into prostitution, organization of a prostitution business, and the distribution of child pornography. According to these articles, if certain aggravating factors are established, trafficking and use of slave labor are each punishable by a maximum of fifteen years in prison, recruitment into prostitution is punishable

by a maximum of eight years, organization of a prostitution business is punishable by a maximum of ten years, and the manufacture and distribution of child pornography is punishable by a maximum of eight years.

Besides the passed amendments, other articles of the criminal code may also be used to prosecute traffickers. These include article 322, which provides for up to five years' imprisonment for unlawful violations of borders by a "group of persons in prior arrangement or by an organized group either using violence or the threat of violence"; article 133, which prohibits compulsion of a person into sexual activity by blackmail, threat, damage, or dependence; article 126, which prohibits the kidnapping of persons; article 132, which prohibits forced actions of a sexual nature; article 135, which prohibits perverse actions with children under fourteen; and article 134, which prohibits sexual intercourse with a person under fourteen. Articles 159, 165, and 182 all prohibit various kinds of fraudulent activity and could potentially be used to prosecute traffickers engaged in fraudulent recruitment efforts. Prostitution itself is not a crime anywhere in the country, but an administrative offense carrying a fine of 1,200 rubles (US\$40). Recruitment for prostitution, domestically or abroad, is not a crime, but an administrative offense with a maximum penalty of incarceration for fourteen days.

The most common bases for trafficking prosecutions have been antifraud statutes and the statute prohibiting trafficking in minors. Traditionally, laws relating to the organization and maintenance of prostitution businesses have not been well enforced and it is believed that the MVD itself controls prostitution throughout the country. However, newspaper reports indicate that the Moscow police have begun cracking down on brothels.

Russia is a country of origin and transit for victims of trafficking. There are no reliable statistics; however, nongovernmental organizations, academic researchers, and law enforcement agencies in destination countries indicate that Russia is a country of origin for a significant number of victims of trafficking. Children are also trafficked, but more rarely. The virtual trafficking of pornographic images of children over the Internet is also a growing problem, with Russia becoming a major producer and distributor of child pornography in the last few years. This has led to confirmed cases both of sex trafficking of children as well as child sex tourism to the country. There were also extensive reports of human trafficking within Chechnya. Specifically, government and law enforcement sources reported that Chechen rebels frequently captured Russian soldiers during combat and then enslaved them, traded them among themselves, and ultimately sold them back to their families.

According to the International Organization for Migration (IOM), Russian women have been trafficked to almost fifty countries, including every western European country, the United States, Canada, former Soviet republics, such as Georgia, Middle Eastern countries, such as Turkey and Israel, and Asian countries, including Japan and Thailand. There are also reports of Russian women being trafficked to Australia and New Zealand. Victims often agree to be transported to one location, only to be diverted to, and forcibly held in, another. Sometimes they are "sold" en route, particularly when transiting the Balkans.

Reports indicate that internal trafficking is also becoming an increasing problem, with women and children being recruited and transported from rural areas to urban centers and from one region to another. The migration of young women from the provinces to the major cities to work in sex industries such as stripping and prostitution is sometimes facilitated by traffickers. The young women, who go annually into Moscow, sometimes end up in prostitution, and, once there, find themselves trapped. Smaller numbers of men are also reported to be trafficked internally for manual labor.

There are also reports that children are kidnapped or purchased from parents, relatives, or orphanages for sexual abuse, child pornography, and the harvesting of body parts. When police investigate such cases, they sometimes find that these children are adopted legally by families abroad; however, there are confirmed cases of children trafficked for sexual exploitation. National law enforcement authorities believe that there is a brisk business in body parts, but international law enforcement and other organizations have found no evidence to support this claim.

Reliable statistical estimates with regard to all these forms of trafficking are extremely difficult to develop. Few women who have been trafficked and returned to Russia report their experiences to the police and continue to be fearful of retaliation by the traffickers. Statistics are also complicated by the fact that some trafficked women are of Russian ethnic origin, but citizens of other former Soviet countries, such as Ukraine. Women from such countries as Tajikistan migrate illegally to Russia to seek work, and some are victimized by traffickers. Some migrants become victims of forced labor once they arrive at the destination.

According to an IOM report, women aged fifteen to twenty-five, particularly those interested in working overseas, are the most likely to be trafficked. Some surveys indicate that the profile of female trafficking victims in the country is similar to that of the female population at large. Women who are educated and have job skills also are trafficked. Traffickers offer enough economic hope to persuade even well-educated, mature women to become

risk takers and entrust traffickers with their money, documents, and persons. Almost all returned trafficked women report that they traveled to better their lives through work or marriage abroad. Some knowingly agreed to work in sex industries. However, all victims insisted that they never suspected the severity of the conditions, the slavery, or the abuse they would be subjected to. None suspected that she would be deprived of her wages.

According to reports, some employers force workers from countries of the former Soviet Union—such as Uzbekistan—to work without pay. Employers or the individuals who bring the workers into the country withhold the workers' passports or other documentation and threaten them with exposure to law enforcement agencies or immigration authorities if they demand payment. At times, the recruiter demands part or all the worker's wages to avoid deportation.

The rise in trafficking appears to be related to the socioeconomic dislocation that occurred following the collapse of the Soviet Union. Formerly, rigid controls on the movement of persons within and across borders discouraged migration of any kind, and the extensive involvement of the state in social services provided minimal levels of support for women and children. State support is gone, and there is no replacement. Most single parent families are headed by women, who are now more dependent on earned income for family support and less likely to find employment than during the Soviet welfare state. Unemployment is approximately 9 percent, but ranged from 15 to 40 percent in the most hard-pressed regions. According to the Ministry of Labor, 70 percent of the registered unemployed are women. Law enforcement officials report that at least half of trafficked women were unemployed. Nongovernmental organizations report that many women are desperate to find a better level of support. Children are also at a greater risk of trafficking.

According to surveys of law enforcement officials and nongovernmental organizations, unlicensed front companies and agents of legitimate companies with ties to criminal organizations appear to be the main channels for human trafficking. Many place advertisements in newspapers or public places for overseas employment, some employ women to pose as returned workers to recruit victims, some place Internet or other advertisements for mail-order brides, and some victims are recruited by partners or friends. During the tourist season, many fly-by-night firms are created especially to provide particular channels for the smuggling of women. There are also purely criminal firms that find work abroad for prostitutes and intentionally sell young women into slavery.

Information from foreign prosecutions, academic researchers, and law enforcement sources suggest that trafficking is primarily carried out by small criminal groups

with the assistance of front companies and more established organized crime groups. Typically, the traffickers use a front company—frequently an employment agency, travel agency, or modeling company—to recruit victims with promises of high-paying work overseas. Once they reach the destination country, the traffickers typically confiscate the victims' travel documents, lock the victims in a remote location, and force them to work in the sex industry.

Traffickers often use their ties to organized crime to threaten the victims with harm to their families should they try to leave. They also rely on ties to organized crime in the destination countries to prevent the victims from leaving and to find employment for the victims in the local sex industry. Trafficking organizations typically pay Russian organized crime a percentage of their profits in return for "protection" and for assistance in identifying victims, procuring false documents, and corrupting law enforcement. They also sometimes pay "protection" money to local organized crime groups in destination countries.

Reports state that individual government officials take bribes from individuals and organized trafficking rings to assist in issuing documents and facilitating visa fraud. Law enforcement sources agree that often some form of document fraud is committed in the process of obtaining external passports and visas, but they are uncertain to what extent this involves official corruption rather than individual or organized criminal forgery and fraud. There are reports of prosecutions of officials involved in such corruption. The penalty for violating border laws with fraudulent documents is up to three years. The penalty for taking bribes is three to seven years. Those who are charged with more than one crime receive heavier sentences.

Journalists, politicians, and academic experts state that trafficking is facilitated and, in many cases, controlled by corrupt elements within the MVD and other law enforcement bodies. Substantial evidence, including information derived from victims, nongovernmental organizations, foreign law enforcement, and criminal prosecutions in Russia, suggest that corrupt elements within the MVD protect trafficking organizations and, in many cases, directly operate trafficking and prostitution businesses themselves.

Nongovernmental organizations claim that consular officials abroad refuse to help trafficked women. The Foreign Ministry confirmed that it has no policy on assistance to victims of trafficking and is working to create appropriate guidance. Victims rarely file complaints against the agencies that recruit them once they return to the country, reporting that fear of reprisals often exceed their hope of police assistance. Law enforcement authorities

acknowledge that they rarely open a case following such complaints because, often, no domestic law is broken and law enforcement authorities are evaluated according to the number of cases they close.

There are no government initiatives to bring trafficking victims back to the country. Unless deported by the host country, women have to pay their own way home or turn to international nongovernmental organizations for assistance. Women report that without their documentation, which is often withheld by traffickers, they receive no assistance from Russian consulates abroad. The Russian government does not provide direct assistance to trafficking victims.

### CORRECTIONAL SYSTEM

In the 1980s the Soviet Union had few conventional prisons. About 99 percent of convicted criminals served their sentences in labor camps. These were supervised by the Main Directorate for Corrective Labor Camps (Glavnoye Upravleniye Ispravitel'no-Trudovyykh Lagerey), which was administered by the MVD. The camps had four regimes of severity. In the strict-regime camps, inmates worked at the most difficult jobs, usually outdoors, and received meager rations. Jobs were progressively less demanding and rations better in the three classifications of camps with more favorable regimes.

The system of corrective labor was viewed by Soviet authorities as successful because of the low rate of recidivism. However, in the opinion of former inmates and Western observers, prisons and labor camps were notorious for their harsh conditions, arbitrary and sadistic treatment of prisoners, and flagrant abuses of human rights. In 1989 new legislation, emphasizing rehabilitation rather than punishment, was drafted to "humanize" the penitentiary system. Nevertheless, few changes occurred in the conditions of most prisons and labor camps before the end of the Soviet period in 1991.

In the post-Soviet period all prisons and labor camps except for fourteen detention prisons fell under the jurisdiction of the MVD. The MVD was previously responsible for 743 correctional labor institutions, 168 pretrial detention facilities, and 13 prisons before their transfer to the Ministry of Justice in 2000. In addition, the MVD maintained 60 educational labor colonies for juveniles. In 1994 the MVD received only 87 percent of its funds allocated by the federal budget. As a result, it is estimated that prisons were able to provide only 60 to 70 percent of the daily food rations they envisioned providing and only 15 to 20 percent of needed medications and medical care. Prisoners and detainees had to rely on family members to provide them with extra food and routine medicines.

In the early and mid-1990s the growth of crime led to a rapid rise in the number of prisoners. Because of over-

crowding and the failure to build new prison facilities, conditions in prisons deteriorated steadily after 1991, and some incidents of Soviet-style arbitrary punishment continued to be reported. In 1994 a Moscow prison designed to hold 8,500 inmates was housing well over 17,000 shortly after its completion. Many prisons are unfit for habitation because of insufficient sanitation systems. In 1995 *Nezavisimaya Gazeta* reported that the capacity of isolation wards in Moscow and St. Petersburg prisons had been exceeded by two to two and a half times.

Observers claim that some prisons stopped providing food to prisoners for months at a time, relying instead on rations sent from outside. The lack of funding also led to a crisis in medical care for prisoners. In 1995 President Yeltsin's Human Rights Commission condemned the prison system for continuing to allow violations of prisoners' rights. It cited lack of expert supervision as the main reason that such practices, which often included beatings, were not reported and punished.

In 1995 conditions in the penal system had deteriorated to the point that the Duma began calling for a transfer of prison administration from the MVD to the Ministry of Justice. According to Western experts, however, the MVD's Chief Directorate for Enforcement of Punishment was prevented from improving the situation by funding limitations, personnel problems, and lack of legislative support, rather than by internal shortcomings.

By the mid-1990s Russian penal legislation resembled that enacted in Western countries, although the conditions of detention did not. Post-Soviet legislation has abolished arbitrary or inhumane practices such as bans on visitors and mail, head shaving, and physical abuse. Also, prison officials are now required to protect prisoners who have received threats, and, officially, freedom of religious practice is guaranteed. Prisoners are rewarded for good behavior by being temporarily released outside the prison; in 1993 the MVD reported a 97 percent rate of return after such releases. However, the penalty for violent escape has increased to eight additional years of detention.

**Prison Conditions.** Prison conditions remain extremely harsh and frequently life threatening. The Ministry of Justice administers the penitentiary system centrally from Moscow. The Ministries of Justice, Health, Defense, and Education all maintain penal facilities. There are five basic forms of custody in the criminal justice system: police temporary detention centers, pretrial detention facilities known as special isolation facilities (*sledstvennyi izolyator*, SIZOs), correctional labor colonies (ITKs), prisons designated for those who violate ITK rules, and educational labor colonies (VTKs) for juveniles. Responsibility for operating the country's penal facilities

falls under the Ministry of Justice's Main Directorate for Execution of Sentences (GUIN). As of August 2003 there were approximately 877,000 people in the custody of the criminal justice system. Men are held separately from women, as are juveniles from adults. The FSB continues to run the Lefortovo pretrial detention center in Moscow, in keeping with a 1998 presidential decree.

The Russian government does not release statistics on the number of detainees and prisoners who have been killed or died in custody, or on the number of law enforcement and prison personnel disciplined. The Moscow Center for Prison Reform estimates that in earlier years, 10,000 to 11,000 prisoners died annually in penitentiary facilities, 2,500 of them in SIZOs. During 2003 these numbers were believed to be somewhat lower. Most die as a result of poor sanitary conditions or lack of medical care (the leading cause of death was heart disease). The press often reports on individuals who are mistreated, injured, or killed in various SIZOs; some of the reported cases indicate habitual abuse by the same officers.

Abuse of prisoners by other prisoners continues to be a problem. Violence among inmates, including beatings and rape, is common. There are elaborate inmate-enforced caste systems in which informers, homosexuals, rapists, prison rape victims, child molesters, and others are considered to be "untouchable" and are treated harshly, with little or no protection provided by the prison authorities.

Penal institutions remain overcrowded; however, there have been some improvements. Mass amnesties offer immediate relief. The authorities are also taking longer-term and more systemic measures to reduce the size of the prison population. These include the use of alternative sentencing in some regions and revisions of both the criminal code and the criminal procedure code that eliminate incarceration as a penalty for many less serious offenses. Many penal facilities remain in urgent need of renovation and upgrading. By law, authorities must provide inmates with adequate space, food, and medical attention; with the dramatic decrease in prison populations, they are believed to be increasingly meeting these standards.

Inmates in the prison system often suffer from inadequate medical care. In 2001 President Putin described the problem of disease in the prison system as a potential "Chernobyl." According to the GUIN, as of July 1, 2003, there were approximately 77,000 tuberculosis-infected persons and 37,000 HIV-infected persons in SIZOs and correction colonies. Public health measures, funded by international aid and by the doubling of government resources for the prison system's medical budget, have effected a limited reversal of the spread of tuberculosis, but have not contained the spread of HIV. Russian detention facilities have tuberculosis infection rates far higher than in the population at large.

ITKs hold the bulk of the nation's convicts. There are 753 ITKs. Guards reportedly discipline prisoners severely to break down resistance. At times, guards humiliate, beat, and starve prisoners. According to the Moscow Center for Prison Reform, conditions in the ITKs are better than those in the SIZOs, because the ITKs have fresh air. In the timber correctional colonies, where hardened criminals serve their time, beatings, torture, and rape by guards reportedly are common. The country's "prisons"—distinct from the ITKs—are penitentiary institutions for those who repeatedly violate the rules in effect in the ITKs.

Conditions in police station detention centers vary considerably, but generally are harsh; however, average periods of stay in such facilities are decreasing, and overcrowding has been greatly alleviated. Implementation in July 2002 of the new criminal procedure code and the overall reduction in the use of pretrial detention for petty criminals reduced both the numbers of persons being held and the length of time they may be held in pretrial detention. Since 2000 the pretrial population has declined by approximately 46 percent, virtually eliminating the problem of overcrowding in those institutions.

Despite these improvements, conditions in SIZOs, where suspects are confined while awaiting the completion of a criminal investigation, trial, sentencing, or appeal, remain extremely harsh and pose a serious threat to health and life. Health, nutrition, and sanitation standards remain low because of a lack of funding. Head lice and various skin diseases are prevalent. Prisoners and detainees typically rely on families to provide them with extra food. Poor ventilation is thought to contribute to cardiac problems and lowered resistance to disease.

Because of substandard pretrial detention conditions, defendants at times claim that they have confessed simply to be moved to comparatively less harsh prison conditions. Defendants' retractions of confessions made under these conditions generally are ignored, as are those who attempt to retract confessions they claim they were coerced to make.

VTKs are facilities for prisoners from 14 to 20 years of age. Male and female prisoners are held separately. As of 2003 there were 526 mothers with children under 3 years old in Russian prisons. In August 2003 the GUIN reported that there were 62 educational colonies, 3 of which were for girls. Conditions in the VTKs are significantly better than in the ITKs, but juveniles in the VTKs and juveniles in SIZO cells reportedly also suffer from beatings, torture, and rape. The Moscow Center for Prison Reform reports that such facilities have a poor psychological atmosphere and lack educational and vocational training opportunities. Many of the juveniles are from orphanages, have no outside support, and are unaware of their rights. There are also 2 prisons for children in Moscow. Boys are held with adults in small,

crowded, and smoky cells. Schooling in the prisons for children is sporadic at best, with students of different ages studying together when a teacher can be found.

As in the Soviet period, corrective-labor institutions have made a significant contribution to the national economy. In the early 1990s industrial output in the camps reached an estimated \$100 million, and forest-based camps added about US\$27 million, chiefly from the production of commercial lumber, railroad ties, and summer cabins. Because the camps supply their products to conventional state enterprises, however, they have suffered from the decline in that phase of Russia's economy; an estimated 200,000 convicts were without work in the camps in early 1994. In 1995 the chief of the Directorate for Supervision of the Legality of Prison Punishment reported that the population of labor camps exceeded the capacity of those facilities by an average of 50 percent.

#### Prison Statistics.

- Total Prison Population: 846,967
- Prison Population Rate per 100,000: 584 (based on an estimated national population of 145 million in 2003)
- Pretrial Detainees: 16.9%
- Female Prisoners: 5.8%
- Juveniles Prisoners: 2.5%
- Foreign Prisoners: 1.7%
- Number of Establishments: 1,013
- Occupancy Level: 90.2%
- Official Capacity of Prison System: 954,323

Recent prison population trend (year, prison population total, prison population rate per 100,000 of national population):

1992	722,636	(487)
1995	920,685	(622)
1998	1,009,863	(688)
2001	923,765	(638)

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*Joseph D. Serio*

# Rwanda

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**Official country name:** Republic of Rwanda

**Capital:** Kigali

**Geographic description:** Landlocked country in central Africa that includes the source of the Nile

**Population:** 8,440,820 (est. 2005)



## LAW ENFORCEMENT

**History.** Under Belgian rule law and order was the responsibility of the Force Publique. It consisted of about 800 men, both Congolese and Belgian, under the charge of a director. In 1960 the first Rwandans were recruited to the force.

**Structure and Organization.** The National Police are commanded by a commissioner general under the authority of the minister of police. Most of the force is assigned to the twelve prefectural administrations. Although responsible to the police headquarters in matters of discipline, promotion, training, and general policy, the prefectural detachments receive their operating instructions from the prefect and his assistants.

Each commune has its own police force commanded by a brigadier appointed by the mayor. The Communal Police are responsible for implementing communal laws, regulations, and ordinances, safeguarding public property, overseeing public markets, and executing court judgments. The maximum size of the Communal Police is fixed at 1 per every 1,000 inhabitants. Under conditions of widespread public disorder, the mayor can appeal to the prefect for additional units of the National



Police. The Central Information Service is in charge of criminal investigation and represents Interpol in Rwanda.

**Education and Training.** The National Police School is located in Ruhengeri. Many of the candidates are those turned down by the National Guard School. Applicants have to take a written examination and receive at least 50 percent scores for acceptance. The six-month course for enlisted personnel includes court procedures, traffic regulations, weapons, self-defense, first aid, and police administration. A similar course is taught in the course for officers.

**Uniforms and Weapons.** Uniforms are of gray twill. Headwear includes a Belgian cap, a dress cap with a wide brim, and a helmet, often painted white for guard and



ceremonial duties. Police weapons are mostly of foreign origin.

#### Police Statistics.

- Total Police Personnel: 1,590
- Population per Police Officer: 5,309

#### HUMAN RIGHTS

Security forces took advantage of the unsettled conditions in the country to commit human rights abuses on a large scale. The suspects in the 1994 genocide, reported to be over 100,000, are the primary victims of human rights abuses. The judiciary takes orders from the quasi-military Tutsi government. The worst human rights abuses were committed in the Democratic Republic of the Congo, where Tutsi soldiers destroyed and burned entire villages and tortured, raped, and killed the inhabitants.

#### CRIME

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

- Murder: 45.1
- Assault: 114.3
- Automobile Theft: 0.3

#### CORRECTIONAL SYSTEM

Prisons are administered by the director of prisons, who heads the Rwanda Prisons Service under the Ministry of the Interior.

**Prison Conditions.** Because of the large number of prisoners, Rwanda does not have the physical infrastructure to house them in conformity with international standards. Private residences are sometimes used as prisons, where prisoners are treated as slaves, beaten, and killed. Sanitation is nonexistent and the government provides only 50 percent of the food and medical treatment that the prisoners require. There are a number of deaths in the prisons each year that are unreported. Minors between the ages of fourteen and eighteen are incarcerated with adults as are pretrial detainees.

**Prison Statistics.** There are eighteen central prisons in the country (besides communal holding centers) with a prison population of 112,000. Of this, 103,134 are prisoners being detained on suspicion of participation in the 1994 genocide. The incarceration rate is 109 per 100,000 inhabitants. The overcrowding rate is 202.4 percent. Of the total prison population, 2.4 percent are pretrial detainees, 2.6 percent are females, 4.5 percent are juveniles, and 0.3 percent are foreigners.

*George Thomas Kurian*

# Saint Kitts and Nevis

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**Official country name:** Federation of Saint Kitts and Nevis

**Capital:** Basseterre

**Geographic description:** Islands in the Caribbean Sea; shaped like a baseball ball and bat, the islands are separated by the Narrows Channel

**Population:** 38,958 (est. 2005)



## LAW ENFORCEMENT

**History.** Saint Kitts (alternatively Saint Christopher) and Nevis were first settled in 1623 by the British and became an associated state with full internal autonomy in 1967. In 1983 Saint Kitts and Nevis became completely independent. In 1998 a vote in Nevis to separate from Saint Kitts fell short of the needed two-thirds majority.

Saint Kitts and Nevis is a constitutional monarchy with a Westminster-style Parliament. The judicial system of Saint Kitts and Nevis is based on a British practice and procedure and its jurisprudence is based in English common law.

**Structure and Organization.** Little information is available regarding police or corrections in Saint Kitts and Nevis. Police in Saint Kitts and Nevis are all members of the Royal Saint Kitts and Nevis Police Force, which does include a Special Service Unit. The police force is headed by a commissioner. Each of the three geographic divisions (Nevis and the two districts on Saint Kitts) is commanded by a superintendent. The Police Service Commission is responsible for recruitment, promotion, and discipline.



**Special Police.** The Royal Saint Kitts and Nevis Police Force does include a Special Services Unit, but nothing is known about its function or makeup.

**Recruitment and Training.** Recruits undergo six months of initial training at the Police Training School. Promotions are based on qualifying examinations and interviews with the Promotions Board.

**Police Statistics.** The Royal Saint Kitts and Nevis Police Force includes approximately 400 members, with approximately 50 Special Service officers. The population per police officer is 97. Women make up 28 percent of the force.

## HUMAN RIGHTS

The constitution of Saint Kitts and Nevis provides for a number of civil rights such as freedom of speech and

assembly and protection against inhumane punishment. The police and the government respect these rights as a rule.

There have been minor problems with intimidation of witnesses in high-profile drug-related cases, and government restrictions on opposition to state-controlled media. The government of Saint Kitts and Nevis is exploring the possibility of a program to protect witnesses, jurors, and judges throughout the Caribbean community.

#### **CRIME**

Saint Kitts and Nevis are relatively free from crime. Like other Caribbean countries, Saint Kitts and Nevis do experience problems with drug trafficking from South America to the United Kingdom and the United States. There are some reports of burglary, robbery, and sexual assault on the islands.

#### **CORRECTIONAL SYSTEMS**

The prison in Saint Kitts was built in 1840 and was intended to house only 60 people. In recent years the prison population has averaged around 100, with women held separately from the men. There is no separate facility for juveniles.

There is one small prison on Nevis, designed to hold 20 people. It suffers from similar problems like the prison in Saint Kitts.

**Prison Conditions.** Prison conditions in Saint Kitts and Nevis are poor. Prisoners suffer from severe overcrowding, lack of food, and proper security. These conditions have, in the past, contributed to riots, the last occurring in 1994.

#### **Prison Statistics.**

- Total Prison Population: 195
- Prison Population Rate per 100,000: 415
- Pretrial Detainees: 21.5%
- Female Prisoners: 0.9%
- Juvenile Prisoners: 14.7%
- Official Capacity of the Prison System: 105
- Occupancy Rate: 128.6%

*Jennifer Albright*

# Saint Lucia

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**Official country name:** Saint Lucia

**Capital:** Castries

**Geographic description:** Island in the east Caribbean Sea, part of the Windward Islands group

**Population:** 166,312 (est 2005)



## LAW ENFORCEMENT

**History.** The Royal Saint Lucia Police was established in 1834. It was then headed by an inspector of police, who was assisted by three sergeants and twenty-four corporals and constables. The inspector also served as a magistrate and prosecutor.

As the police force grew in numbers, the chief of police was designated as the senior superintendent by the end of World War II. He also served as the chief immigration officer, the head of the prison service, and fire chief. The fire service remained part of the force until 1975. In 1960 the force was renamed the Royal Saint Lucia Police in honor of the visit of Queen Elizabeth II to the island. At the same time, the head of the force was redesignated commissioner.

**Structure and Organization.** The Royal Saint Lucia Police is headed by a commissioner assisted by four assistant commissioners who are assigned specific divisions: Community Policing and Training, Crime and Police Prosecutions, Operations, and Administration. The support services are the responsibility of an administrative officer. The commissioner also oversees the Coast Guard, Immigration, and the Police Band. The Administrative Division



includes the Special Branch, Telecommunications, Criminal Investigation Department, Traffic and Licensing, Passports and Immigration, Transport and Stores, and the Police Band.

For territorial purposes the island is divided into Northern and Southern Divisions, each headed by a superintendent. The Northern Division comprises eight police stations and the Southern Division five.

There is also a Community Relations Branch, which is charge of fostering good relations with the community at large.

There are three auxiliary forces: the Port Authority Constabulary, the Special reserve Police, and the Rural Constabulary.

In 2002 the administration prepared a five-year plan with the help of British experts that included community-based policing, crime prevention, increased professionalism, complaint investigation, and internal review. The Royal Canadian Mounted Police lent an

officer to serve as deputy commissioner to strengthen personnel procedures.

**Education and Training.** To enter the police force, entrants must have a high school diploma or equivalent, good physical and mental health, and be between eighteen and thirty years old. They are also required to pass an oral and written examination.

Successful candidates attend a five-month initial training course at the Police Training School, where the courses include practical police subjects. Graduates are considered probationers for two years when they are deployed in various units.

Sergeants and inspectors receive special supervisory management training and gazetted officers receive senior management and leadership training.

**Uniforms and Weapons.** Depending on the occasion, gazetted officers wear full dress, service dress, or a working dress. The full dress consists of a white tunic, blue service overalls with silver braid, Wellington boots, sword with steel scabbard, belts and slings, silver sword knot, cap, and blue sash. Service dress consists of a khaki tunic, blue lanyard, khaki trousers, white shirt and collar, and a black Sam Browne belt. The working dress consists of a khaki bush tunic, khaki trousers and a blue lanyard or white shirt, black pants, and a black tie.

Nongazetted personnel and constables wear a full dress consisting of black trousers with white stripe, black boots, a waist belt, and a cap, and a working dress consisting of a white short-sleeved shirt, black trousers with white stripe, a cap, and black boots.

Generally, all ranks are unarmed.

#### **Police Statistics.**

- Total Police Personnel: 730
- Population per Police Officer: 228

#### **HUMAN RIGHTS**

The government generally respects all human rights. Occasional charges of abuse by the police are investigated promptly.

#### **CRIME**

**Crime Statistics.** Offenses reported to the police per 100,000 population: 4,386. Of which:

- Murder: 17
- Assault: 1,193
- Burglary: 778

#### **CORRECTIONAL SYSTEM**

**Prison Conditions.** Prison conditions are poor because of overcrowding and lack of amenities. Since the controls are lax and prison guards are corrupt, weapons and drugs are smuggled into the Castries Prison. Rival drug gangs often fight within the prison walls. Sanitation is a particular problem with only open-pit latrines.

The focus of the correction program is on containment rather than on training or rehabilitation. There are only a few craft programs. Hardened criminals are housed with detainees, but young offenders and women are kept separate from adult males.

#### **Prison Statistics.**

- Total Prison Population: 460
- Prison Population Rate per 100,000: 287
- Pretrial Detainees: 28.4%
- Female Prisoners: 1.7%
- Juvenile Prisoners: 6.5%
- Number of Prisons: 1
- Official Capacity of the Prison System: 500
- Occupancy Level: 92%

*George Thomas Kurian*

# Saint Vincent and the Grenadines

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**Official country name:** Saint Vincent and the Grenadines

**Capital:** Kingstown

**Geographic description:** Caribbean islands in the Caribbean Sea

**Population:** 117,534 (est. 2005)



## LAW ENFORCEMENT

**Structure and Organization.** Headquartered in Kingstown and headed by a commissioner, the Saint Vincent and Grenadines Police Force is a small force numbering 686. The force has a number of operational divisions, such as the Criminal Investigation Department and the Fire Brigade, and special sections on immigration, traffic, and transport. The force consists of twenty-two units deployed in five geographical divisions (Central, Western, South central, Eastern, and Grenadines). Police officers operate unarmed. In times of emergency a paramilitary unit is activated. Also under the police is a small coast guard, which participates in narcotics interdiction, smuggling prevention, fisheries protection, and search-and-rescue missions.

The government has established an Oversight Committee to monitor police activity and to hear complaints about police misconduct. It also conducts police seminars on human rights and domestic violence.

**Education and Training.** Basic police training is provided locally by the Police Training Academy. Senior officials go abroad for refresher courses.



## Police Statistics.

- Total Police Personnel: 452
- Population per Police Officer: 260

## CRIME

**Crime Statistics.** Offenses reported to the police per 100,000 population: 3,977. Of which:

- Murder: 10.3
- Assault: 986.9

## CORRECTIONAL SYSTEM

Saint Vincent and the Grenadines has three prisons administered by the superintendent of prisons, who heads the Prison Service under the Ministry of National Security. The main prison is a four-building compound in Kingstown. The second prison is a new one built in

2003 at Bellisle on the west coast. It is a US\$13 million facility designed to hold 400 inmates with separate areas for juveniles and first-time offenders. The third facility is at Fort Charlottes.

**Prison Conditions.** Prison conditions are substandard. Two of the prison buildings are old and pose serious health and safety problems. A 2001 Report on Prison Conditions concludes that the main Kingstown prison is a “university for crime” because of endemic violence, understaffing, underpaid guards, uncontrolled drugs and weapons, an increase in HIV/AIDS, and prevalence of unhygienic conditions, such as missing toilets. The report states that inmates have to get protection from gangs and obtain for gang leaders alcohol, drugs, and weapons. If they fail to do this, they are beaten severely. In addition, the report finds that inmates are routinely stabbed for running afoul of gang leaders. Since the report was issued, the government has hired new guards,

has initiated a rehabilitation program, and has established a program with courses in carpentry, tailoring, baking, and mechanical engineering. Inmates are allowed to speak freely to their lawyers but must be within hearing distance of a prison guard when they do so. Female inmates are housed separately. A family court handles criminal cases for children up to age sixteen. Beyond that age they may be housed with convicted felons.

**Prison Statistics.** The official capacity of the Kingstown and Bellisle prisons is 280, and the total prison population is 302, yielding an occupancy level of 107.9 percent. The incarceration rate is 270 per 100,000 population. Of the total prison population, 16.9 percent are pretrial detainees, 2.6 percent are female, 16.9 percent are juveniles, and 1.3 percent are foreigners.

*George Thomas Kurian*

# Samoa

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**Official country name:** Independent State of Samoa

**Capital:** Apia

**Geographic description:** Group of islands in the South Pacific Ocean between Hawaii and New Zealand

**Population:** 177,287 (est. 2005)



## LAW ENFORCEMENT

**History.** The Samoan Police Force was originally the Western Samoan Police until 1997. It was formed by the German colonial administration around 1900. In 1914, following the outbreak of World War I, New Zealand took over the islands and renamed the police force Military Controlled Police. In 1921 the Samoan Constabulary was established based on the police system of New Zealand. This force existed until independence in 1962, when it became the Western Samoan Police.

**Structure and Organization.** The police and penal systems are organized as the Department of Police and Prisons under a commissioner of police, who reports to the prime minister. There are no operating or territorial divisions. The headquarters also includes a public relations office, a Special Branch in charge of internal security, a Firearms Registry, and five departments dealing with crime, technical matters, administration, training, and mobile operations, respectively. The bulk of the force is deployed at Apia. Other units of the police are stationed at the islands of Upolu and Savaii. There are three stations on Upolu and three on Savaii. All the six stations



are also responsible for policing outlying islands in the vicinity.

**Uniforms and Weapons.** The daily working uniform is a light-gray short-sleeved shirt, worn with a light-gray lava-lava, or wraparound skirt. A white helmet is also worn. For ceremonial occasions a white shirt is worn with a lava-lava. Officers wear the same uniform with a dark-blue peaked cap. Traffic officers wear long trousers instead of the lava-lava. All policemen are unarmed.

## HUMAN RIGHTS

Samoa is a parliamentary democracy and generally respects the human rights of its citizens. There are no credible reports of abuses or violations.

## CORRECTIONAL SYSTEM

The prison service is headed by a police sergeant who controls a force of three corporals and sixteen wardens



and administers two penal institutions: a conventional prison at Tafa'igata near Apia and a prison farm at Vaia'ata on Savaii Island. Both are minimum security prisons where inmates receive vocational training.

**Prison Conditions.** Prison conditions meet international standards, although they are fairly basic with respect to food and sanitation.

**Prison Statistics.**

- Total Prison Population: 281

- Prison Population Rate per 100,000: 158
- Pretrial Detainees: 6.8%
- Female Prisoners: 6%
- Number of Prisons: 2
- Official Capacity of the Prison System: 260
- Occupancy Level: 108.1%

*George Thomas Kurian*

# San Marino

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**Official country name:** Republic of San Marino

**Capital:** San Marino

**Geographic description:** Landlocked enclave within central Italy

**Population:** 28,880 (est. 2005)



## LAW ENFORCEMENT

**History.** The first urban police was formed in 1947 with the appointment of area policemen who were seconded to the corps of the Gendarmerie. They were called the Urban Guards under an inspector of police. In 1963 the Corps of Urban Police was formed, first with Italian nationals and later with San Marino citizens.

**Structure and Organization.** There are two law enforcement organizations. The Corps of Urban Police manned by San Marino citizens and the Corps of the Gendarmerie, who are part of the Italian Carabinieri. The Guardie de Rocca, a national guard, is responsible for the security of Parliament, the public palace, and the Captains Reagent.

The main tasks of the Gendarmerie are criminal investigation and maintenance of public order. In accordance with a seventeenth-century law, all gendarmes, judges, and inspectors must be foreigners. This law was designed to prevent any favoritism being shown to fellow citizens by a gendarme. The Corps of Urban Police is charged with traffic while other sections oversee law enforcement in health, tourism, and commercial sectors. The force is headed by a commandant, who is assisted by four officers.

**Education and Training.** The Corps of Urban Policemen are trained in Italian police schools.



**Uniforms and Weapons.** The corps has two types of uniforms, one for the winter and one for the summer. The winter uniform is blue, complete with a helmet, a white shirt, gloves, white armlets, black socks, a tie, and shoes. The summer uniform is aquamarine. The force is not normally armed.

## HUMAN RIGHTS

The government generally respects human rights in accordance with European conventions.

## CORRECTIONAL SYSTEMS

San Marino maintains one small prison, which is unpopulated. All prisoners sentenced to more than six months are transferred to Italian prisons.

**Prison Conditions.** Prison conditions meet international standards. Male adult prisoners are separated from women and children.

*George Thomas Kurian*

# São Tomé and Príncipe

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**Official country name:** Democratic Republic of São Tomé and Príncipe

**Capital:** São Tomé

**Geographic description:** Islands in the Gulf of Guinea straddling the equator, west of Gabon in West Africa; the smallest country in Africa

**Population:** 187,410 (est. 2005)



## LAW ENFORCEMENT

**Structure and Organization.** The regular police is the Public Order Police with a strength of over 300. The Public Order Police works mainly in the towns. Rural areas are policed by the National Guard. Many policemen are part-time farmers or fishermen.

### Police Statistics.

- Total Police Personnel: 355
- Population per Police Officer: 528

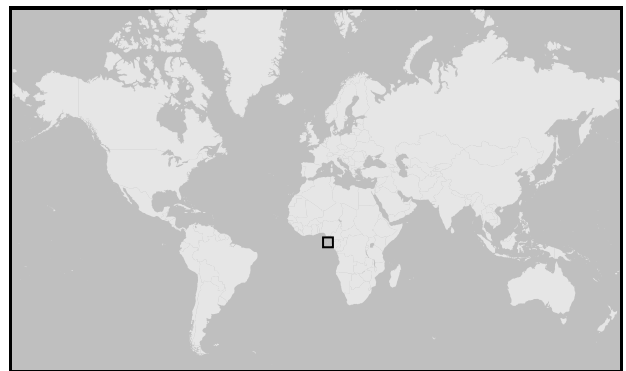
## CRIME

**Crime Statistics.** Offenses reported to the police per 100,000 population: 558. Of which:

- Murder: 4

## CORRECTIONAL SYSTEM

There is only one prison in São Tomé and Príncipe. It is administered by the director of the prisons service under the Ministry of Justice.



**Prison Conditions.** Prison conditions are substandard but not life threatening. Food is inadequate. Women and men are housed separately.

**Prison Statistics.** The official capacity of the prison is 300, but the actual prison population is only 130. The occupancy level is only 43.3 percent. The incarceration rate is 58.5 percent per 100,000 population. Of the total prison population, 58.5 percent are pretrial detainees, 2.3 percent are female, 6.9 percent are juveniles, and 0.8 percent are foreigners.

*George Thomas Kurian*

# Saudi Arabia

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**Official country name:** Kingdom of Saudi Arabia

**Capital:** Riyadh

**Geographic description:** Saudi Arabia occupies about 80 percent of the Arabian Peninsula in the Middle East

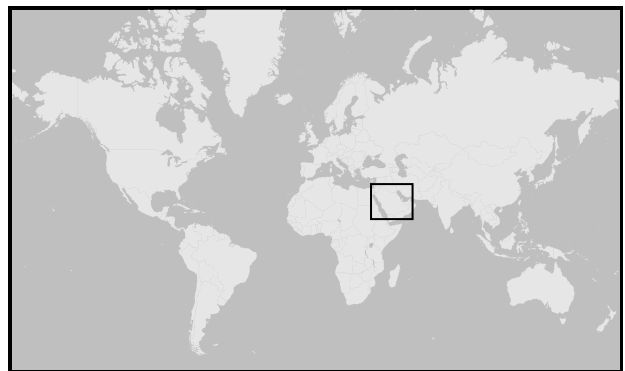
**Population:** 26,417,599 (including 5,576,076 non-nationals) (est. 2005)



## LAW ENFORCEMENT

**History.** The organization of a modern law enforcement system was one of the more notable achievements of Abd al Aziz, the founder of the Saudi dynasty. Previously, the country had known only rudimentary law enforcement, and even that at only a local level. However, even though the police system has evolved, it has remained partly entrenched in the tribal social order under which the sheikhs remain the primary guarantors of public order within their bailiwicks. Only when local efforts fail is the National Guard brought in. National law enforcement agencies complement but do not intrude on tribal authority.

**Structure and Organization.** Law enforcement is the portfolio of the Ministry of the Interior under which are four organs: the National Guard, the Public Security Police, the Frontier Force, and the Coast Guard. The core agency is the Public Security Police, the equivalent of a national police force. It is organized at two levels: provincial police directorates and local police directorates. Its units are scattered all over the country and in every province. The provincial governors exercise direct control



over the police within their administrative divisions. In addition, the governors and the sheikhs have their personal battalion of guards, who may be deployed on public duties on occasion.

The National Guard is a highly mobile paramilitary force that often works in conjunction with other law enforcement agencies. It is recruited primarily from the noble Bedouin tribes. Its principal allegiance is to the royal family.

The Ministry of the Interior is responsible for most of the other public security agencies, including the Frontier Force and the Coast Guard. Units of all these forces are deployed during the Haj season to control the pilgrims who flock to Mecca from various parts of the world.

Another police agency is the autonomous Religious Police (Mutawwa'in), which is organized under the authority of the Koran. They serve on the quasi-judicial public morality committees charged with ensuring strict compliance with the puritanical concepts of Wahhabism.



*Saudi police forces stand guard along a street in Riyadh's industrial area after a shootout with extremists occurred, April 6, 2005. During the shootout, one of the Saudi Arabia's most wanted Islamic militants was killed. The incident marked a wave of violent confrontations with radical extremists that happened over four days in the kingdom. AP IMAGES.*

Local committees in every town report to two central royal offices: one covering the western provinces and the other covering the Nejd and the eastern provinces. They are notorious for their unrelenting and rigorous enforcement of such Islamic requirements as the five daily prayers, Ramadan fasting, modesty in female attire, and proscriptions against the use of alcohol.

There is a ceremonial force known as the White Army, so-called because of its white uniforms. They are mobile and lightly armed.

**Education and Training.** In 1960 the government established the Police College at Mecca to train police officers. A secondary school certificate is required for entrance. A separate college, the Internal Security Forces College at Riyadh, also provides training for officers belonging to all services. Both institutions provide training in advanced equipment, including helicopters and radar. Instructors in police colleges are usually Arabs from Egypt.

**Uniforms and Weapons.** Police uniforms are similar to those of the Royal Saudi Army except for their red beret.

#### **Police Statistics.**

- Total Police Personnel: 83,464
- Population per Police Officer: 316

#### **HUMAN RIGHTS**

As an autocratic regime, Saudi Arabia's human rights record is among the worst in the world. People are arrested and detained arbitrarily and held incommunicado for long periods. In most cases security forces commit torture with impunity and are not held accountable. Because the minister of the interior is a senior member of the royal family, police do not have to face consequences for their actions. The dreaded Religious Police are the most flagrant offenders against human rights. They detain, intimidate, and abuse both citizens and foreigners for minor infractions of Islamic laws. The government views its interpretation of Sharia as its sole guide and disagrees with internationally accepted definitions of human rights.

#### **CRIME**

**Crime Statistics.** Offenses reported to the police per 100,000 population: 149. Of which:

- Murder: 0.5
- Assault: 0.2
- Automobile Theft: 45.4

#### **CORRECTIONAL SYSTEM**

The Saudi penal system is based on the Sharia, which encompasses two categories of crime: those that are

carefully defined in the Koran and have prescribed penalties, and those that are only implicit in the Koran and for which penalties may be set at the discretion of the judge (*qadi*). In addition, a third category of crimes has been established since the end of World War II. It consists of governmental decrees and regulations prohibiting certain types of activities. The first two categories are tried in Sharia courts and the third in administrative courts.

For many crimes, penalties under the Sharia are extremely severe and barbaric. Even though they are carried out only infrequently as a last resort, they are still on the books as evidenced by periodic stoning and beheading in public.

Sharia carefully defines six types of major crimes: homicide, personal injury, fornication, adultery, theft, and highway robbery and specifies a penalty (*hudd*) for each. Homicide is not considered a crime against society or state, but only against the victim and his or her family. The victim's family has the right to retaliation, reparations, or blood money. The right of habeas corpus is not recognized. In serious cases, bail is not normally granted and the accused is detained until trial.

Trial by jury is unknown and the single judge who hears the case has great latitude. In Islamic law the testimony of one man is equal to that of two women. The judge does not pass sentence. All papers are sent to the district or provincial governor who, with the advice of Koranic legal scholars (*ulema*), pronounces the sentence. Imprisonment is virtually mandatory for even relatively minor violations.

Fornication and adultery are considered serious crimes punishable by flogging. However, the law requires rigorous proof, usually four reliable witnesses to the act.

It is extremely unlikely that anyone would commit adultery or fornication in front of four hostile witnesses. Theft is punished by cutting off the right hand of the thief, but theft from relatives is not considered a crime. Highway robbery is punished more severely, by having alternate hands and feet cut off. In robbery involving murder, the prisoner is crucified. Those who commit against public morality, such as drinking, gambling, and not fasting during Ramadan are flogged or fined.

Prisons are under the Ministry of the Interior and are administered by a director.

**Prison Conditions.** Most Saudi prisons are reported to be filthy, crowded, and unsanitary. Some modern jails have been built in the Eastern province through the efforts of Aramco, the oil company. They are built of cement blocks and have running water, bedding, and toilet facilities. Some of the modern prisons have air-conditioned cells. Prisoners have no rights during incarceration. Saudi Arabia does not permit international human rights organizations to inspect their prisons.

**Prison Statistics.**

- Total Prison Population: 28,612
- Prison Population Rate per 100,000: 132
- Pretrial Detainees: 58.7%
- Female Prisoners: 5.7%
- Number of Prisons: 30

*George Thomas Kurian*

# Senegal

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**Official country name:** Republic of Senegal

**Capital:** Dakar

**Geographic description:** Located in West Africa bordering on the North Atlantic Ocean, between Guinea-Bissau and Mauritania

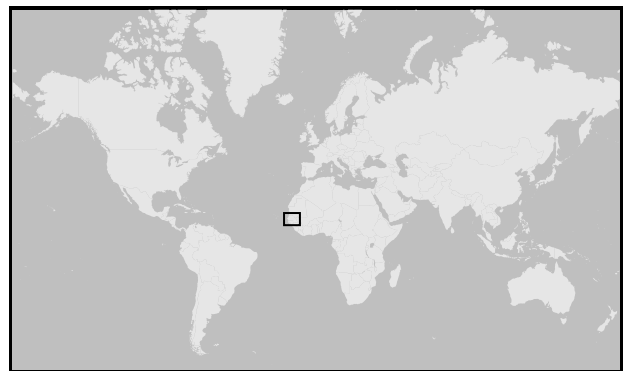
**Population:** 11,126,832 (est. 2005)



## LAW ENFORCEMENT

**History.** The National Gendarmerie was created in 1843 soon after the French conquest. It was modeled after the French metropolitan force in terms of its mission, organization, and nomenclature. In 1928 a Mobile Gendarmerie was added, along with a mounted squadron. In 1949 it was reorganized on a territorial basis. When Senegal became independent in 1960, the Gendarmerie was retained in its entirety. However, in 1968 it was reorganized as part of the armed forces. The *Sûreté Nationale* was formed in 1878 to police urban areas.

**Structure and Organization.** The Senegalese Police follows the French pattern of a dual system consisting of a National Gendarmerie and a *Sûreté Nationale* (National Police). The former is a paramilitary force controlled by the president through the minister of state for armed forces. The commander of the force is concurrently the chief of the general staff of the armed forces. Units known as legions are maintained in each of the ten administrative regions. Legions are divided into smaller units called brigades—some consisting of only a few men—stationed at key positions throughout the country.



They constitute the rural police force but have other duties and responsibilities. They have well-trained and well-equipped rapid-response companies available for antiriot operations. They also guard the presidential palace, government buildings, airports, harbors, and key border points.

The Mobile Gendarmerie consists of five squadrons, all based at Dakar. The Territorial Gendarmerie consists of seven companies, each with its own reserve squad. The most picturesque unit is the Mounted Squadron, which inherits the colorful traditions of the Mamelukes and the Spahis.

***Sûreté Nationale.*** The *Sûreté Nationale* is a centrally directed force under the minister of interior at Dakar. It is primarily an urban force. The *Sûreté Nationale* is composed of seven central directorates, of which the largest is the Public Safety Directorate. This directorate comprises two main divisions: Mobile Support Group and Regional Public Safety Services. The former consists of a number of

self-supporting mobile companies of riot police. There are two special commissariats: one for the Dakar Airport and the other for ports. Each of the ten administrative divisions has a police headquarters responsible for the town police stations in the region. Each town has at least one *commissariat* (police station); larger towns have *commissariats d'arrondissement* (precinct stations). In the smaller towns there is no Sûreté Nationale presence, and policing is entrusted to the Gendarmerie. The former Republican Guard was absorbed into the Sûreté Nationale in 1970 and now forms one of its units.

There are five separate ranks in the Sûreté Nationale:

- Commissioner
- Police Officer
- Peace Officer
- Police Inspector
- Guardian

**Education and Training.** The principal training academy is the Police Training College at Dakar, where police personnel from all of Francophone West Africa are trained.

**Uniforms and Weapons.** The regular uniform of the Gendarmerie is a military-type khaki drill tunic or bush shirt with matching trousers. For ceremonial occasions there is an exotic uniform of wide, baggy trousers tucked into the tops of calf-length boots, a tunic, and an unusual tall cloth cap shaped like a large paper bag. The Mounted Squadron has a flowing cloak or burnoose.

The regular uniform of the Sûreté Nationale is of lightweight khaki and consists of a tunic and/or shirt worn with matching trousers and cap. Dark-blue epaulettes on the shoulders bear the badge of the force and the badges of rank. For general duties, the lower ranks wear a Sam Browne belt, and for certain duties, such as crowd control, a black beret replaces the usual peaked cap. All personnel are normally unarmed.

#### Police Statistics.

- Total Police Personnel: 13,568
- Population per Police Officer: 820

#### HUMAN RIGHTS

Guerrilla activity in the Casamance region is responsible for many extrajudicial killings by the security forces.

Several disappearances are also reported. Police routinely torture and beat suspects during questioning. Although police abuses are widely reported, the government does not try or punish the police or Gendarmerie for such abuses.

#### CRIME

**Crime Statistics.** Offenses reported to the police per 100,000 population: 123. Of which:

- Murder: 0.5
- Assault: 8.8
- Burglary: 2.1
- Automobile Theft: 8.2

#### CORRECTIONAL SYSTEM

The penal code and the code of penal procedure were promulgated in 1966 and incorporated into the elements of the penal code of metropolitan France. Police powers and procedures are based on regulations derived from the colonial period.

There are thirty-eight prisons and penitentiaries in the country, of which the largest is in Dakar. Women are held separately from men and juveniles from adults, but pretrial detainees are held with convicted prisoners because of limited space.

**Prison Conditions.** Prison conditions are poor because of overcrowding and lack of medical care.

#### Prison Statistics.

- Total Prison Population: 5,360
- Prison Population Rate per 100,000: 54
- Pretrial Detainees: 33.1%
- Female Prisoners: 3.7%
- Juvenile Prisoners: 3.2%
- Number of Prisons: 38
- Official Capacity of the Prison System: 2,972
- Occupancy Level: 167.9%

*George Thomas Kurian*



# Serbia and Montenegro

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**Official country name:** Serbia and Montenegro

**Capital:** Belgrade

**Geographic description:** Located in southwestern Europe on the eastern side of the Balkan Peninsula

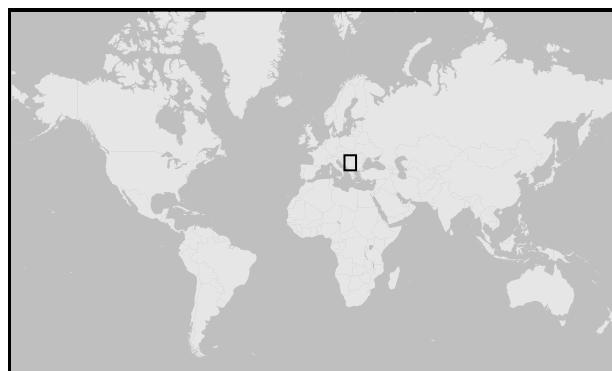
**Population:** 10,829,175 (est. 2005)



## LAW ENFORCEMENT

**History.** Serbia came into existence around 700. In 1918 Serbia became a province within the Kingdom of Yugoslavia, and after World War II it became a part of the Social Federal Republic of Yugoslavia. With the collapse of the Eastern bloc, Serbia regained its sovereignty. As of 2005 it is composed of two autonomous provinces: Kosovo and Vojvodina. In 1990 Slobodan Milošević was elected president of the new republic. Serbia's national status was recognized in 1992 by the United Nations. At this time Serbia formed a loose confederation with Montenegro called the Federal Republic of Yugoslavia. Conflicts in Bosnia led to the imposition of international trade sanctions in 1992. Many of these sanctions were lifted in 1995 when the Dayton Peace Agreement was signed, but that was not the end of Serbia's political and economic turmoil. In 1998, because of the increasing internal warfare in Kosovo, a small land area on the Serbian-Albanian border, even more restrictive sanctions were put into place.

The political and historic dynamics in Serbia and Montenegro, Serbia's partner in the Federal Republic of Yugoslavia, contributed to the violence in this troubled region. Serbia's leader, Milošević, finding his political



position weakening because of the international sanctions, struggled to maintain political control and enhance his popularity. He gained popular support by appealing to the newly emerging sense of Serbian nationalism and pride. To further strengthen and preserve his political position, Milošević brought hard-line ultranationalists, the Radical Party, into the government coalition and publicly rejected talks with the Albanians over Kosovo. This move alarmed some, as the Radical Party was rumored to have engaged in ethnic cleansing in Bosnia and some members were thought to be responsible for attacks on Serbian minority groups. By 1999 the violence in Kosovo had continued to escalate and further international sanctions were imposed.

In 2000 free elections were held and Milošević lost his political position. The newly elected officials began to take the first steps needed to form a more democratic national government. The new prime minister called for elections, and his actions, as well as other pro-democratic

political steps taken over the next two years, helped establish political, legal, and human rights in Serbia. On February 5, 2003, both Serbia and Montenegro formally began to lead their countries away from the chaos and bloodshed that had typified the region in the 1990s when they proclaimed the Constitutional Charter of the State Union of Serbia and Montenegro. This movement away from chaos was strengthened on December 26, 2003, when the Parliament of Serbia and Montenegro ratified the European Convention on the Protection of Human Rights and Fundamental Freedoms.

The philosophical high point in Serbia's newly proposed constitution occurred when the Democratic Opposition of Serbia (DOS) agreed to define Serbia as a "state of its citizens," not as a state of the Serbian nation. The DOS also agreed that the Serbian president would be elected by Parliament and that Serbia, although strongly linked to Montenegro, would maintain its own full rights and powers. In 2002 Serbia developed an active strategy for reforming the judiciary to ensure and protect citizen rights and develop a judicial code of ethics. After the assassination of the Serbian prime minister in March 2003, the army was placed under civilian control and active steps were taken to disassemble the Milošević security apparatus (International Crisis Group 2003). Citizen rights were strengthened in June 2003, when the Parliament of Serbia-Montenegro adopted legislation establishing a separate federal court system. A few weeks later, the Serbian Parliament repealed the police and special prosecutor provisions enacted when Milošević had declared a state of emergency.

**Structure and Organization.** Serbia is composed of a unicameral assembly, the president, and deputy ministers who oversee various ministries. As of 2003 the president was elected by the Parliament. The legislature of Serbia is a unicameral assembly of 250 deputies are elected in direct general elections for four-year terms. The deputies in the National Assembly elect the government of the Republic of Serbia. The judiciary is independent. The Ministry of the Interior is concerned with public safety and human rights and serves as the law enforcement branch of the Serbian government at the local and national levels.

**Principal Agencies and Divisions.** The duties and authority of the Ministry of Internal Affairs are noted in article 7 of the Law on Ministries. Some of the duties that the ministry is empowered to carry out include maintaining the security of Serbia; detecting and preventing activities intended to subvert or destroy the constitutional order; protecting lives and property; preventing and identifying criminal activities; apprehending perpetrators and delivering them to the judicial authorities; maintaining public peace and order; protecting the right of assembly; securing persons and buildings as specified;

providing traffic safety; overseeing border crossings and movements in the Green Line; tracking the activities of foreign nationals; monitoring the acquisition, creation, and possession of weapons, ammunition, and explosive substances; providing fire protection services; providing personal identification number and identity cards; examining travel documents; conducting staff training; and other tasks as specified in the law.

According to the Ministry of the Interior, major political and organizational changes in the ministry began in 2001. These changes led to the promulgation of more democratic laws, successful attempts to combat organized crime and corruption, improvements in property and personal security for its citizens, and promotion of human rights, strengthened antiterrorism activities, and improved relationships with the public and with police throughout the world.

These early steps were expanded in 2002 when the ministry changed its organizational structure. Government actions promoted further reform by enacting new legislation, creating guidelines for professional police education, and planning for modernizing equipment. Personnel changes that began in 2001 were continued and communication between the public, local, community groups and Parliament was established. Also, the ministry opened communication with foreign police agencies and various international organizations. The Serbian police are represented at all major regional, European, and world meetings and have strove to become a part of the international policing community. When Major General Milorad Simić, the head of police department, was appointed to the presidency of the Association of Police Chiefs for Southeastern Europe, Serbia's efforts appear to have met with success.

Most law enforcement activities in Serbia are handled by departments and units within the Public Security Sector. This sector is comprised of fourteen units and includes ten separate departments. The departments are:

- Criminal Investigation Department
- Police Department
- Traffic Police Department
- Border Police Department for Foreigners (which includes 37 border police stations)
- Fire Protection Department
- Analytical Department
- Information Technology Department
- General Affairs Department
- Communication Department
- Catering and Accommodation Department



*Serbian officers stand in a line to prevent protestors from taking a donkey to a government building in downtown Belgrade, August 19, 2005. The protestors consisted of dozens of peasants and farmers who were demonstrating against agricultural policies they viewed as having negative effects on their efforts to make a living. AP IMAGES.*

The Secretariats of Internal Affairs are composed of 233 police stations, 52 traffic police stations, 6 railway safety stations, and 2 border police stations.

Policing efforts in 2002 resulted in the ministry reaching one of its major goals. The threats to the safety of persons and property had been escalating in previous years, but these trends were halted in 2002 when the number of crimes dropped 21.7 percent (Ministry of Internal Affairs 2003).

**Salaries.** In 2002 budget appropriations for the Ministry of Internal Affairs totaled almost 21 billion dinars (US\$251 million). Salaries accounted for 58 percent of the appropriations, and in 2002 employees received a 10 percent salary increase. However, even with the increase, salaries still remained less than that of employees in other civil service sectors (Ministry of Internal Affairs).

The average net monthly salary for Serbian police officers in October 2002 was 14,200 dinars (US\$170). Although the officers' average monthly salaries exceed the minimum salary of 5,396 dinars established in early 2004, it still remained below that of other civilian sectors, which averaged 20,000 dinars a month in 2003 (Ministry of Internal Affairs; Republic of Serbia 2004a).

**Hierarchy and Ranks.** In 2003 the Ministry of Internal Affairs had 51,218 potential positions and 69.4 percent were filled. Of these, 3,999 had full executive power and authority. Field units of the ministry had 31,358 employees, or 70 percent of the total positions defined by the job classification, 20,870 positions were for uniform police officers, 2,480 officers executed specific duties, 3,045 were for firefighters, and 5,009 filled other positions in the ministry (Ministry of Internal Affairs).

**Police-Community Relations.** In 2002 almost 2,200 complaints were filed against police officers, of that amount, 9.1 percent of the complaints were judged to have merit. As a result, disciplinary proceedings were instituted against forty-four officers for serious violations of duty. According to the ministry, every complaint that is made is examined and processed.

To improve relations, community policing has been reintroduced, as have patrol sectors, beat patrol officers, and school police officers. The training in and use of modern police methods also help build confidence in the police among citizens and give police a sense professionalism and the importance of their job.

**Local Police.** Local policing efforts undertaken include "School without Drugs" activities. The police also focus

more on prevention measures and introducing a police presence in the schools to help ensure student safety.

**Special Police.** In an attempt to deal with organized crime in Serbia regional intelligence centers were established. These five centers focus on collecting information on organized crime and the activities of organized criminal gangs in Serbia. This data collection is helped by the development of an information technology system aimed at monitoring the state of organized crime and analyzing the gathered information.

Serbia is a signer of the London Declaration (November 25, 2002), which is aimed at combating organized crime in southeastern Europe. The Ministry of Internal Affairs and the Serbian state have agreed to fight organized crime and its links to terrorism and trafficking in humans. To meet this obligation, funds have been allocated for the special equipment and the training of special tactical units, such as the Special Antiterrorist Unit, whose task is hijack prevention, the Special Operations Unit, which is designed to respond to the most violent and serious terrorism, and the Gendarmerie, which strives to prevent and suppress both internal and international terrorism activities.

**Traffic Police.** Despite increasing traffic, aging vehicles, and unsatisfactory road conditions, there was a 15.6 percent decrease in traffic accidents in 2002 when compared to 2001. Traffic injuries also declined by almost a quarter. Unfortunately, 847 persons died in traffic accidents in 2002, but this number still represents a 33.6 percent decline from the previous year. In fact, the number of traffic fatalities in 2002 was at its lowest level in fifteen years (Ministry of Internal Affairs).

These dramatic decreases in injury and mortality appear to have been affected slightly by stricter traffic penalties for violations, but the major positive factor appears to be better organization and improved policing techniques. Traffic officers were more aggressive in seeking out serious traffic violations, a 5.7 percent increase from 2001. In Serbia, 22 centralized and 726 localized activities were designed to detect serious offenses. The activities are titled "Road-Worthy Vehicle—Safe Driving." These activities were combined with increased police surveillance. Also, free automobile inspections by vehicle inspection associations were offered so as to decrease the number of unsafe vehicles on the road (Ministry of Internal Affairs).

**Education and Training.** In 2002 a four-month training program (May through August) was held for 752 female police officers. Starting in September and October, two six-month courses were conducted for 647 male officers. The training used a new curriculum including foreign-language study, courses on United Nations resolutions

and conventions related to freedoms, rights, and duties of people, as well as provisions of war and humanitarian law and Police Code of Conduct. In September 2002, 124 students graduated from the first Gendarmerie course (Ministry of Internal Affairs).

A course titled "Introduction to Contemporary Standards of Policing" was held February to December 2003. Over 2,710 police officers attended and completed the course. Attendance was high, with 99.9 percent of police officers from all levels that were expected to attend doing so. During the course particular attention was paid to the lawful use of force by police officers in the line of duty (Ministry of Internal Affairs).

The education and training of police officers is carried out at the Secondary Police School, the Police College, and the Police Academy. Between 2002 and the beginning of 2003, 441 students enrolled in the Secondary Police School, 550 enrolled in the Police College, and 125 students enrolled in the Police Academy. The schools face problems because of a lack of space, up-to-date equipment, and technical resources (Ministry of Internal Affairs).

**Recruitment and Conditions of Service.** The ministry hired 2,450 new officers in 2002. Most of the officers were hired to serve as uniform police; 152 were hired to serve as criminal investigation officers, 223 as firemen, 47 as information technology officers, and 21 as border police officers. Women are also being sought out and hired by the ministry. Women account for 19.1 percent of all employees (Ministry of Internal Affairs).

There are approximately 2.5 police officers per 1,000 inhabitants, which is an insufficient number given the complexity of the issues facing Serbia. This ratio is also well below European averages in countries of approximately the same size and population.

In 2001, 1,397 ministry employees retired and 499 left for other reasons. In 2002, 622 persons retired because of age or because they were medically unable to perform their duties, another 318 persons left the ministry by mutual consent or because of a disciplinary court decision. In Belgrade about one-third of the police officer positions are unfilled despite active recruitment campaigns (Ministry of Internal Affairs).

**Uniforms and Weapons.** In 2002 over 9 billion dinars were allocated to the ministry's budget to pay for its operational expenses. Monies were used to purchase new uniforms for the uniform police and equipment, including specialized equipment for the Gendarmerie and Traffic Police (Ministry of Internal Affairs).

**Transportation, Technology, and Communications.** Although it is difficult to clearly identify exactly what weapons are being used by the Serbian police, reports

regarding the use of force do help to paint a partial picture of the weapons commonly in use. In 2002, 65 cases reported the use of a baton, 41 cases reported the use of a firearm, and in the remaining 249 cases other means of coercion excluding physical force were reported (Ministry of Internal Affairs).

The Ministry of Interior purchased Tetra, a state-of-the-art digital radio communication system, making the Serbian police one of the best equipped services in Europe. A major part of the 2003 efforts were directed at equipping the Organized Crime Directorate and the Gendarmerie with Tetra.

The ministry also uses an IBM mainframe computer, server, and workstations in most of the secretariats. New programs are being developed and installed to further expand the information technology system and computer-telecommunications network. The ministry's analytical services are engaged in analyzing security-related incidents and events in the republic. Statistical reporting has been improved through the use of information technology and graphic tools. The ministry maintains and uses criminal investigation records regularly and in one year conducted over 1,040,000 background checks.

#### Police Statistics.

Serbia:

- Total Strength of Police Force: 27,000
- Population per Police Officer: 275

Montenegro:

- Total Strength of Police Force: 4,227
- Population per Police Officer: 150

#### CRIME

**Organized Crime.** The ministry has actively fought against organized crime and the violence it perpetrates in Serbia. The Directorate for Suppression of Organized Crime has been successful in its efforts to deal with organized crime. Shortly after it was established in 2002, the directorate identified and targeted 234 gang members. By 2003 the directorate had arrested 104 of them on charges stemming from 286 major criminal offenses. Significant results have also been achieved by the police as they strive to suppress other forms of economic corruption. For example, in 2003 thirty-seven people were arrested, of whom twenty-six were employees of the Republic Pension Insurance Fund who had accepted bribes so others could falsely acquire disability pensions.

Other organized crimes challenging Serbian police is tax evasion and money laundering. Many of these activities are carried out under the guise of business trans-

actions through phantom firms. In 2002 a total of 619 fictitious or phantom firms were identified. These firms engaged in money laundering through the Centro Banka, a legally registered commercial bank located in Belgrade. A bank officer issued falsified certificates of founding share capital for phantom firms with a value exceeding 1.5 million dinars. These fictitious firms and their transactions enabled the participants to evade tax payments of about 300 million dinars (Ministry of Internal Affairs).

Cigarette smuggling also poses a problem in Serbia. In 2002 approximately 127,624 cartons of illegally imported cigarettes were seized, while the smuggling of a million cartons of cigarettes was prevented. Forged excise stamps were also seized representing 500 million dinars. These activities have preserved the marketing of cigarettes from the legal sources and enabled the collection of excise taxes (Ministry of Internal Affairs).

Another area relating to organized crime has been the collection of evidence on the organization, operation, command structure, and crimes committed by the so-called Kosovo Liberation Army during the armed conflict in Kosovo and Metohija. A total of 9 reports and more than 10,000 pages of evidence relating to crimes committed by 138 members of the Kosovo Liberation Army were turned over to the Federal Ministry of Justice. This material allowed the Hague Tribunal to indict most of these individuals (Ministry of Internal Affairs).

#### CORRECTIONAL SYSTEM

The Ministry of Justice oversees the prison system in Serbia. Beginning in 2001 the prison system started evaluating and reforming its structure. The Organization for Security and Cooperation in Europe (OSCE) carried out an assessment in early 2001 with the Office for Democratic Institutions and Human Rights and the Council of Europe. A major finding of the study was the need for prison staff training. As a result, the OSCE began a program designed to train in successive stages the prison guards and governors. By 2003 approximately 200 prison guards from Belgrade Central Prison, Padinska Skela Prison, and Belgrade Prison Hospital took part in educational training that included seminars on communication skills, ethics, professional conduct, human rights, and drug awareness in prisons (OCSE 2003a).

Another goal of this reform is to introduce into the prison system a self-sustainable prison training structure. The OSCE hopes to achieve this goal through a program of training for local trainers. On May 12, 2003, OSCE trainers presented twelve police trainers with diplomas of completion (OCSE 2003b).

**Table 1. Prisons Statistics, Kosovo, Montenegro, and Serbia**

	Kosovo	Montenegro	Serbia
Total Prison Population	1,199	734	7,487
Prison Population Rate per 100,000	63	108	92
Pre-trial Detainees	71.8%	38.1%	27.5%
Female Prisoners	2.0%	2.5%	1.7%
Juvenile Prisoners	5.0%	1.4%	3.4%
Number of Prisons	6	3	28
Official Capacity of the Prison System	937	670	10,184
Occupancy Level	49.1%	109.6%	73.5%

To help foster a new openness with the media, the OSCE has been active in facilitating the development of relationships between the prison system, the media, and nongovernmental organizations. The OSCE has been working with the ministry to help establish an internal but independent mechanism of control that will oversee the prison system.

**Prison Conditions.** Prison conditions generally meet international standards; however, conditions vary greatly from one facility to another. The Helsinki Committee on Human Rights notes that some prisons are clean and secure while others, notably Belgrade Reformatory for psychiatric prisoners, are filthy and inhumane. Guards receive poor training. Basic educational and training programs are in place in most prisons, but they are limited by lack of resources. Men were separated from juveniles, women from men, and pretrial detainees from convicted felons.

**Prison Statistics.** Prison statistics are listed in Table 1.

#### MOST SIGNIFICANT ISSUE FACING THE COUNTRY

Serbia faces the threat of renewed United Nations economic sanctions because of its refusal to turn four generals and police officers over to the Hague Tribunal. The threat of economic sanctions is compounded by an unemployment rate in 2004 of close to 30 percent. The new prime minister hopes to ease the economic crisis by cutting taxes and public spending, easing regulations so the creation of small firms is encouraged, increasing the move toward privatization, and working toward bringing multibillion-dollar foreign debt under control.

Potential decreases in public spending may pose a problem for the Ministry of the Interior, which lacks highly qualified and specialized staff members, sufficient

technical equipment, and office space and in general has poor working conditions. The number of new officers being recruited has been low for years and recruitment has been the most difficult among traffic and general police officers. Recruitment difficulties are spreading to other areas of the ministry. In 2003 there was a scarcity of information technology and communication staff. This problem was aggravated when a number of highly skilled workers either quit, were fired, or retired from their positions. The ministry found it was almost impossible to hire trained staff to replace them and as a result one-third of the analytical and communication job positions at the ministry are now vacant. Finally, the country still remains politically unstable.

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**Roe Roberts**  
**Nathan R. Moran**  
**Robert D. Hanser**

# Seychelles

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**Official country name:** Republic of Seychelles

**Capital:** Victoria

**Geographic description:** Group of islands in the Indian Ocean, northeast of Madagascar

**Population:** 81,188 (est. 2005)



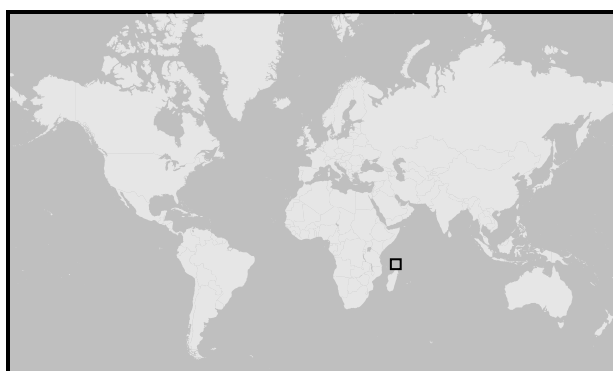
## LAW ENFORCEMENT

**History.** Seychelles was first policed in 1775, when as a dependency of Île de France (Mauritius) fifteen soldiers were sent to Seychelles to perform security duties. This system continued until 1802, when a small police force was established under the command of Citizen Savy, who took orders from Revolutionary officials in France. Seychelles was ceded to Britain in 1814 and between 1822 and 1840 various combinations of policemen and soldiers formed the security forces of the country.

The police station at Victoria, the capital of Mahé, the main island, was destroyed with all the local records in a landslide in 1862, leaving a gap in the history of the force. By 1879 the strength of the force had increased to forty-five and outstations had been established at Victoria, Port Glaud, Anse Aux Pins, and Takamaka.

In 1903 the Mahé Group and Corallines became the separate Colony of Seychelles, by which time the force had grown to seventy-nine, with twelve outstations in operation.

A Special Force unit of forty-five men, paramilitary in character, was established in 1964 to assist the regular police in dealing with civil unrest and disturbance. During 1967 and 1968 radio communication facilities



were obtained by police, and women police officers were also appointed. A criminal record office based on fingerprint identification was set up during this same period.

In 1971 when the Seychelles Airport was inaugurated, the Airport Police Section was established, followed by the Police Dog Unit in 1973. The Police Training School was opened in 1974 on the island of Praslin. In 1976 the Marine Section was founded to provide coastal and interisland policing for the inner islands.

When the Colony of Seychelles became independent on June 28, 1976, the police force was transferred with few changes to the new state. More than ten expatriates continued to serve as heads of departments and advisers.

However, the force was significantly affected by the coup d'état of June 5, 1977, which brought France-Albert René to power. The police armories were raided by the rebels to gain the weapons with which they overwhelmed the loyal troops. One police officer was killed in the operation.



**Structure and Organization.** The Seychelles Police Force is governed by the Police Force Act. They are under the control of the commissioner of police from the headquarters in Victoria. For operational and administrative purposes, the country is divided into four divisions: the Central District, including Victoria, the capital; the North Division; the South Division; and the Praslin/La Digue Division.

Each of these divisions is under the command of a senior police officer. There is a total of seventeen police stations in all the divisions. The Police Training School and the Police Mobile Unit are each under the command of an assistant superintendent who is directly responsible to the deputy commissioner. The force departments are staffed by police officers or civil staff and, in some cases, a combination of both. The organizational structure at the headquarters is as follows:

- Administrative and Support Services (including Prosecution, Marine, Dogs, Training, traffic, and Interpol)
- Criminal Investigation Department (CID)
- Special Force (Police Mobile Unit)
- General Duties
- Special Branch

Other departments include:

- Traffic
- Marine
- Finance
- Radio and Telephone Communication
- Port Police
- Airport Police
- Transport Branch
- Rescue Unit
- Police Band
- Excise Section
- Canine Section
- Women Branch

Practically all local crime is investigated by uniformed and CID officers in the districts, while headquarters CID investigates certain serious transdistrict crimes, compiles fingerprints and criminal records, and undertakes photography and other specialized duties. It also supplies intelligence information regarding criminal activities to other police stations.

The Police Mobile Unit, under the command of a superintendent, is responsible for the preservation of

public order and its restoration in the event of civil unrest or uprising. This unit also has the responsibility for providing personnel for parades.

The Special Branch, which is under the direct control of the commissioner of police, is responsible for the maintenance and operation of security and intelligence services and the prevention and detection of subversive activities. The Seychelles Police Special Constabulary is a permanent volunteer force under the Police Force Act.

**Education and Training.** The Police Training School at Praslin is under a commandant (who holds the rank of an assistant superintendent) and is responsible for recruit and refresher course training (15 weeks' duration), supervisory officers' courses (2 weeks), the promotion course (2 weeks), and basic courses taught in Creole (2 weeks). Field training is conducted weekly on a district basis. Prepromotion classes are held to prepare candidates for future promotion examinations. Instructors are generally sergeants or inspectors.

**Uniforms and Weapons.** Regular police inspectors and above wear a white open-necked shirt with royal-blue shorts or trousers. Junior ranks wear a blue shirt with royal-blue shorts. Personnel in the Special Force (Police Mobile Unit) wear khaki shirts and shorts. Headgear consists of a dark-blue cap with a white checkered band. Members of the force are usually unarmed but the Police Mobile Unit is heavily armed with rifles and other weaponry.

#### **Police Statistics.**

- Total Police Personnel: 695
- Population per Police Officer: 117

#### **HUMAN RIGHTS**

The government generally respects the human rights of its citizens, although President René holds unchecked power. Security forces sometimes arbitrarily arrest citizens but detain them for only twenty-four hours under the constitution's charge or release provision.

#### **CRIME**

**Crime Statistics.** Offenses reported to the police per 100,000 population: 5,361. Of which:

- Murder: 3.7
- Assault: 43.4
- Burglary: 378
- Automobile Theft: 40.9

## *Seychelles*

### **CORRECTIONAL SYSTEM**

There are two penitentiaries on the island, of which the Long Island Prison is the main one.

**Prison Conditions.** There are no reports of abuse of prisoners. Family members are allowed monthly visits and prisoners have access to reading materials, although not to writing materials. Men are held separately from women and juveniles from adults.

### **Prison Statistics.**

- Total Prison Population: 149
- Prison Population Rate per 100,000: 186
- Pretrial detainees: 1.3%
- Female prisoners: 1.3%
- Number of Prisons: 2

*George Thomas Kurian*

# Sierra Leone

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**Official country name:** Republic of Sierra Leone

**Capital:** Freetown

**Geographic description:** Located in western Africa on the North Atlantic between Liberia and Guinea

**Population:** 6,017,643 (est. 2005)

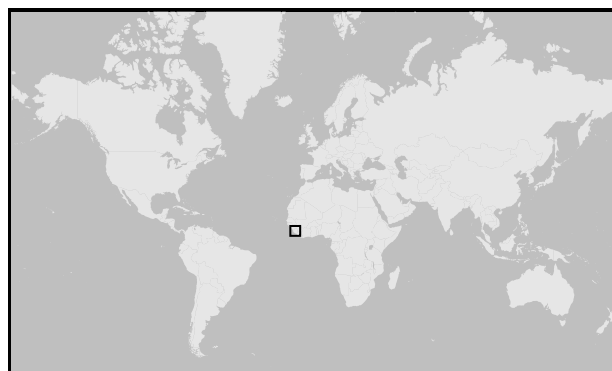


## LAW ENFORCEMENT

**History.** The beginnings of what is known as the Sierra Leone Police Force date back to 1829, when twenty-six constables, half of whom kept order during day and half by night, were appointed in Freetown, then a British colony. By 1836 the nucleus of a proper police force had taken shape with 1 inspector, 3 subinspectors, and 60 constables. Each was issued one pair of shoes a year, but no uniforms. Senior officers had no prior police experience but were retired noncommissioned army officers or civilians.

When the British annexed Koya and Sherbro Island in 1861, the police role was expanded to cover the new territories. Some military structure and training were introduced into the force. The commander became the inspector general; the force was installed in barracks, armed with carbines, and given uniforms of white tunics and slacks with broad leather belts. By this time the force numbered 200 men.

In 1891 the Frontier Police was formed the guard the borders. In 1894 the civil force was designated the Sierra Leone Police Force in a government gazette. The first police band was formed in 1900, when the total strength was raised to 600. In September 1909 the first commissioner of police was selected. The commissioner formed a riot squad to deal with civil disturbances and started the



Police Training School at Port Loko. It was later transferred to the naval base at Hastings, where it remains.

In 1948 the force was again enlarged, this time to 1,000, and the first African was promoted to the rank of assistant superintendent. The riot squad was disbanded and every policeman began to receive training in riot control. In 1954 the force was extended to the main towns of the protectorate, replacing the disbanded Court Messenger Force. The first policewoman was recruited in 1947. In 1963 the first native Sierra Leonean was appointed commissioner of police and the last expatriate officer left the force in 1968. Meanwhile, the country began to experience civil unrest on a large scale. In 1968 all senior police officers were arrested by the junior ranks. For the next thirty-five years the police were swept into the turmoil and violence that culminated in a civil war in the 1990s.

**Structure and Organization.** The Sierra Leone Police Force is commanded by a commissioner, who is a minister of state without portfolio. It is organized into

five geographical divisions, including one that guards the diamond industry. Each regional division is subdivided into a number of formations, such as the Criminal Investigations Department, the Special Branch, and the Traffic Division. The Special Branch is concerned with counterinsurgency and counterterrorism activities. The Traffic Division is also concerned with issuing firearms and ammunition licenses. There are separate men's and women's police bands and a Dog Division.

Constables are issued shoes and uniforms and are housed in barracks. Those not housed in barracks are given special housing allowances. All police officers from constable up are entitled to a pension.

The Sierra Leone Police Force has fifteen grades:

- Commissioner of Police
- Deputy Commissioner
- Senior Assistant Commissioner
- Assistant Commissioner
- Chief Superintendent
- Superintendent
- Deputy Superintendent
- Assistant Superintendent
- Chief Inspector
- Inspector
- Subinspector
- Sergeant Major
- Sergeant
- Corporal
- Constable

In addition, there are a number of special police groups, including the Internal Security Unit (ISU). It guards important government installations and constitutes the Presidential Guard. The former ISU-2 was a militia that has since been disbanded.

The Court Messenger Force is a quasi-police force employed by the district commissioners to carry warrants and subpoenas. When the Sierra Leone Police Force was extended to the Protectorate in 1954, the Court Messenger Force was disbanded, but each local authority was permitted to retain its local unit. In 1953 a permanent police force was established to counter illegal diamond smuggling.

**Education and Training.** Direct entry into the force is limited to those with secondary education. Others are sent to the Police Training School at Hastings for a six-month training course, at the end of which they are appointed constables.

**Uniforms and Weapons.** The formal uniform is a blue tunic worn with a white shirt and tie or a blue bush shirt worn with matching trousers and a blue cap. Members of the force are normally unarmed.

#### HUMAN RIGHTS

With the end of the civil war the systematic and serious human rights abuses have ended. The civil liberties suspended during the conflict have been reinstated. However, there are reports of extortion by the police.

#### CORRECTIONAL SYSTEM

Criminal law in Sierra Leone is contained not in a comprehensive code; instead, it consists of a series of local ordinances. Many English statutes are incorporated into the ordinances.

The most prevalent form of crime is diamond smuggling. Sexual offenses are relatively infrequent. Growing problems for the police are armed robbery, which is usually committed by gangs. There is also concern over the increasing use of drugs by the young, especially the smoking of *djamba*, a form of cannabis. Another kind of crime is ritual murder of children by secret societies, such as the Kieh.

Sierra Leone has twelve prisons, which are administered by the Ministry of Social Welfare. Pademba Road Prison is a maximum-security facility. The major ones are at Bo, Makeni, Kabala, and Kailahun. The Masanki Prison accommodates 500 prisoners. The Mafanta Prison has an agricultural colony. The Freetown Central Prison is the only one with a woman's wing. For juvenile prisoners there are five remand homes—at Wellington, Bo, Kenema, Makeni, and Sefadu.

**Prison Conditions.** Prison conditions have improved significantly since the end of the civil war. Although the prison in Kenema suffered overcrowding, conditions in Pademba Road maximum-security prison and at Bo and Moyamba are considered acceptable. Male and female prisoners are housed separately, although adults and juveniles as well as convicted prisoners and pretrial detainees are housed together. Conditions in holding cells in police stations are extremely poor.

#### Prison Statistics.

- Total Prison Population: 1,400
- Prison Population Rate per 100,000: 27
- Number of Prisons: 12
- Official Capacity of the Prison System: 700
- Occupancy Level: 200%

George Thomas Kurian

# Singapore

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**Official country name:** Republic of Singapore

**Capital:** Singapore

**Geographic description:** Island in Southeast Asia at the end of the Malay Peninsula, separated from Indonesia by the Strait of Singapore

**Population:** 4,425,720 (est. 2005)



## LAW ENFORCEMENT

**History.** The Singapore Police Force was established in 1827 when Sir Thomas Stamford Raffles, the founding father of Singapore, hired one sergeant and twelve constables to keep the peace. Thirty years later, the Police Act was passed, establishing a regular police force. In 1863 the first police uniforms were introduced. Another twenty-one years passed before the Criminal Investigation Department was set up, but the Criminal Records Office was not founded until 1901. Between then and the end of World War II there were only few developments. In 1916 marine patrols were launched to control piracy. In 1923 the Police Force Training Depot was begun, as the predecessor of the present-day Police Academy. In 1929, as more cars began to appear in the streets, the first Mobile Squad of the Traffic Police began work. Following the end of the Japanese occupation in 1946, the force was reorganized under R. E. Boulger. The Radio Division began operation in 1948. The next year women were first hired by the force and a female police unit was organized. In 1950, as the political landscape began to change, riot squads were formed to deal with street violence and demonstrations. In 1955 the Police Dog Unit became an integral part of



the force. In 1959 the Police Force Training Depot became the Police Academy. In 1969, four years after independence, the drab khaki uniforms were discarded in favor of more lively blue ones. In 1972, following the report of the Lee Soon Ann Commission Report, police pay was raised and training facilities were upgraded. Recruitment was streamlined by placing it under the aegis of the National Service. In 1981 the force was reorganized into four commands.

**Structure and Organization.** The Singapore Police Force is headed by a commissioner of police assisted by four deputy commissioners, each in charge of one of four commands: Administration, Planning, Operations, and Civil Defense. Two departments are directly under the commissioner: the Public Relations Department and the Staff Inspectorate. Each of these departments is headed by a deputy assistant commissioner. The Public Relations Department is the focal point of media relations. It plans

major campaigns directed at the public as well as its own personnel. It produces a number of in-house publications and audiovisual education programs, and it organizes exhibitions and community functions to present a better image of the police to the public. The Staff Inspectorate constitutes the eyes and ears of the force. It constantly monitors and assesses the performance of the force and provides feedback to the commission regarding possible changes and reforms.

The deputy commissioner for administration is assisted by three directors in charge of the Manpower and Administration, Logistics, and Training departments. The Manpower and Administration Department oversees all matters pertaining to the force personnel, finances, records, discipline, and welfare. Its welfare program has expanded considerably and now includes recreational facilities, social events, and provision of discounted consumer products and services. The Logistics Department administers workshops in the Marine, Transportation, Communications, and Armaments divisions and handles the Stores and Supplies Division. In addition, it evaluates new equipment and weapons and manages buildings. The Training Department runs the Police Academy and develops course materials through its Training Development Division. Moreover, it supervises the National Police Cadet Corps, a school-level organization designed to familiarize children with police activities.

The Planning Command implements changes in operations and prepares it to become a more efficient force. The deputy commissioner for planning is assisted by three directors in charge of the Operational Planning, Strategic Planning, and Systems and Research departments. The director of the Operational Planning Department supervises two divisions: the Security Planning Division and the Contingency Planning Division. The Security Planning Division formulates policy and doctrine relating to public order and security. It is also responsible for airport security and all entrances and exits out of the country. The Contingency Planning Division prepares for emergencies such as major natural disasters and crises, such as acts of terrorism and hijackings. The Strategic Planning Department is composed of two divisions: the Development Projects Division and the Conceptual Planning Division. The Development Projects Division initiates large development projects and handles the formulation of all building plans and the presentation of cost-benefit studies until the funds are approved. The Conceptual Planning Division is concerned primarily with five-year rolling plans and annual work plans. This involves data collection and analysis, coordination of planning activities among the various units, and work plan seminars. It also reviews from time to time force strategies to see whether they need to be readjusted. The director of the Systems and Research Department supervises three divisions: Organization and Method,

Doctrine, and Computer Systems. The Organization and Method Division reviews and revises work procedures and the organizational structure of various units. It undertakes the research required for demarcation of patrol sectors and adjustment of patrol shifts. It also undertakes feasibility studies on recommended new systems and procedures. The Doctrine Division reviews, amends, and issues force policies, doctrines, police general orders, force directives, and headquarters circulars. It also collects proposed amendments to legislation and prepares answers to parliamentary questions. The Computer Systems Division is responsible for the maintenance and development of computer networks. It translates the requirements of the police into the language of systems analysis and design.

The Operations Command is the front line of the force. This is where the bulk of the force is deployed in constant contact with the public. It has five departments: Areas, Detachment, Criminal Investigation, Traffic, and Crime Prevention. The commander for Areas Department, assisted by a deputy commander, is responsible for eight land divisions, the Radio Division, and the Airport Police. Each land division is headed by a superintendent who oversees crime prevention, patrol, investigation, enforcement, and other functions. The Radio Division is the mobile response force and its primary function is to attend to emergency calls. Headed by a deputy superintendent, it is composed of a large patrol force and a radio communications center; during major crises the latter serves as a combined police-military operations room. The Airport Police work with the Security Planning Division to enforce airport security.

The Detachment Department serves as an umbrella for a number of security units, mainly the Police Task Force, the Marine Police Division, the Security Branch, the Gurkha Contingent, and the Police Dog Unit. The Police Task Force consists of three units that serve many functions. In normal times they are deployed to provide security and control crowds at large public events, such as festivals and sports events. In times of unrest and public disorder, however, they serve as antiriot squads. The Marine Police Division is a large one, and its duties include patrolling territorial waters. It enforces rules and regulations governing the operation of all maritime vessels and looks out for illegal aliens and contraband goods arriving by sea. The Security Branch guards all VIPs. The Gurkha Contingent, composed of ethnic Gurkhas recruited from Nepal, acts as a backup force for any unit that needs such support. The Police Dog Unit trains dogs for guard and security work. The dogs are also used at airports to detect heroin and other drugs brought to the country.

The Criminal Investigation Department (CID) has four divisions, each headed by a superintendent. The four divisions are the Administrative and Specialist Division,



**Police forces work to control a small protest in Singapore's financial district, August 11, 2005.** Several protesters gathered to call for more financial transparency in public institutions. The event followed a scandal from the month before, where the CEO of the National Kidney Foundation, Singapore's largest government-backed charity, was removed for suspected misuse of funds. AP IMAGES.

the Commercial Crime Division, the Criminal Intelligence Unit, and the Secret Society or Organized Crime Division. The Administrative and Specialist Division investigates murders, kidnappings, and organized crime involving gambling vice and gambling syndicates. The Commercial Crime Division handles sophisticated white-collar crime. The division takes over from the Land Division cases that involve large sums of money or those considered too complicated. The Criminal Intelligence Unit collects information on crime and provides essential information to field investigators. The Secret Society Division watches for criminal activities by secret societies (*tongs*), a problem unique to Chinese populations.

The Traffic Police consists of the Operation Division and the Administrative Division. The Operation Division oversees traffic control and management, including patrol and enforcement. It investigates traffic accidents and processes violation reports. It also has a research branch that undertakes data collection, production of management information, and dissemination of road safety information. The Administrative Division oversees testing and licensing of drivers and administers the points demerit system and the training of traffic police personnel.

The Crime Prevention Department has a twofold task. It persuades and educates the general public and the business community to partner in the work of law

enforcement and crime prevention through adopting safety measures. It performs this function through mass media campaigns as well as through direct liaison with community groups and business organizations. It has three divisions: the Operations Division, which directs and supervises crime prevention programs, the Liaison and Exhibitions Division, which reaches the community groups through neighborhood gatherings and mobile exhibitions, and the Collation and Research Division, which keeps track of criminal activities and trends.

The last of the four commands is the Civil Defense Command, which consists of two components: the Civil Defense Corps and the Construction Brigade. The Civil Defense Corps is composed of police reservists and it is the first responder in cases of aid and rescue operations in emergencies, such as a terrorist attack.

**Education and Training.** Recruits are required to have the equivalent of a tenth-grade education, be physically fit, and be between the ages of seventeen and a half and twenty-seven. Basic training lasts for thirty-two weeks and covers procedures, laws, weapons drill, hand combat, first aid, swimming, and civics. Class work is given at the Police Academy and is followed by on-the-job training. Since 1975 national servicemen began serving full time with the police to make up for shortfalls in recruitment.

## *Singapore*

**Uniforms and Weapons.** The uniform is a gray shirt, khaki shorts, and a beret or peaked cap.

### **Police Statistics.**

- Total Police Personnel: 18,278
- Population per Police Officer: 242

### **CRIME**

**Crime Statistics.** Offenses reported to the police per 100,000 population: 783. Of which:

- Murder: 1
- Assault: 2.4
- Burglary: 40.1
- Automobile Theft: 55.2

### **CORRECTIONAL SYSTEM**

Singapore has one of the most severe penal codes in the world. It sanctions caning for a number of offenses including theft, and prescribes the death penalty for trafficking in firearms and kidnapping.

The Prisons Department of the Ministry of Home Affairs is under the immediate control of the director of prisons. He is assisted by a deputy and five superintendents. Women are kept at the Female Prison, a minimum-security facility. The Queenstown Remand Prison, a short-term maximum-security facility, receives and classifies newly convicted adult male offenders, and it also holds people awaiting trial or sentencing. Changi Prison, a maximum-security facility, houses prisoners sentenced to more than

three years and those detained indefinitely. There are two medium-security facilities for first- and second-time offenders and those considered to be rehabilitatable: Moon Crescent in Changi and Khasa Crescent Center.

There is a prerelease camp, a minimum-security prison for long-term prisoners serving the last six months of their sentence. Young people under age sixteen are not sent to prisons, but to approved homes for girls and boys. The Reformative Training Center houses young offenders between ages sixteen and twenty-one.

**Prison Conditions.** Prison conditions, while spartan, meet international standards. However, inmates are chained to their beds at night. Human rights monitors are not allowed to visit prisons.

### **Prison Statistics.**

- Total Prison Population: 16,835
- Prison Population Rate per 100,000: 392
- Pretrial Detainees: 8.9%
- Female Prisoners: 11%
- Juvenile Prisoners: 7.3%
- Number of Prisons: 15
- Official Capacity of the Prison System: 12,650
- Occupancy Level: 144%

*George Thomas Kurian*



# Slovakia

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**Official country name:** Slovak Republic

**Capital:** Bratislava

**Geographic description:** Landlocked country in east central Europe

**Population:** 5,431,363 (est. 2005)



## LAW ENFORCEMENT

**History.** The Slovak Republic came into existence on January 1, 1993. Michal Kováč was elected by the Parliament in February to serve as the president. Vladimír Mečiar was elected and served three times as Slovakia's prime minister. Mečiar began moving toward increasingly authoritarian behavior and was pointed out as the reason Slovakia was eliminated from consideration for both the European Union (EU) and the North Atlantic Treaty Organization (NATO) in earlier years. Slovakia was without a president for more than a year after Kováč finished his term. Finally, the constitution was changed to allow for direct vote, and Rudolf Schuster was elected in May 1999.

Mečiar, the Populist prime minister, was unseated in the 1998 elections by the reformist government of Mikuláš Dzurinda. Mečiar has been blamed for Slovakia's low investment from foreign capital. In April 2000 Mečiar was arrested and charged with paying illegal bonuses to his cabinet ministers while in office. A three-week standoff with police preceded the arrest, ending only when police commandos blew open the door on Mečiar's house and seized him. He was also questioned about his alleged involvement in the 1995 kidnapping of Kováč's son.



Dzurinda has improved Slovakia's reputation in the West. In 2004 the country became a member of both the EU and NATO. As of 2005 Dzurinda was becoming unpopular within the country because of tough economic policies.

### Structure and Organization.

**Principal Agencies and Divisions.** There are two major law enforcement agencies within Slovakia as well as one major intelligence agency. The State Police, under the jurisdiction of the Ministry of Interior, is the primary law enforcement agency. Besides domestic law enforcement, they also have the responsibility for border security. The State Police are broken into four main categories: Traffic Police, Border and Customs Police, Criminal and Financial Police, and Public Order Police. The second major law enforcement agency is the municipality police that reside within the cities and towns. The Slovak Information Service is an independent organization that reports directly

to the prime minister and is responsible for all civilian security and intelligence activities.

**Salaries.** The average salary for a Slovak police officer is 19,000 Slovak crowns (US\$404) per month, which is almost 70 percent above the national average for wages. This average does not apply to the municipal officers and lower traffic officers.

**Retirement Age.** Legislation has been passed with the goal of retaining workers to produce a more efficient and productive Slovakian economy. Beginning in January 2004 legislation raised Slovakia's retirement age by nine months each year; eventually, the retirement age will be sixty-two years for both men and women. As of 2005 the retirement age for men was sixty years and between fifty-four and fifty-seven years for women, depending on how many children they have raised.

**Police at Work.** The Police Corps of the Slovak Republic is an armed safety corps responsible for maintaining internal order and safety. The Slovak National Council and government control the police force, which is subordinate to the minister of interior. The activities and responsibilities of the Police Corps are controlled by the constitution and other binding regulations. The corps is totally independent of the military and lacks any connections at either the management or organizational level, though in times of great need, the government may order that the military soldiers join with the Police Corps to secure the state frontier or to guarantee internal public order.

The Police Corps consists of criminal police, public order police, traffic police, object protection police, foreign service police, frontier police, and special task police. The protection of special persons and finances are designated to the special task police. There are separate district, regional, and Slovak investigation offices. The head of the Police Corps is the Police Corps president.

Police Corps law allows for the use of force by police. The type of force to be used is largely dependent on the police officer's interpretation of the situation. Officers exercise a great deal of discretion when it comes to the use of force. Types of force that can be used include basic elements such as truncheons, defense bars, tear gas, electric paralyzing devices, and guns.

The police can apprehend a person in accordance with Police Corps law, which states that a person who threatens life, health, or property or who was caught in the act may be placed in custody for a maximum of twenty-four hours. Investigators can apprehend a suspect who has been caught committing a crime without an indictment or approval from the prosecutor. When the case needs immediate action, the suspect can be apprehended and placed into custody, where justified, without

indictment. To conduct this type of apprehension, prosecutor approval is necessary. The suspect can be held for a maximum of twenty-four hours, after which the case must be submitted for trial or the suspect is set free. No cautioning in this stage of apprehension is allowed. The purpose in apprehending a suspect is to assess whether sufficient conditions are met for placing the person in prison.

Most complaints about police behavior concern the activities of the basic corps and involve searches, unproductive investigations, improper public identification of suspects, and activities of traffic police. Complaints are handled by the following authorized persons: commander, district commander, inspection officer of a district commandership, inspection officer of the Inspection Department of the Ministry of Interior, and the formation director of the Minister of Interior.

**Police-Community Relations.** The police-community relations in Slovakia are best described as tense. The ethnic minorities in the country strongly distrust law enforcement. The police are viewed as corrupt by most and cooperation between communities and the Police Corps has been minimal in the past. African, Roma, Hungarian, and other minorities feel that the police ignore crimes committed against ethnic groups and pay little attention to investigation. Furthermore, skinheads repeatedly attack all ethnic minorities with little interference from law enforcement.

To solve police-community relations problems, Slovakian law enforcement has encouraged foreign agencies to assist with training and education. American law enforcement experts have been traveling to Slovakia to present a modern form of policing. They hope to present the benefits of listening to the community rather than assuming that all the problems are known. Slovakian police tend to jump directly into a situation to gain order and control while it is the goal of the foreign law enforcement aide to present a calmer approach of community cooperation.

**Local Police.** The local police forces for individual cities and towns are the municipal police. They are usually simple beat cops who walk the streets in pairs to deal with minor street quarrels and provide assistance to those in need. Municipal police have responsibilities similar to those of Public Order Police as seen at the state level, but they also oversee parking in towns. Municipal police do not have authority to issue fines for exceeding the speed limit, although they have authority to punish many other traffic offenses. Municipal police range from the average street cop to the mounted officer.

**Special Police.** Special police units include organizations like the Border and Customs Police that fall under the



*Slovakian security forces on horseback patrol the Bratislava Castle shortly before a summit between U.S. President George W. Bush and Russian President Vladimir Putin is scheduled to take place there, February 23, 2005. Because of the summit, Slovakian authorities increased safeguards at key border crossings and expanded patrols at airports and train stations, along with locking down security in the capital city. AP IMAGES.*

state policing system. Units such as these are responsible for monitoring border crossings and administering the rules governing foreign residents of Slovakia. There are also special task police that have specific jobs such as guarding private persons and finances.

**Riot Police.** Riot police are known as intervention units in Slovakia. Intervention units are called in to deal with unruly mobs and situations that are possibly unstable. The Slovakian intervention units have a bad reputation for the use of excessive force. Within the sporting community of Europe, Slovakian intervention units are regarded in a negative light because of the use of excessive force against English soccer fans.

**Traffic Police.** The Traffic Police are a subdivision of the State Police. Their job consists of monitoring the traffic laws applicable in towns and on highways. Traffic Police make use of cars equipped with radar and transmitters to enforce traffic violations. Some Traffic Police

can also be found on horseback within town and city limits.

**Education and Training.** To become a member of the Police Corps of the Slovak Republic, a person must be a citizen, be at least eighteen years of age and have passed what is called the school-leaving examination available at a secondary school or have graduated from a university or technical college. The applicant must also be physically and mentally healthy, have finished military duty (if applicable), and have a clean criminal record. A probationary period of up to twelve months is established at the time of appointment. Further education and training of officers is performed in special secondary schools of the Police Corps, the Police Academy of the Slovak Republic, and the Institute for Further Education of Police and Training. Further education also comes from the cooperation with foreign law enforcement agencies

dealing with ethnic tolerance and police-community relation issues. American law enforcement experts are among the foreign law enforcement helping Slovakian police gain insight about modern policing.

**Uniforms and Weapons.** The officers of the Police Corps of the Slovak Republic wear several types of uniforms including official, field dress, and special uniforms for the special units officers. Uniforms vary with regard to the individual police unit as well as with the time of year. Men and women officers both have a variety of uniforms when it comes to seasonal changes and to the changing styles in clothing. Accompanying the officer's dress is the standard armament for a Slovakian officer. The basic armament for an officer includes a belt, handcuffs, truncheon, and extra clips.

Weapons for Slovakian police vary with the needs of the unit. Officers have access to weapons ranging from truncheons, defense bars, protection shields, tear gas, bulletproof vests, and handguns. Three main handguns are issued as standard weapons to most officers: Arrow PS97, Model 82, and EZ75.

**Transportation, Technology, and Communications.** Several types of vehicles and equipment are used for modern policing. The Civil Police are reported to have a total of seven policing helicopters that are based at the Bratislava-Ivanka Airport. The helicopters include one Mil-Mi-8p and six Mil-Mi2. The Police Corps is equipped with cars, with a ratio of one car to every five police officers.

The Slovakian technology is behind the times but can be seen in most aspects of policing. The command levels of the Police Corps are equipped with computer databases, which contain personal documents and criminal information. The main computer databases are about the highest point of technology pertaining to law enforcement. Police cars are equipped with radar and transmitters as needed, such as with Traffic Police on highways and in major cities. The communications technology is lacking; this can be seen in the case of the infamous police walkie-talkies, which function only at extremely short ranges.

**Surveillance and Intelligence Gathering.** There are eleven entities within Slovakia that deal with intelligence services, including Borders and Alien Police, Civil Defense, Civil Police, Defense Ministry Intelligence-Security Service, Internal Security, Ministry of Interior, National Anti-Drugs Unit, Office of Civil Protection, Office of Nuclear Surveillance, Reserve Force (Home Guards), and Slovak Information Service. The Slovak Information Service is the main agency responsible for intelligence gathering and reports directly to the prime

minister. Technology and communications are outdated within the country, thus causing an obstacle for intelligence gathering and surveillance.

**Police Statistics.** Most police statistical information for Slovakia is considered restricted.

- Total Strength of the Police Force: 20,208
- Population per Police Officer: 269

## HUMAN RIGHTS

The Slovakian government is generally respectful of human rights and aware of their implications in the world. Slovakia has created antidiscrimination legislation and provisions within the penal code. The government's cabinet has approved action plans to prevent all forms of discrimination and intolerance. The government has also created the position of special government commissioner for Roma issues in the Office of Deputy Prime Minister for Human Rights and Minorities. Despite these additions, the government still has not fulfilled the United Nations recommendation to create a national committee for human rights. Although improvements have continued since the early 1990s, there remain obstacles to be overcome.

There are many reports about police indifference, alleged beatings, and abuse of the Roma. Ethnic minorities, in particular the Roma, face discrimination within the Slovakian society. Skinheads frequently attack the Roma, and police sometimes fail to provide adequate protection against these attacks. This represents one of the greatest problems facing Slovakian society. In 1999 a police officer allegedly shot a twenty-one-year-old Roma during an interrogation. Later the next year, the officer was dismissed for violating the law when he interrogated a Roma, during which time he had a gun accessible.

## CRIME

**Organized Crime.** Organized crime is a prevalent concern in Slovakia and the east European countries. The Slovak Intelligence Service reports that most organized crime within Slovakian borders is because of international Mafias, especially Russian, Albanian, and Italian. Slovakia is considered a transport corridor for weapons smuggling because of the lack of adequate legislation in the area. According to the Slovak Intelligence Service director, Russian and Ukrainian Mafia are using their links to the Slovak underworld to smuggle small arms to countries that have military conflict. Slovakia has also become an important part of the "Balcan Route" for drug smuggling.

Slovak police officials speculate that extortion, protection, and silent partnerships are the main rackets of the

mobsters within Slovakia's borders. Another problem with organized crime is the growing sex trade as young Slovak women are hired as dancers or bar girls abroad, and then find themselves forced into prostitution. The Slovak police have seen organized crime elements, from within the country and abroad, increase in complexity of crimes and the amount of resources at the groups' disposal. This rising growth in organized crime is because of the emergence of globalization. Slovakia is located between Europe and the Asian continent, so it serves as a natural funneling point for illegal activity across the world.

### CORRECTIONAL SYSTEM

The correctional system contains three individual levels of prisons for adult males, the highest level being maximum security. Within maximum security, adult convicts are housed with the goals of education and rehabilitation. Separate prisons are found for juveniles and women.

After those convicted have served half of their prison sentence, or two-thirds in the case of serious crimes, they have the right to be set free on a conditional basis, which can last from one to seven years. Courts are the final say on the decision of rulings and corrections. Convicts must be able to demonstrate their readiness for release by their prison behavior, or the court must accept the guarantee of completion of rehabilitation of the convict.

**Prison Conditions.** The prison conditions within Slovakia have been vastly improved with the progression of time. In 1987 when Slovakia and the Czech Republic were still joined as Czechoslovakia, prison conditions were poor. Prisoners complained of frequent beatings from authoritative figures and less-than-standard living conditions. Prisoners also told of beatings and ill treatment by fellow prisoners that were possibly encouraged by the guards. Food complaints and disease were widespread and dietary deficiencies led to ailments. Disease ran rampant through the prison and spread quickly to others. Prison conditions in Slovakia were often in Amnesty International reports during the 1970s and 1980s, which concluded that prison conditions in Czechoslovakia fell below "internationally accepted standards." Today, prison conditions and the quality of life for prisoners have improved.

Prisoners are obligated to work while serving time in prison. If an inmate fails to work, the convict is required to pay the cost of his imprisonment and is forced to stay in a special room during the working hours. Those who cannot work and the elder individuals are exempt from the service of labor. Prisoners who exhibit good behavior, good working results, or exemplary action can be rewarded. The convict can be rewarded such things as a temporary release from prison for up to fifteen days, praise, special visit permission, special packet permission, pocket money

increase, or financial and material reward. Prisoners today have certain rights that cannot be alienated while in prison. Inmates have a right to receive and send letters, to receive packets, and to be allowed visitation by relatives. They have the right to use cultural and educational resources, such as the prison library, and to explore sport and hobby opportunities, legal education, and medical education. There are also legal regulations allowing them to further their education.

### Prison Statistics.

- Total Prison Population: 8,891
- Prison Population Rate per 100,000: 165
- Pretrial Detainees: 33.1%
- Female Prisoners: 2.5%
- Juvenile Prisoners: 0.7%
- Number of Prisons: 18
- Official Capacity of the Prison System: 9,500
- Occupancy Level: 93.6%

### MOST SIGNIFICANT ISSUES FACING THE COUNTRY

The most significant issue facing Slovakia with regard to its criminal justice system is the lack of trust from the community and society toward police. The Police Corps is viewed as a corrupt organization that can be bought with bribes. The ethnic groups within the country do not believe the police will help with racial violence and feel the police ignore the problems plaguing the country.

With regard to the country itself, organized crime is becoming more effective, and with the effects of globalization, it is growing everywhere. Slovakia is a key midpoint for shipment between the Asian continent and the remainder of Europe. The Slovak legislation has loopholes inherent in the system that allows organized crime to flourish and grow within the borders. Drugs pass through the country regularly, and the internally organized crime is beginning to develop a larger production of drugs.

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***Ryan Lacina  
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# Slovenia

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**Official country name:** Republic of Slovenia

**Capital:** Ljubljana

**Geographic description:** Located in central Europe, bordering the eastern Alps with a small coastline on the Adriatic Sea

**Population:** 2,011,070 (est. 2005)



## LAW ENFORCEMENT

**History.** Slovenia came under the rule of Habsburg princes in the late thirteenth century. It would remain a part of the Habsburg Empire until the end of World War I, when it became part of the newly created Kingdom of Serbs, Croats, and Slovenes. In 1929 the Kingdom of Serbs, Croats, and Slovenes was renamed Yugoslavia. Nazi, Italian, and Hungarian forces occupied Slovenia during World War II. After the war Slovenia was one of the republics in Communist Yugoslavia led by Josip Broz Tito. Following the death of Tito in 1980, Slovenia sought more autonomy within communist Yugoslavia. In 1991 Slovenia declared its independence from Yugoslavia and adopted its own constitution.

**Structure and Organization.** The Slovenian police force is a part of the Ministry of the Interior. It consists of the General Police Directorate (GPD), which operates at the national level. It has eleven regional police directorates and ninety-nine local police stations. The headquarters of the GPD are in Ljubljana. The director general of the police is in charge of the police force and heads the GPD.



The regional directorates are led by directors and the local police stations by commanders.

**Principal Agencies and Divisions.** The GPD adopts guidelines, determines strategies, and monitors the enforcement of police duties. The police directorates carry out the work of the police force at the regional level. The local police stations perform duties relating to general and transport safety and border security. The commanders of police stations report to the regional directors.

The GPD includes the following components: the Office of the Director General of the Police, the Uniformed Police Directorate, the Criminal Police Directorate, the Operation and Communication Center, the Special Unit, the Police Academy, the Occupational Health and Safety Service, and the Information and Telecommunications Service. Within the Office of the Director General of the Police are found the Supervision Division, the Division for Complaints, Internal Affairs and Assistance to Policemen,

the System Analysis Division, the International Cooperation Division, and the Office of Public Relations. Within the Uniformed Police Directorate are found the Public Order Sector, the Road Traffic Sector, the State Border and Aliens Sector, the Sector for the Organization and Development of the Uniformed Police, the Defense Planning and Police Specialties Sector, the Flight Police Unit, the Police Orchestra, and the Aliens Center. Within the Criminal Police Directorate are found the General Crime Sector, the Economic Crime Sector, the Organized Crime Sector, the Special Tasks Sector, the Computer Crime and Crime Analysis Sector, the International Cooperation Sector, the Forensic Research Center, and the Mobile Crime Units. Within the Police Academy are the Police High School and the Police College and the Training and Education Center.

The police directorates at the regional level have the following components: the Office of the Director of the Police Directorate, the Uniformed Police Office, the Criminal Police Office, the Operation and Communication Center, and the Logistic Division. The eleven regional police directorates are Celje, Koper, Kranj, Krško, Ljubljana, Maribor, Murska Sobota, Nova Gorica, Novo Mesto, Postojna, and Slovenj Gradec.

The Slovenian police force is required to operate within laws established by the political system consistent with the constitution of the country. The basic law governing the police force is the Police Act of the Republic of Slovenia. Article 3 of the police act lists the basic responsibilities of the police force as being:

- Protection of people's lives, personal safety, and property
- Prevention, disclosure, and investigation of criminal offenses and misdemeanors, the disclosure and arrest of perpetrators of criminal offenses and misdemeanors, and the implementation of searches for wanted persons and their handover to the proper authorities
- Maintenance of public order
- Supervision and direction of traffic on public roads and unclassified roads currently in use for traffic
- Protection of state borders and the implementation of border control
- Implementation of duties set forth in the Aliens Act
- Protection of certain individuals, agencies, buildings, and districts
- Protection of certain places of employment and classified state information unless otherwise prescribed by law
- Implementation of the tasks set forth in this act, other acts, and executive regulations

**Salaries.** The Slovenian national currency is the tolar. In 2001 the police force budget totaled 44,831,923,000 tolar, of which 35,115,804,000 tolar (78%) went into salaries. In 2002 the police force budget totaled 50,255,592,000 tolar, of which 39,170,738,000 tolar (77%) went into salaries (Ministry of the Interior 2003a). For every year of service in the police force beyond the first five years, a police officer is entitled to a bonus of 0.5 percent of his or her basic salary. Specific salary schedules by position and rank are not openly published.

**Retirement Age.** A male police employee of at least forty-five years of age with a minimum of thirty years of qualifying service, or a female police employee of at least forty years of age with a minimum of twenty-five years of qualifying service, including at least fifteen years of service with the status of an authorized officer, according to the Internal Affairs Act, or with the status of a police officer, has the right to retire six months after submitting a request to retire. The retirement pension is estimated to be 65 percent of the basic salary. Every year worked beyond the pension minimum of thirty years for males or twenty-five years for females increases the basic pension by 2 percent to a maximum of 85 percent of the basic salary.

**Hierarchy and Ranks.** The GPD operates at the national level. The police directorates carry out the work of the police force at the regional level and are subordinate to the GPD. The local police stations report to the police directorates.

The specific ranks, from highest to lowest, in the Slovenian police force are:

- Director General of the Police
- Deputy Director General of the Police
- Chief Police Superintendent
- Senior Police Superintendent
- Police Superintendent First Class
- Police Superintendent
- Chief Police Inspector
- Senior Police Inspector
- Police Inspector First Class
- Police Inspector
- Junior Police Inspector
- Senior Police Officer
- Police Officer First Class
- Police Officer
- Junior Police Officer



- Auxiliary Police Officer
- Cadet of the Police High School

**Police at Work.** The basic rights and responsibilities of the Slovenian police force at work are outlined in article 33 of the Police Act of the Republic of Slovenia. Article 33 states that “while on duty, police officers may warn, give orders, determine a person’s identity and initiate identification procedures, make a security check on a person, issue summons, perform a safety check, deny entry to a certain territory, perform an anti-terrorist search of premises, buildings, instruments and territories, arrest and bring in a person, detain a person, order strict police surveillance, confiscate items, enter a private residence and private premises, make use of transportation and communication means, apply undercover police coercive and any other measures authorized by law.”

**Police-Community Relations.** The Slovenian police force commonly informs the people of important information related to their security. Particular effort is devoted to informing the public of preventive measures to fight crime and the rights of citizens in police procedures. An attempt is made to inform the people of police work through news articles and profiles in the media, open houses, and public meetings. In 2001 the police organized 375 press conferences and issued 3,790 reports, notices, and public information announcements (Ministry of the Interior 2002).

The orchestra of the Slovenian police force regularly performs concerts and is well respected in the country. Teams composed of police force employees routinely participate in national and international sporting competitions.

**Local Police.** The local unit of law enforcement in Slovenia is the police station. There are standard police stations and stations for the traffic police, border police, airport police, railway police, maritime police, mounted police, and police dog handlers. The total number of police stations is 99. All police stations are considered to have equal status, but their size is not equal. There are at least 20 police officers in a police station. Some have more than 200 officers. The categories of classification used are 1A for stations with 81 or more police officers, category 1 for stations with 51 officers or more, category 2 for stations of 31 officers or more, and category 3 for up to 30 officers. Category 3 typically applies to border, railway, mounted, airport, and police dog handler stations. Police details typically number from 10 to 20 police officers (Kolenc 2003).

**Special Police.** The special police in Slovenia consist of the Special Unit, mounted police, air police, and police

dog handlers. The Special Unit handles criminal activity involving extortion and kidnapping, illegal sale of weapons, explosives, prohibited drugs, vehicle theft, and capturing escaped prisoners. It also examines terrain and buildings to detect traces of criminal activities, assists in the search for missing persons and items, and returns foreign citizens who enter Slovenia illegally. In 2002 the Special Unit was used in thirty-nine operational actions and nine urgent interventions (Ministry of the Interior 2003a).

The air police uses helicopters to monitor road traffic and the state border and to search for criminal offenders. Police dogs are used to detect prohibited drugs and explosives. Mounted police are mainly involved in observation and protection of the public and monitoring state borders.

**Riot Police.** There is not a specifically designated riot police unit in Slovenia. Mounted police, air police, and Special Unit members perform crowd-control functions. Special Unit members often cooperate with the uniformed police in monitoring high-risk soccer matches and any protest marches. In 2002 mounted police officers were used on one occasion as a means of crowd restraint (Ministry of the Interior 2003a).

**Traffic Police.** Each regional police directorate has at least one traffic police station. Additionally, local police stations are involved in traffic safety. Traffic police regulate the traffic on public roads and enforce measures against the violators of traffic rules, examine accident sites, and protect special transports and events.

Traffic police use laser speedometers, the video surveillance system ProVida 2000, and a helicopter equipped with the I LEO system to monitor traffic speeds. They use a stationary electronic alcohol tester or etilometer to test for alcohol use. In Slovenia the permitted amount of alcohol in the blood is five grams per kilogram.

In 2002 the police force registered 571,089 traffic violations for which fines were enacted and 102,812 violations for which misdemeanor procedures were justified. There were 39,601 traffic accidents and 269 fatalities. Speeding was the leading cause for traffic accidents, followed by driving under the influence of alcohol (Ministry of the Interior 2003a).

**Education and Training.** The GPD regulates the planning and implementation of education and training for the police force. It is required that all applicants for the general and criminal police must have at least finished high school. Additionally, they must undergo a six-month training course before they can start to work as a police officer. Those interested in a police career as early as age fifteen may attend the School for Cadets (Police High School) for four years after primary school and the



*In an attempt to catch drivers speeding, Slovenian officers stand in a wooden bus shelter and aim a laser radar device at traffic going to Kocevje, a small city 40 miles south of Ljubljana, Slovenia, March 1, 2005. The operations were part of new efforts by Slovenia authorities to introduce traffic laws with higher penalties for violators. AP IMAGES.*

Higher School for Internal Affairs (Police College) for two years. The principles of the Code of Police Ethics form part of the curriculum at the police schools.

Once employed, the Higher Police Officer Educational Program and Officer Advanced Training Program offer additional educational and training opportunities. Training courses are offered in the areas of general police tasks, criminal investigation, traffic control, border affairs and foreign persons, computer proficiency, police dog handling, social skills, and special police unit training in conjunction with foreign police experts, including the U.S. Federal Bureau of Investigation.

**Recruitment and Conditions of Service.** A police officer is required to have a minimum of a secondary professional diploma and the appropriate psychological and physical ability to perform police work. A candidate cannot be a convicted criminal and cannot be involved in proceedings for a criminal offense. The candidate must have completed any mandatory service in the military of Slovenia, not be older than thirty years of age, and be both a citizen and permanent resident of the Republic of Slovenia. Women are not required to serve in the military before being employed as police officers.

A candidate who has accepted employment as a police officer must pass an examination before beginning work. After passing the examination, the candidate must take the following oath: "I solemnly swear to carry out my police duties in a conscious, responsible, and humane manner, in accordance with the law and with respect to human rights and basic liberties." A new police recruit signs a statement that he or she accepts the contents of the Code of Police Ethics on joining the force.

A police officer must take a professional, psychological, and physical competency test at least every three years. He or she may retake the test a maximum of two consecutive times. If the test is not passed, the officer is terminated.

**Uniforms and Weapons.** The Slovenian police force has winter, summer, work, and solemn police uniforms, each with its own special type of cloth and headgear. Component parts of each uniform include rank insignia and police symbols. The basic color of the uniform is blue. Police officers also wear special uniforms, such as camouflage, skiing, pilot, motorcycle, and naval.

The uniformed police may perform some of their tasks in civilian clothes when directed by their supervisors.

Detectives usually wear civilian clothes and they identify themselves with police identification cards. The appearance of the Special Unit is different from that of regular police and the public rarely sees the unit members with their faces uncovered. They usually perform their tasks in work uniforms, which are dark gray and have a panther patch on the right shoulder. The head gear of their solemn uniforms is also different from that worn by the regular police.

The weapons issued and used by the Slovenian police force include pistols, revolvers, automatic pistols, semiautomatic and automatic rifles, heavy machine guns and machine guns, sniper rifles, shotguns, hand grenades, grenade and gas launchers, and pyrotechnical devices. The most basic weapon issued to uniformed police officers is the rubber truncheon.

Standard-issue pistols are the Beretta M92, for the uniformed police, and the Beretta M8000, for detectives. The Berettas have replaced the Crevna Zastava M1 70, which was used during the 1970s and 1980s. Specific long-barreled weapons include Heckler-Koch machine guns, M70 automatic guns, and M59/66 semiautomatic guns.

**Transportation, Technology, and Communications.** In carrying out its responsibilities, the Slovenian police force uses bicycles, motorcycles, white-blue patrol vehicles, unmarked vehicles, smaller and larger intervention vehicles, special vehicles for the investigation of sites of traffic accidents, vehicles for the survey of crime scenes, vehicles designed to transport police dogs, all-terrain vehicles, special trailers for the transport of horses and vessels, and armored transporters equipped with water guns. At the end of 2002 the total number of vehicles in use by the Slovenian police force was 2,050, including 812 personal unmarked vehicles, 539 personal police vehicles, 235 all-terrain vehicles, 184 motorcycles, 124 intervention vehicles, and 74 combined vehicles (Kolenc 2003).

Besides vehicles, the Slovenian police force operates a small fleet of helicopters. The police operate five helicopters, two AB-206 Jet Rangers, an AB-212, an AB-412, and an EC-135. They are used for VIP transport, transport of various cargo and the Special Unit, border monitoring, search and rescue missions, medical evacuation, and traffic surveillance (Kolenc 2003).

To monitor and protect the territorial waters of the country, the Slovenian police force uses patrol rescue boats P111 and P66 and the rubber boat P88. Boat P111 is equipped with two radars, a satellite navigator, an electronic map, depth indicators, a printer, and two magnetic compasses (Kolenc 2003).

Similar to the 911 system used in the United States, the Slovenian police force operates a 113 system. In 2001 the police received 801,020 calls from citizens on the 113

number. On the basis of these calls, 166,422 police patrols were referred to the scene of an event. In 2002 the police received 557,137 calls from citizens on the 113 number, a decrease of 30.5 percent from the previous year. While the total number of calls declined, the number of police patrols based on intervention calls increased to 180,391 (Ministry of the Interior 2003a).

The average reaction time of police patrols was sixteen minutes and twenty seconds for emergency interventions, and twenty-two minutes and forty-seven seconds for all events (Ministry of the Interior 2002).

The Slovenian police force has access to Interpol's new I-24/7 Global Communications System. Using the Internet, I-24/7 makes encrypted data and communications tools from around the world instantly available to the Slovenian police.

**Surveillance and Intelligence Gathering.** The Slovenian police force regularly monitors signaling and security devices in buildings, homes, and facilities. In 2001 police patrols carried out 1,948 responses to the triggering of such signaling and security devices. In more than 90 percent of the cases it was established that the signaling or security devices were triggered either accidentally or for unknown reasons (Ministry of the Interior 2002).

Equipment for the surveillance of the state border include telescope mirrors, endoscopes, carbon dioxide detectors, and ultrasound indicators. Ultraviolet light and magnifiers are used to detect forged travel and other documents and for checking the security features of documents.

**Police Officers Killed in the Line of Duty.** It is quite rare for a police officer to be killed in the line of duty in Slovenia. For instance, no police officers were reported killed in the line of duty in either the 2001 or 2002 annual report of the Slovenian police.

**Police Statistics.** As of December 2002 there were 8,931 employees of the Slovenian police force (7,132 men and 1,799 women). The number of uniformed police officers was 5,855 (5,457 men and 398 women). The number of plainclothes police officers was 1,537 (1,317 men and 220 women). The average age of police employees was thirty-three years old (Ministry of the Interior 2003a).

## HUMAN RIGHTS

The Constitutional Court of the Republic of Slovenia is the highest authority of judicial power for the protection of the constitution, legality, human rights, and fundamental freedoms. The court exercises the power of judicial review over statutes and executive decrees. It has jurisdiction with respect to constitutional complaints in

relation to violations of human rights and fundamental freedoms.

The Code of Police Ethics contains the basic principles that regulate the interaction of the Slovenian police force with the public. The code takes into account and embodies rules included in the General Declaration of the United Nations on Human Rights, the International Treaty on Civil and Political Rights, the Declaration on Protection of All People from Torture and Other Forms of Cruel, Inhuman, or Humiliating Treatment or Punishment, the Declaration on Police, and the constitution, laws, and other regulations of the Republic of Slovenia.

The government of Slovenia routinely permits prison visits by independent human rights observers and the media. The death penalty was abolished in 1989. In 2002 four criminal offenses of incitement of religious, national, or racial hatred were reported by the Slovenian police force (Ministry of the Interior 2003a).

#### CRIME

Overall, crime rates in Slovenia are below the European average. The country's geographic position, stable economy, and developed financial system are typically offered as reasons why the crime rate is low.

**Criminal Identification and Forensics.** The Forensic Research Center of the Slovenian police force is equipped with chromatographs, spectrophotometers, electrophoresis, automatic analyzers of genes, and color photography labs with computer systems for fingerprint identification. The center maintains DNA profiles of criminal suspects, fingerprint records, and computer-designed photographs of unknown persons. It routinely performs laboratory investigations related to physics, chemistry, biology, and dactylography.

In 2002 criminal technicians participated in 5,002 inspections of crime scenes. They identified 340 criminal suspects on the basis of fingerprints and offered 934 expert opinions (Ministry of the Interior 2003a). The most frequent requests of the Forensic Research Center were tests for DNA, of samples of illicit drugs, and of traces left behind by criminal suspects.

The Slovenian police force routinely uses polygraph tests to eliminate innocent people from further investigation. Polygraph tests are not admissible in Slovenian courts.

**Organized Crime.** The Slovenian police force reports organized crime activity in the areas of money laundering and counterfeiting, illicit drugs, illegal weapons, organized car theft, illegal migration and smuggling, prostitution and enslavement, blackmail, kidnapping, bribery, and tax fraud and evasion.

In 2002 the Slovenian police force reported that organized crime was involved in 253 cases of illicit drug trading, 196 cases of illegal migration, 19 cases of illegal weapons trading, 13 cases of blackmail, and 4 cases of illegal explosions (Ministry of the Interior 2003a).

**Crime Statistics.** There are three categories of punishable acts in Slovenia: criminal offenses, economic offenses, and petty offenses. Statistics for criminal and economic offenses are readily available. In 2002, 77,128 criminal offenses were committed, a 3.2 percent increase from the previous year. Specifically, there were 78 murders, 86 rapes, 410 criminal offenses of serious bodily injury, 449 robberies, 548 illegal national border crossings, 1,534 criminal offenses of illegal drug abuse, and 16,341 burglaries (Ministry of the Interior 2003a).

Also in 2002 the Slovenian police dealt with 8,527 criminal offenses in the area of economic crime, a rise of 18.2 percent from the previous year. Specifically, there were 5 cases of money laundering, 520 cases of embezzlement, 2,079 instances of business fraud, and 2,516 cases of bad checks and unauthorized use of bank cards (Ministry of the Interior 2003a).

#### CORRECTIONAL SYSTEM

**Prison Conditions.** Prison conditions in Slovenia generally meet international standards. Male and female prisoners are held separately, juvenile offenders are held separately from adults, and convicted criminals are held separately from pretrial detainees.

**Prison Statistics.** Slovenia has a prison population of 1,129, which is an incarceration rate of 30 per 100,000. There are fourteen prisons, of which thirteen are for men and one for women. Nine of the prisons are maximum security and five are minimum security. Pretrial detainees make up 27.1 percent of the total prison population, female prisoners 4.1 percent, and juvenile prisoners 1.3 percent. The official capacity of the prison system is 1,103 and occupancy level is 102.4 percent.

#### MOST SIGNIFICANT ISSUE FACING THE COUNTRY

Slovenia became a member of both the North Atlantic Treaty Organization (NATO) and the European Union (EU) in 2004. Conformance on the part of Slovenia to the policies of both NATO and the EU, particularly the Schengen standards of the EU, are the most significant issues facing the country in the near term. Continued Slovenian participation, including by the police force, in peacekeeping missions in Kosovo, Macedonia, East Timor, and Albania is also of pressing concern.

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*Samuel E. Watson*

# Solomon Islands

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**Official country name:** Solomon Islands

**Capital:** Honiara

**Geographic description:** Group of islands in the South Pacific Ocean, east of Papua New Guinea

**Population:** 538,032 (est. 2005)



## LAW ENFORCEMENT

**History.** The Royal Solomon Islands Police was the creation of the British. At independence the force was indigenized.

**Structure and Organization.** The Solomon Islands Police Force (SIPF) is a relatively small establishment containing about 700 officers and men. Its mission includes, besides conventional law enforcement, immigration control, firefighting, and the administration of prisons. The force is also called on frequently to participate in ceremonial functions and maintains a small band for that purpose. Since Solomon Islands does not have a military establishment, the police are also called on frequently to handle national security functions.

Administratively, the force comprises six grades of officers and men: chief of police, officers, inspectors, noncommissioned officers, constables, and prison wardens. Operationally, the SIPF is divided into four police districts, which correspond to similar divisions in the political administration. Each district is commanded by a police inspector and is assigned operating forces in accordance with geographical and population needs. The Western District covers Choiseul Island and the



Shortland and New Georgia Island groups from its headquarters on Gizo Island in the New Georgia group. The Central District includes Santa Isabel, Guadalcanal, Bellona, Rennell, and the Russell and Florida island clusters. Its headquarters is contiguous to that of the overall force at Honiara. The Malaita District embraces Malaita Island, Sikaiana, and the Ontong Java atoll. Its headquarters is at Auki on Malaita. The Eastern District directs police activities on San Cristóbal and Santa Cruz from its headquarters at Kirakira on San Cristobal.

Since the takeover of Honiara in June 2000 by militants from the island of Malaita, the police force has become factionalized and ineffective. One faction, the paramilitary Police Field Force, is directed by militant Malaitans rather than the police commissioner. As many as 2,000 former untrained militants have been taken into the police force as “special constables” who are not answerable to the official command structure.

**Education and Training.** Training for all ranks is carried out at the Police Training School at Honiara. Facilities at this institution are quite limited. Two courses in basic police activities are presented each year, as well as one designed to prepare constables and inspectors for promotion. It also conducts an annual course in criminal investigation. There is no training for direct entry into officer ranks. Advanced training is lacking, but officers and men of the lower ranks requiring specialized training in fingerprinting and administration are regularly sent to the appropriate schools abroad. Among the foreign schools most frequently attended are Bramshill Police College and Herndon Police Training School in England, the headquarters school of the Royal Papua New Guinea Constabulary, and the Nases Police School near Suva in Fiji.

**Uniforms and Weapons.** Members of the SIPF are issued two uniforms, one for duty wear and the other for ceremonial dress occasions. The working uniform consists of a khaki shirt and shorts, a blue beret, and black sandals; the dress uniform has a white tunic, a blue *sulu* (short sarong), and black sandals. Both types are worn with a black belt superimposed on a red sash.

#### Police Statistics.

- Total Police Personnel: 780
- Population per Police Officer: 690

#### HUMAN RIGHTS

The armed conflict between Malaitan and Guadalcanalese militants and the takeover of the government by Malaitans has resulted in a serious deterioration of the human rights situation. The police force, which is dominated by

Malaitans, commits many human rights abuses, including killings, abductions, torture, rape, forced displacement, looting, and the burning of homes. The government has not ordered an independent judicial investigation of these abuses.

#### CORRECTIONAL SYSTEM

All prisons except one were closed following the ethnic conflict between the Guadalcanalese and the Malaitans. Almost all the inmates were either released or were allowed to escape. Some of the escapees joined the militant factions.

Before the conflict, the chief of police was also the superintendent of prisons and ran the country's four major prisons and directed the activities of their wardens and keepers. The Rove Prison at Honiara, serving the Central District, was the largest and best equipped. It housed prisoners condemned to long prison sentences. Similar but smaller prisons, called district prisons, were established at the headquarters of the other police divisions. Official policy was rehabilitation rather than retribution. All prisons provided vocational training and adult education classes.

#### Prison Statistics.

- Total Prison Population: 275
- Prison Population Rate per 100,000: 56
- Pretrial Detainees: 25.5%
- Female Prisoners: 1.5%

*George Thomas Kurian*

# Somalia

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**Official country name:** Somalia

**Capital:** Mogadishu

**Geographic description:** Easternmost country on the Horn of Africa, bordering on the Indian Ocean

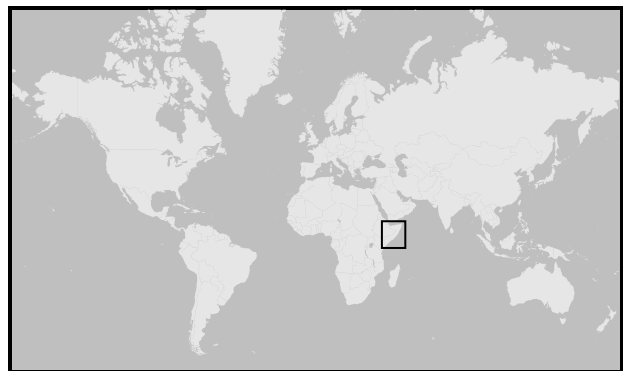
**Population:** 8,591,629 (est. 2005)



## LAW ENFORCEMENT

**History.** The Somali Police Force ceased to exist by 1991. The Somali Police Force grew out of the police forces employed by British and Italians in British Somaliland and Italian Somalia, respectively. The earliest Somali law enforcement agency was an armed constabulary of about fifteen men established in 1884 to police the northern coast. In 1910 the British formed the Somaliland Coastal Police, and in 1912 they formed the British Somaliland Camel Constabulary to police the interior. The Camel Constabulary took part in the operations against Sayyid Mohamed ibn Abdullah Hassan but were ambushed in 1913, losing their leader and most of their 150-man force. They were later reformed and continued to operate until 1920.

In 1926 the British formed the first properly constituted modern police force in the colony. Called the Somaliland Police Force, it was led by British officers, but included Somalis in the lower ranks. They were aided by uniformed and armed rural constabulary (*illalo*) who brought offenders to court, guarded prisoners, patrolled local townships, and accompanied nomadic townsmen over grazing areas.



Meanwhile, in Italian-held Somalia military forces were used to maintain public order until 1914, when they developed a small coastal police and a rural constabulary (*gogle*) for that purpose. By 1930 this force comprised some 300 men.

When the fascists took over Italy, Italian administrators reconstituted the former Somali Police Corps into a more efficient force called *Corpo Zaptie*. The ranks of the older police corps were purged, and Somali, Eritrean, and Arab troops were recruited to bring the strength of the *Corpo Zaptie* to about 800. Italian *Carabinieri* officers trained and supervised the new corps, and new barracks were built to house them. When the *Corpo Zaptie* proved ineffectual against the nomadic population of Benadir, Obbya, and Mijerteyn, other *askaris* (policemen) were recruited from local clans to disarm the unruly tribes. During the Ethiopian War the *Corpo Zaptie* expanded to about 6,000 men.



In 1941, after an initial defeat and expulsion from the Horn of Africa, the British returned to crush the Italians and recover the area. The British then established a British Military Administration over both protectorates. The *Corpo Zaptie* was disbanded and replaced by a hastily recruited Somalia Gendarmerie, under British officers. By 1943 this force had expanded to more than 3,000 men, led by 120 British officers. In 1948 the Somalia Gendarmerie was renamed the Somali Police Force. However, the British let the former Italian colony's rural police survive without major changes, since it resembled their own.

At about the same time a school was opened for training Somali officers and noncommissioned men. By 1949 a few of its graduates had reached the rank of chief inspector, the highest noncommissioned rank.

When in 1950 the southern area became the Trust Territory of Somaliland under Italian administration, Italian *Carabinieri* officers and Somali personnel from the Somali Police Force formed the Police Force of Somalia (*Corpo de Polizia della Somali*), commanded by Italian officers. In 1958, two years before independence, the force was completely Somalized and redesignated the Police Force of Somalia (*Forze de Policia della Somalia*). Similar progress was not made in British Somaliland. Somalis did not receive positions of command until just before independence, and British officers were not withdrawn until 1960. At that time the northern and southern forces were integrated.

Of the 3,700 men and officers in the police force at independence, 1,000 belonged to the Mobile Group (*Darawishta Poliska*). This force was used to keep peace in the interior, where frequent disputes over water and grazing rights often led to fighting between rival clans or lineages. The most serious crisis of this nature happened in 1965, when the police had to declare an emergency and used the infantry to restore order.

A police air wing with Cessna light aircraft and one Douglas DC-3 was formed in 1961 to provide assistance to field police units and to the *Darawishta Poliska* through airlift of supplies and reconnaissance. A small unit of policewomen was formed, also in 1961, for interrogating female prisoners and for supervising abandoned girls, prostitutes, and female juvenile delinquents.

By the time of the 1969 military coup (marking the beginning of Somalia's disintegration), the Somali Police Force had grown to 6,000 in strength. Aid from Germany, Italy, and the United States had helped to bring the force up to high professional standards.

**Structure and Organization.** Somalia is what is known as a failed state, in which there are no effective national institutions or any public order. The country has reverted

to its traditional state of anarchy in which each tribe or lineage follows legal conventions and norms handed down through generations. According to these conventions, disputes or acts of violence, including homicide, are wrongs affecting not only the parties involved but also the entire group or lineage to which the offenders and victims belong. The offending party and his group would pay *dia*, or blood compensation, often in the form of livestock, to the injured party and his group. After independence, there was some attempt to develop a modern system of criminal and civil laws, but these attempts were aborted by the civil war. In the absence of a civil society, the *dia*-paying legal system is the basis of criminal justice.

Between 1960 and 1991 the Somali Police Force was an active national institution. Public order was the legal responsibility of the minister of the interior (normally a general of the army), regional governors, and district commissioners. The police were part of the armed forces, but the police commandant was under the ministry of justice. The force was divided into various departments, known as divisions, with branches in all jurisdictions. Each region had a regional commandant and each district a commissioned officer. Outside Mogadishu the chain of command ran through group commands, divisional commands (corresponding to the regions), subdivisional commands (corresponding to the districts), station commands, and police posts.

The Mobile Police comprised the *Darawishta Poliska* and the Riot Unit (*Birmadka Poliska*). The former operated in remote areas and the frontier, and the latter was a crack emergency unit and an honor guard for ceremonial functions.

Technical and specialized units included the Tributary Division, the Criminal Investigation Division (CID), the Communications Unit, and the Training Unit. The CID handled investigations, fingerprinting, criminal records, immigration, and passports in rural and urban areas. Service units included the Transport Department, Central Stores, and Health Service. The Police Custodial Force consisted of prison guards.

In 1972 the government organized a paramilitary force known as Victory Corps with powers of arrest. In urban and rural areas they constituted a vigilance corps, scrutinizing particularly contacts between Somalis and foreigners. Dressed in green, they were highly visible and much feared. There was also a Treasury Guard based on the Italian force of the same name and with similar duties and a political police known as the National Security Service.

Police ranks were divided into five groups: senior officers, junior officers, inspectors, noncommissioned officers, and *askaris*. Inspectors were equivalent to warrant

## *Somalia*

officers in the army. Pay and allowances were the same as for members of the Somali armed forces.

**Education and Training.** Recruits to the police force were required to be between seventeen and twenty-five years of age, without any criminal record, and be physically fit. After enlistment, they received a six-month training at the Police Academy at Mogadishu or Mandera. Once this training was complete, recruits took an examination; those who passed served two years in the force. At the end of two years they were offered a contract. Officers underwent a stiff training course for nine months. The Darawishta Poliska received a special training in a six-month tactical course.

### **Police Statistics.**

- Total Police Personnel: 14,357
- Population per Police Officer: 598

### **HUMAN RIGHTS**

Because of the lack of central authority, human rights abuses are common. Kidnapping, murder, and torture are routine occurrences with the complicity of local warlords. Internecine clan warfare has led to a cycle of violence and retribution.

### **CRIME**

**Crime Statistics.** Offenses reported to the police per 100,000 population: 144. Of which:

- Murder: 1.5
- Assault: 8
- Burglary: 31.2

### **CORRECTIONAL SYSTEM**

The Somalia Penal Code, which was in force from 1964 to 1991, was the first attempt to modernize the legal system and establish the constitutional supremacy of

law over all citizens. It replaced customary law with a written code in which penal responsibility was declared to be personal and not collective. Criminal offenses were defined as those committed willfully so as to cause harm to another person, to property, or to the state. The accused was assumed to be innocent until proven guilty beyond all reasonable doubt. The burden of proof rested with the accuser or prosecutor. The penal code classified offenses as with crime or contraventions, the latter being legal violations without criminal intent. It prescribed a maximum and minimum punishment but left the actual sentence to the discretion of the judge. The penal code recognized the social and rehabilitative nature of punishment and its role in restoring the offender to a useful place in society. Matters relating to arrest and trial were governed by the Criminal Procedure Act that also came into effect in 1964. It recognized the right of habeas corpus and required an arrested person to be brought before a judge within twenty-four hours.

Somalia inherited a primitive penal system from the colonial administrations. There were forty-nine correctional institutions in the country, of which the Mogadishu Central Prison was the largest. There was a youth reformatory at Afgoi, on the outskirts of the capital. Other major prisons were at Hararyale, Bossasso, Puntland, Shirkhole, and Hargeisa.

**Prison Conditions.** Prison conditions are life-threatening and harsh, marked by overcrowding, poor sanitary conditions, a lack of access to adequate health care, and absence of educational and vocational facilities. Tuberculosis is widespread. Abuse by guards is reportedly common. The costs of detention are borne not by the state but by the inmates and their clans. Inmates receive their daily rations from their family members or relief agencies. Ethnic minorities make up a large portion of the prison population.

*George Thomas Kurian*

# South Africa

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**Official country name:** Republic of South Africa

**Capital:** Pretoria (executive); Bloemfontein (judicial); Cape Town (legislative)

**Geographic description:** Southernmost country in Africa, occupying land south of the southern borders of Namibia, Botswana, Zimbabwe, and Mozambique

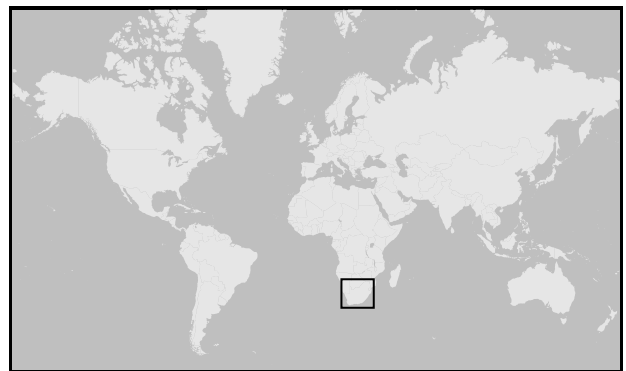
**Population:** 44,344,136 (est. 2005)



## LAW ENFORCEMENT

**History.** South Africa had an extensive police system even in the nineteenth century. The Boer republics had paramilitary mounted police forces, such as the Transvaal Police and the Orange River Colony Police, and the Cape Colony had the Cape Constabulary, which was modeled on London's Metropolitan Police Force. It was aided by the Water Police, which patrolled the waterfront against smugglers. In rural districts law and order were maintained by constables known as *landdrosts*, who could call on the assistance of local volunteers when needed. In Natal the Mounted Police undertook law enforcement in the neighboring British colony and provided effective support during the Zulu War of 1879.

After the Anglo-Boer War ended in 1902 in British victory, the new British administration reorganized the Mounted Police in Transvaal and Orange Free State. The police forces of the four provinces were consolidated soon after the Act of Union of 1910 and from this amalgamation two law enforcement agencies emerged. The Mounted Riflemen were detailed to rural areas and to border patrol and the South African Police (SAP) to



urban areas. When the Mounted Riflemen were conscripted during World War I, the SAP assumed law enforcement duties throughout the nation, although this jurisdiction became statutory only in 1936, when the SAP absorbed the Mounted Riflemen. From 1939 to 1990 the SAP also policed Namibia.

**Structure and Organization.** The SAP is a centrally organized law enforcement agency operating under the Ministry of Police. All SAP operations are controlled from a central headquarters in Pretoria by a commissioner of police. For police purposes, the country is divided into eighteen divisions, each under a divisional commissioner. Each division comprises a number of police districts, each under a divisional commandant. Within these districts there are over a thousand police stations, each under a station commander.

Operationally, the SAP is organized into three branches: Uniformed, Detective, and Security. The bulk

of the force is employed in the Uniformed Branch, where police recruits are initially assigned as recruits. As part of the Uniformed Branch, the Quartermaster Division is responsible for supplies and maintenance of police equipment. The Uniformed Branch also makes extensive use of police dogs trained at Kwaggaspoort Dog Training School in Pretoria. Most of the animals are German shepherds trained for tracking and detecting drugs and sniffing out landmines. They are also given parachute training so they can be dropped from the air into areas inaccessible to motorized police. The Radio Patrol Service, popularly known as the Flying Squad, works in tandem with the SAP Air Wing.

The Detective Branch is a centralized service that includes the Criminal Investigation Division and the Special Branch. The latter is concerned with intelligence-gathering, surveillance, and investigation of subversive activities. The Criminal Bureau serves as a clearinghouse for fingerprints and as an archives for criminal records. The Narcotics Squad investigates drug trafficking. The SAP has a forensic science laboratory that is considered among the best in the continent.

The Security Branch is responsible for border patrol and internal security operations. It is composed of mobile units trained in riot control and counterinsurgency tactics ready for deployment anywhere in the country at short notice. All units are self-sufficient in weaponry communications, transportation equipment, and logistical support. In operational situations they are provided with camouflaged dress, gas masks, body armor, and helmets and are armed with assault rifles, automatic weapons, shotguns, and tear-gas canister launchers. Units are transported in armored personnel carriers and specially designed riot trucks. Besides an array of lethal ordinance, units also rely on rubber bullets, electric prods, Plexiglas shields, and sneezing machines. Riot control is undertaken by platoon-sized units accompanied by dog units.

The other main branches and units are:

- Narcotics Bureau, established in 1974
- Commercial Branch, which deals with company fraud
- Diamond and Gold Branch
- Sock Theft Branch, to curb cattle rustling
- Special Guard Unit, a secret service that provides security to the president and other state officials
- Horse Unit
- Spiritual and Social Services Unit
- Police Band
- Dog School
- Police Museum



***A South African policeman stands guard while a woman and child walk near a protest being held by Madala Farm residents in Cape Town, South Africa, July 7, 2005. Protesters demanded housing and basic services for their makeshift settlements from the African National Congress local government. During the protest, confrontations erupted and police fired rubber bullets at crowds who threw stones, burned tires, and created roadblocks. AP IMAGES.***

The Police Reserve, established in 1961, is composed of civilian volunteers who perform ordinary police duties when members of the regular force are diverted to other duties. It consists of four separate personnel categories:

- Group A: Reservists who serve full time during emergencies. They receive training and are issued firearms.
- Group B: Home guards who perform part-time police duties in their own neighborhoods.
- Group C: Typically employees of local authorities and key industries who may be called on to protect their employers' property during emergencies.
- Group D: Civilians who serve as a restraining force during the initial stages of an emergency until regular police arrive.

***Provincial Police.*** Commanded by a provincial commissioner, each provincial office is located within

its respective capital. The provincial commissioner oversees anywhere between three to eight police areas, each headed by an area commissioner, who is in command of a number of police stations, each headed by a station commander. The station commander is in charge of local patrols. There are over 1,100 SAP police stations nationwide.

**Municipal Police.** The municipal police are considered separate from the SAP and exist primarily to supplement federal law enforcement. Major urban areas like Johannesburg, Cape Town, and Durban have long had local police forces operating primarily in black neighborhoods.

**Education and Training.** All senior officers are promoted from the ranks and there is no direct entry into the commissioned ranks.

The SAP places great emphasis on training. The broad scope of technical and academic instruction, coupled with drill and combat training, has led to a high level of professional competence. The four training institutions are: the South African Police Training College in Pretoria, Hammanskraal north of Pretoria, Bishop Lavis Police Depot near Cape Town, and Wentworth, near Durban. Recruits in all four institutions undergo identical training for six months.

Recruit training includes both practical and theoretical instruction in physical conditioning, self-defense, first aid, use of firearms, crowd and riot control, close-order drill, and infantry tactics. Physical training includes karate, jujitsu, boxing and wrestling. Instruction is also given in various police laws and lectures are given on social problems, such as race relations, drug abuse, and alcoholism. After completing basic training, recruits are promoted to the rank of constable and assigned for two months of duty with a metropolitan police station before receiving a permanent station assignment.

Besides training recruits, SAP schools also provide instruction for police specialists, advanced courses in criminology and law enforcement techniques for senior personnel, and refresher courses in the use of firearms and riot-control procedures. Security Branch forces receive intensive training in counterinsurgency tactics. Other courses include crime laboratory work, the use of electronic devices, computer technology, radio operation and repair, motor vehicle operation and maintenance, horsemanship, and veterinary science. A course leading to a degree in law enforcement is offered at the University of South Africa.

Women have been admitted to the SAP since 1972, but female applicants must either be widowed or single.

**Uniforms and Weapons.** Police uniforms consist of a blue-gray belted jacket worn with lighter gray trousers and a peaked cap. Constables and noncommissioned

officers add a black Sam Browne belt. In summer police wear blue-gray bush jackets and shorts. All constables on patrol duty have batons and handguns. All ranks are issued a 9mm Parabellum pistol.

#### Police Statistics.

- Total Police Personnel: 102,354
- Population per Police Personnel: 433

#### HUMAN RIGHTS

The SAP was a notorious offender against human rights during the apartheid, and conditions have improved only marginally. Security forces still use excessive force and deaths in police custody are too many to be condoned. Many members of the force beat, rape, torture, and abuse detainees and suspects. Incidents of police harassment of foreigners have become more frequent in keeping with the general rise in xenophobia in the general population. Police corruption is a problem of national proportions.

The Independent Complaints Directorate (ICD) investigates police abuses, including killings and rapes. In 2002 there were 217 deaths in police custody and 311 deaths as a result of the use of excessive force. It also investigated 23 incidents of torture and 16 rapes committed by police officers. In the same year the ICD received 1,002 allegations of criminal offenses by the SAP. Of these, 35.2 percent dealt with serious assaults, 12.6 percent with attempted murder, and 10.5 percent with corruption and extortion. The ICD also received 2,913 cases of police misconduct. The government made efforts to address these abuses with an official antitorture policy and training programs in human rights. Despite these programs, the reports of abuses have actually increased. For example, cases of reported corruption increased from 30 in 2002 to 106 in 2003.

#### CRIME

**Crime Statistics.** Offenses reported to the police per 100,000 population: 7,141. Of which:

- Murder: 121.9
- Assault: 595.6
- Burglary: 896.6
- Automobile Theft: 262.7

#### CORRECTIONAL SYSTEM

The South African legal system has its roots in Roman-Dutch and English law, reflecting two great Western legal traditions. Although the former was the first to reach the country, later assimilation of English law after the British rose to power in Cape Colony in 1806

resulted in substantial modifications, both in principle and in practice. Court procedures, the jury system, and rules of evidence are all patterned on the English rather than the Roman-Dutch model. The primary source of law is legislation rather than judicial precedent. Acts of parliament, provincial ordinances, municipal bylaws, and administrative regulations govern all legal relationships.

The first Prisons Department was created in 1911 under the Act to Consolidate and Amend the Laws Relating to Convict Prisons, Gaols, Reformatories, Industrial Schools, and for Other Purposes. It remained a separate department until 1980, when the Department of Prisons was merged with the Department of Justice.

The national penal system is administered by the commissioner of the Department of Correctional Services. The department is organized into regional commands, each responsible for the operation of prisons within the command area. Ultimate authority for policymaking rests with the minister in charge, who usually holds the portfolio for justice or police in the cabinet. The senior officer within the department is the commissioner of prisons, who heads the Prison Service. Prisons are staffed by civil servants and their management is subject to review by the Public Service Commission. Operational and maintenance costs of all institutions in the system are met from the state budget. The costs include the building of new prisons or extensions to current ones.

Pay rates for prison personnel, although lower than those for the police, are good and include medical benefits, housing, and pension on retirement at age sixty. Despite such benefits, there is a high turnover of 15 to 20 percent annually, resulting from the resignation of trained prison warders, who frequently accept security jobs with private industrial concerns. Prison Service personnel are trained at Kroonstad, Pollsmoor, Durban, and Baviuanspoort, near Pretoria. The course of instruction emphasizes discipline, suitable methods of punishment, conduct toward prisoners, physical conditioning, self-defense techniques, first aid, firefighting, and close-order drill. All candidates are instructed on the Prisons Act and attend lectures on practical psychology, sociology, criminology, management, legal procedures, and agriculture.

Prison Service personnel work long hours and often have irregular schedules. Warders are armed with billy clubs, but those assigned to maximum-security prisons are authorized to carry firearms. The prisons also employ trained dogs, which are highly effective in tracking down escapees.

Local prisons are usually classified as medium security, however, there are maximum-security facilities as well. Remanded prisoners make up at least 40 percent of the prison population. Reformatories for juvenile offenders are not part of the penal system, but are administered

by a separate department. There are also a number of minimum-security prison farms, where prisoners are required to do farming. South Africa has one of the largest prison populations per capita in Africa. Blacks form the vast proportion of the inmates, making up nearly 94 percent of the prison population even though they form only 78.4 percent of the general population.

Although prisons built in the colonial period are still in use, most have extensively modernized since World War II. The trend in new prison construction begun in the 1960s, however, favored the gradual replacement of outdated prison facilities with consolidated complexes, each of which contains a reception center, a maximum-security section, and a prison farm. This concept permitted advancement from closed- to open-prison conditions without the need for transfers and readjustment to new surroundings as prisoners progressed toward completion of their confinement. Typical of modern prisons built on this model were the complexes at Pretoria, Pietermaritzburg, and Paarl in Western Cape Province. Despite the modernization of most prisons, sharp discrepancies exist in physical conditions. In many prisons, standards of hygiene, lighting, sanitary facilities, floor space, and ventilation are substandard.

The oldest prison in the system is located off Cape Town on Ribben Island in Table Bay, where Nelson Mandela was once incarcerated. The island originally served as a haven for seamen buffeted by the violent cape storms, but a penal colony was established there in the eighteenth century. It is an impenetrable maximum-security prison, where prisoners are cut off from any contact with the outside world.

Prisoners are classified according to their offenses, past records, and length of sentences, taking also into account their psychological condition and prospect of rehabilitation. About 10 percent are designated Class A and serve in prison farms under minimum security. About 80 percent are placed in medium-security institutions as Class B prisoners. The remainder, assigned to Classes C and D, are assigned to maximum-security units.

Every prisoner serving a sentence of two years or longer is transferred to an observation center after admission. A team of professional social workers, psychologists, educators, and chaplains investigate the prisoners' background, psychological and physical state, rehabilitative potential, and personality makeup as well as aptitudes. The prisoners are then classified into one of several categories. These categories determine where they are sent, the type of work they are required to do, and other aspects of their treatment.

The Prisons Service employs its own team of social workers, chaplains, and psychologists who help the prisoners even after their release. They help them to maintain

their family ties, find suitable work, and make suitable psychological adjustments to the new environment. Prison officials may also help them to hone their natural skills or acquire new ones.

Solitary confinement is usually imposed on prisoners guilty of disciplinary violations, with a reduced diet for a period not exceeding six days. For more serious violations, the period may be extended up to one month. Corporal punishment is authorized for only the most incorrigible offenders. Officially, whipping is permitted only after a medical officer certifies that the prisoner is fit to undergo such a punishment.

The release of all long-term prisoners is in the hands of the Central Release Board. There are two types of release: unconditional release and conditional release (also called parole or probation). Depending on the prisoner's conduct, he may be eligible for remission of a part of his sentence.

**Prison Conditions.** The Prisons Act of 1959 prohibits criticisms of the prison administration and imposes a blackout on information on prison conditions. Prisons do not meet international standards and sometimes do not even meet internal legal standards. The most serious problem is overcrowding, with over 75 inmates living in cells designed for 40. Prisoners are often required to sleep in shifts because of lack of space. In 2002 there were 1,087 deaths, 90 percent of which were HIV/AIDS related.

Prison employees and fellow prisoners abuse and assault prisoners physically and sexually. Rape is the single most common cause for the spread of HIV/AIDS among prisoners. Food is of poor quality and insufficient nutritionally.

The government appointed the Jail Commission in 2002 to investigate allegations of corruption and sexual abuse in prisons. The commission's report mentioned widespread irregularities, including prisoners being allowed to go AWOL, nepotism, drug trafficking, food theft, medical aid fraud, extortion, abuse of parole pro-

cedures, abuse of disciplinary inquiries and appeals procedures, and rape. In 2003, 270 reports of corruption in prisons were received by the Department of Correctional Services.

The Lindela Repatriation Center is the largest detention center for undocumented immigrants. Police regularly conduct sweeps of squatter camps and send illegal immigrants to Lindela. There are reports that these immigrants are routinely assaulted if they do not pay bribes. Immigrant children at Lindela are not provided with separate sleeping facilities.

C-MAX prisons hold the country's most dangerous prisoners. Human rights advocates raise serious concerns regarding the restrictive and solitary conditions of the inmates in these prisons.

Male and female prisoners are housed separately. Nevertheless, women inmates are often raped by male prisoners and guards. Juveniles are normally housed separately, but on occasion are housed with adults. There are credible reports that youths from the juvenile wards are sold by the guards to adult prisoners for sexual exploitation. A Child Justice Section exists within the Sexual Offenses and Community Affairs to meet the special needs of children in the corrections system.

South Africa is a signatory of the United Nations Standard Minimum Rules for the Treatment of Prisoners.

**Prison Statistics.** There are 241 penal institutions in the country, with a total prison population of 176,893. The prison population rate is 400 per 100,000 population. Of the total prison population, 29.6 percent are pretrial detainees, 2.4 percent are women, 11.4 percent are juveniles, and 2 percent are foreigners. The official capacity of the system is 109,106, yielding an occupancy level of 162.1 percent over capacity.

*George Thomas Kurian*

# Spain

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**Official country name:** Kingdom of Spain

**Capital:** Madrid

**Geographic description:** Located on the Iberian Peninsula in southwestern Europe, excluding Portugal, but including the Balearic Islands and the Canary Islands

**Population:** 40,341,462 (est. 2005)

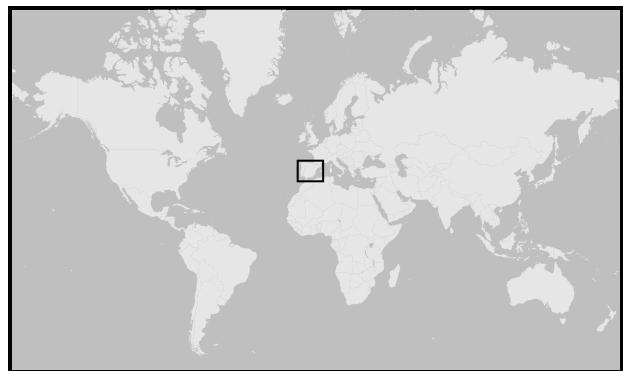


## LAW ENFORCEMENT

**History.** The Spanish penal system was developed during the Middle Ages from local adaptations of its original Germanic heritage. In the eighteenth century it was subjected to the influence of the rationalist thinkers, who asked for the adoption of systematic rules, which resulted during the era of the French Revolution, in requests for the adoption of penal and criminal procedural codes.

The famous book *Dei delitti e delle pene* by Cesare Beccaria first appeared in 1764 and was translated into Spanish some ten years later. Although some conservative authors opposed the book at the time, it led to an enthusiastic movement culminating in the proposal to adopt a penal code.

In 1812 the Spanish patriots who, during the Napoleonic invasion (1808–1813) had taken shelter in Cadiz in the south of Spain, adopted Spain's first political constitution. This liberal constitution included a proposal for the creation of a penal code, but the reestablishment of the absolutist King Ferdinand VII on the Spanish throne (1814) prevented the adoption of the code. A liberal upheaval in 1820 led to the adoption of the first Spanish penal code in 1822. The code was in



force for only one year, after which the monarch resumed absolute rule.

In 1848 in a more moderate political situation, a new penal code was adopted, and since then a penal code has always existed and been applied, with some interruptions during times of military rule. Paradigm shifts, inflationary trends, as well as the return to democracy in 1975 have contributed to changes in penal policy over the years. A new penal code was enacted on November 25, 1995, which was still in effect as of 2005. The 1995 code distinguishes between three different types of offenses: major, medium gravity, and minor infractions.

**The Spanish Police.** The Spanish policing system is characterized as a centralized multiple uncoordinated system. The Spanish model is considered centralized because all police forces operate under the authority of the national government (Ministry of the Interior). The director of state security, who is part of the Ministry of the Interior, is tasked with overseeing the police in Spain.



Spanish police forces trace their history back to the twelfth century, but the first modern version was formed in 1829 with the Carabineros and in 1844 with the Guardia Civil. Under Francisco Franco a tripartite system of police was formalized: the Civil Guard in rural areas; the Armed and Traffic Police (renamed the National Police in 1979), which fulfilled normal police functions in communities with a population of more than 20,000; and the Higher Police Corps of plainclothes police with responsibility for investigating crimes and political offenses. Separate municipal police forces under the control of local mayors were concerned mainly with traffic control and enforcement of local ordinances.

During the Franco era the police had been regarded as a reactionary element, associated in the public mind with internal surveillance and political repression. The Civil Guard and the Armed and Traffic Police were legally part of the armed forces, and their senior officers were drawn from the army. The 1978 constitution effects the separation of the police from the military, and it emphasizes that one of the functions of the police is to safeguard personal liberties. Article 104 of the 1978 constitution states that "the Security Corps and Forces, responsible to the Government, shall have as their mission the protection of the free exercise of rights and liberties and the guaranteeing of the safety of citizens." Although considerably delayed, a subsequent statute, the Organic Law on the Security Corps and Forces, was enacted in March 1986 to incorporate the mandate of the constitution to redefine the functions and operating principles of the police forces. With its passage the final legal steps had been taken to make the police system conform to the requirements of the democratic regime, although most observers concluded that it would be years before the reforms were fully in effect.

The new organic law provided a common ethical code for police practices, affirmed trade union rights, recast the role of the judicial police serving under the courts and the public prosecutors, combined the uniformed and the non-uniformed police into the single National Police Corps, and redefined the missions and the chains of command of the various police elements. The Civil Guard remained a separate paramilitary force, although in operational matters it was under the direction of the Ministry of Interior rather than the Ministry of Defense. In time of war or emergency it would revert to the authority of the minister of defense. In 1986 a new post of Director of State Security was created in the Ministry of Interior to coordinate the activities of the National Police Corps and the Civil Guard. The National Police Corps functioned under the directives of the director general of the National Police Corps, but civil governors of the provinces exercised local supervision where police forces served.

**Structure and Organization.** There are three separate police organizations: The Guardia Civil wearing green uniforms are responsible for national security, crowd control, and customs. A major focus of Guardia Civil activity is the investigation of crimes against women and children. A group within Guardia Civil is dedicated to crimes involving domestic abuse, sexual assault, trafficking in human beings, sexual exploitation, and child pornography. Another unit of Guardia Civil investigates international criminal activities and organized crime. Its Brigade of Technology Investigations investigates cyber-crime and crimes involving new technologies. Its Traffic Police patrol the main highways. The Guardia Civil has 70,000 members, which makes it the largest of the three branches of police. The National Police officers wear a black uniform and white shirts. They are heavily armed, as their duties include guarding public buildings, the royal family, and other dignitaries. They deal with most crime investigations. The Municipal Police wear white and blue uniforms and are in charge of local traffic control and parking violations. They report to the mayor and town hall. The Municipal Police are armed only with pistols.

Under the Statute of Autonomy of 1979, the Basque Country and Catalonia were granted authority to form their own regional police forces. Subsequently, this right was extended to ten of the seventeen autonomous regions, but only Basque Country, Catalonia, and Navarre have their own regional forces.

**Spanish Courts and Criminal Procedure.** Spanish courts consist of the Supreme Court, the National Court, the Superior Justice Courts of the seventeen autonomous regions, fifty provincial courts, single judge courts, and justice of the peace courts. These courts are further subdivided into other courts such as main penal cases courts, appellate civil courts, and examining penal judge courts. The highest court in criminal matters is the Criminal Chamber of the Supreme Court. Decisions of this court create penal doctrine that lower courts are obliged to follow. Because of the presence of the Supreme Court, Spain is characterized as having a concentrated system of judicial review. Specifically, Spain has a single, authoritative legal body that creates precedent for other courts to follow.

In Spain criminal proceedings are initiated when a denunciation is made to a police officer or to an investigating judge. Proceedings can also be initiated if a formal complaint is made, accusing specific persons of committing criminal activity. In all cases a lawyer admitted to the bar, who signs the writ of complaint, must accompany a complainant.

Unlike the United States, judges in Spain are responsible for investigating crimes, although any member of



*Spanish forces escort a suspected Islamic terrorist in the city of Santa Coloma de Gramenet, near Barcelona, Spain, June 15, 2005. Several raids in surrounding cities resulted in the arrest of 16 terror suspects. Eleven men arrested were believed to have ties to al Qaeda groups in Iraq responsible for recruiting people for ongoing suicide attacks. AP IMAGES.*

Spain's different police forces can assist. For this reason, all of Spain police officers, regardless of agency, are considered members of the judicial police. When an investigating judge determines that a person has committed a crime, the arraignment process begins. During this time, suspects have the right to remain silent and to retain a practicing lawyer as counsel.

Once an investigation is completed, the accused appears before the court. During this phase, the prosecutor receives the results of the investigation. In this pretrial phase the prosecutor is in charge of preparing the writ of accusation. The writ consists of the prosecutor's description of the facts of the case, how the offense occurred, an explanation of the facts of the case fit into the legal description of the offense committed, and any mitigating circumstances. At the end of the writ the prosecutor states the evidence that will be presented during the trial. After presentation of the writ of accusation the court decides on the competence of the prosecutor's case and sets a date for trial. At this time, the court may decide not to proceed, for example, if a crime is not committed voluntarily, or at least through imprudence. In Spain the principle of strict liability is not recognized.

During the trial phase of criminal proceedings, questioning follows a specific order. The accused is questioned

first by the prosecutor; then, if any victims are to testify, the defense lawyer proceeds with questioning. Finally, the defendant is questioned by his or her counsel. Cross-examination is possible during trial, but it is not frequently used.

After questioning and presentation of all evidence, the parties submit oral statements. The accusing parties give oral statements first, followed by the defendant's counsel. Oral statements consist of each side's view of the case. Afterward, the court has three days to hand down a sentence.

The pretrial and trial phase of criminal proceedings in Spain are similar in many ways to the criminal proceedings in the United States. Both systems have a pretrial process that is inquisitorial in nature. Also, the trial phase is adversarial. There are important exceptions such as the judge's role in the investigative process as well as the lack of emphasis placed on cross-examination in Spanish courts. Another key difference between the United States and Spain is the role of the jury during trial.

After a long absence, the jury trial was reintroduced to Spain in 1995. The Spanish legislature granted the right to a trial by jury for cases falling under the jurisdiction of provincial courts, on the basis of the magnitude of punishment. Additionally, trial by jury is limited

to particular offenses such as crimes against public officials, people, security, and arson.

In jury trial proceedings the jurors are not charged with rendering the general verdicts in the United States of “guilty” or “not guilty.” Instead, Spain follows the continental European model, whereby the jury is presented with a list of questions to answer. The list is prepared by the judge and resembles a balance sheet of facts both for and against the defendant. The jury decides whether or not the evidence and testimony prove the questions on the list. The jury’s role in determining guilt is reduced in the Spanish system because their fact-finding abilities are reduced to determining if the defendant committed a crime; not determining if a “crime” was committed in the juridical sense. Additionally, juries are required to give succinct rationale for their verdict.

**Education and Training.** In the National Police the initial training lasts for nine months followed by a year of practical training. Promotions are based on seniority, additional training, and performance. In the Franco era most police officers were seconded from the army. However, under the 1986 Organic Law this nexus was terminated and all candidate officers attend the Higher Police School at Ávila. The ranks of the plainclothes corps—commissioners, subcommissioners, and inspectors of first, second, and third class—are assimilated into the ranking system of the uniformed police: colonel, lieutenant colonel, major, captain, and lieutenant. To enter the Guardia Civil there are two methods. Half the positions are reserved for candidates with three years of specialized military service and the other half for students at the School of Young Guards. Prospective members undergo a rigorous selection process and much hardship in their boot camp phase.

**Uniforms and Weapons.** The uniform consists of light-brown trousers and dark-brown jackets. The principal weapons used by the uniform police are 9mm pistols, 9mm submachine guns, and 7.62mm rifles and various forms of riot equipment.

#### **Police Statistics.**

- Total Strength of the Police Force: 107,000
- Population per Police Officer: 377

#### **CORRECTIONAL SYSTEM**

There are eighty-six penitentiary institutions scattered throughout Spain. Except for Catalonia, a central

Penitentiary Administration supervises all penitentiaries. In every penitentiary there is a school that provides at least an elementary education. Inmates are encouraged to pursue studies in prison and have the right to earn degrees in higher education during their sentence. Even members of the Euskadi Ta Askatasuna, a Spanish terrorist group, have been known to earn college degrees at the Basque Country University while in prison. The emphasis on education and individualized treatment highlights the importance placed on corrections in the Spanish prison system, as opposed to retribution.

Imprisoned persons are classified as being in first-, second-, or third-degree imprisonment. The degree of imprisonment determines whether or not an inmate will be placed in an open or closed penitentiary, as well as whether or not an inmate can go outside the institution for work. Prisoners with the most restrictions are placed in first-degree confinement. Those under first-degree confinement are most likely to work and take education classes. A majority of prisoners enter penitentiaries at the second-degree level and can progress through a combination of good behavior, acceptable psychiatric evaluations, and overall length of sentence.

Spain has institutions of last resort for people classified as juveniles. The minimum age at which an offender is dealt with as a juvenile is 12. The maximum age for an offender to be treated as a juvenile is 18. There are more than 43 institutions for people between the ages of 12 and 16. The internment of juveniles is considered a measure only to be taken after all other alternatives have been exhausted.

#### **Prison Statistics.**

- Total Prison Population: 60,963
- Prison Population Rate per 100,000: 141
- Pretrial Detainees: 22.8%
- Female Prisoners: 7.8%
- Juvenile Prisoners: 0.3%
- Number of Prisons: 77
- Official Capacity of the Prison System: 48,420
- Occupancy Level: 114.1%

*Josep Canabata  
Adam Dulin*

# Sri Lanka

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**Official country name:** Democratic Socialist Republic of Sri Lanka

**Capital:** Colombo

**Geographic description:** Island in the Indian Ocean, 18 miles off the southeast coast of India

**Population:** 20,064,776 (est. 2005)



## LAW ENFORCEMENT

**History.** An unpaid police force, the Vidanes was formed by the British in 1806. It comprised one or two headmen in each village, who received a percentage of property received from thieves as their reward. In 1833 a metropolitan police force was formed, and in 1843 a separate police was formed for the maritime provinces. All these forces were united in 1865 as the Ceylon Police Force under the Police Ordinance of that year. At the time of independence in 1948, the force had a strength of 5,000.

**Structure and Organization.** The Police Department is headed by an inspector general of police, who reports to the minister of home affairs. The force has over 300 stations under three range commands: the Northern Range, the Central Range, and the Southern Range. The Central Range includes the Colombo Metropolitan Division and the Police Training School. The Northern Range includes Jaffna and the districts where insurgent Tamils are in a majority. Below the range commands the operational territory is divided into provinces, divisions, districts, and stations. The more densely populated



Western, Central, and Southern provinces each have more than one subdivision, while the thinly populated Eastern and North-Central provinces have only one division each. The three ranges are divided into fifteen divisions. As a rule, provinces and divisions are each headed by a superintendent, districts by assistant superintendents, and stations by inspectors.

The police establishment includes a special unit called the Criminal Investigation Department (CID) under a deputy inspector general. The CID has three operating divisions: the Special Branch, the Investigation Branch, and the Technical Unit.

Police stations in thirty-four major cities are linked through a system of radio communications operated from the radio control room in the police headquarters at Colombo. The radio control room also monitors the police emergency system, similar to 911 in the United States.



*Dogs are used by police to investigate a crime scene where Senathurai Selvarajah and his wife, Relangi, were gunned down in Colombo, Sri Lanka, August 12, 2005. The couple were supporters of the People's Liberation Organization of Tamil Eelam (PLOTE), a former separatist militant group that denounced violence around a decade ago and joined mainstream political groups in Sri Lanka. Authorities said Tamil Tiger rebels were suspected in the deaths of the Selvarajahs. AP IMAGES.*

Emergency duties are performed by a specially trained task force of about 450 men called the Depot Police. Located at Bambalapitiya, a suburb of Colombo, the Depot Police are capable of reacting rapidly to trouble anywhere on the island. In addition, they escort important public officials, provide honor guards at ceremonial state functions, and enforce law and order during the frequent communal disturbances.

The Police Department maintains in various subdivisions an auxiliary force called the Special Police Reserve, with an authorized strength of 3,000. Reservists are provided with uniforms, living allowances, and free rail transportation when called into service. Colombo Harbor security is under the Colombo Harbor Division, whose chief, an assistant superintendent, reports directly to the superintendent of the Colombo Division.

#### Police Statistics.

- Total Police Personnel: 21,941
- Population per Police Officer: 914

**Education and Training.** Applicants for a police service career must have completed at least high school and usually undergo a four-stage screening process, of which three are interviews and the fourth is a written examination. New recruits are sent to the Police Training School for six months of resident instruction. Transferred to Colombo from Kalutara in 1967, the school is headed by a director with the rank of a superintendent. Classes are held in three languages: Sinhala, Tamil, and English. The school maintains eight training stations, where students receive practical instruction. Outstanding officers are sent abroad for further training.

**Uniforms and Weapons.** All ranks wear khaki tunics and trousers with a blue cap or slouch hat. The force is generally unarmed, although a variety of weapons is available for use as required.

## HUMAN RIGHTS

As a result of the ongoing civil war between the Sinhala majority and the Tamil minority, the human rights situation in Sri Lanka has been bleak for many years. Both the government and the rebels have tended to ignore human rights of civilians in the conflict. Violations of human rights include torture, disappearances, rape, and arbitrary arrest under emergency regulations. The Committee to Inquire into Undue Arrest and Harassment, which includes senior opposition party and Tamil representatives, examines hundreds of complaints against security forces. The National Human Rights Commission investigates human rights abuses. At the same time, the government has established a Prosecution of Torture Perpetrators Unit under the direct supervision of the attorney general.

## CRIME

**Crime Statistics.** Offenses reported to the police per 100,000 population: 280. Of which:

- Murder: 8.2
- Assault: 10.8
- Burglary: 54.7

## CORRECTIONAL SYSTEM

The penal system is governed by the penal code of 1883, patterned after the Indian Penal Code of 1860. It was retained after independence with few modifications. Offenses are listed in general categories, each subdivided into specific violations. The scale of punishments ranges from death by hanging to whipping. Whipping is restricted to twenty-four lashes (6 for minors) inflicted in the presence of a medical officer. Female convicts are exempted from whipping.

All correctional institutions are administered by the Department of Prisons under the Ministry of Justice and regulated by the prisons ordinance of 1878. The operational head of the department holds the rank of commissioner.

Of the daily average prison population, nearly 70 percent are convicted prisoners. According to the Annual Administrative Report of the Commissioner of Prisons, nearly 30 percent of convicted prisoners are charged with excise offenses, including bootlegging; the next largest

category is theft (14%), and the third causing grievous hurt (4%). First-time offenders make up 62 percent. By districts, Colombo accounts for nearly 34 percent, Kalutara in the Western province is a distant second with 9 percent. Nearly 75 percent are Sinhalese, Tamils 16 percent, and the balance is distributed among the other ethnic groups. These percentages correspond to the overall ethnic composition of the population. Based on length of confinement, 33 percent serve less than 1 month, 31 percent 1 to 3 months, 17 percent 3 to 6 months, and 8 percent 6 months to 1 year. Only 1 percent serve more than 1 year. By occupation, farmers are most represented with 26 percent, followed by unskilled workers at 24 percent, skilled workers at 10 percent, and the unemployed at 8 percent.

The department maintains an open-type correctional house for juvenile convicts at Wathapitiwela, called the Training School for Youthful Offenders (TSYO). It is patterned after regular residential schools and is divided into a number of houses, each house in the charge of a housemaster. There is another TSYO at Negombo, a closed-type school reserved for more troublesome juveniles requiring strict supervision.

The department also runs four prison camps, at Pallekalle, Anuradhapura, Kipay, and Taldena, where facilities are provided for agricultural training.

**Prison Conditions.** Prison conditions are poor and do not meet international standards because of overcrowding and lack of sanitary facilities. Conditions are worse in the 326 police detention facilities, where torture of political insurgents is reported, particularly during interrogation. Methods of torture included electric shock, beatings, suspension by the feet or wrists in contorted positions, burning, and near drowning. Detainees have reported broken bones and other serious injuries as a result of mistreatment.

**Prison Statistics.** There are 62 major prisons, 4 open prison camps, and 2 TSYOs. The Welikada Prison, the largest, holds nearly 2,500 inmates. The total prison population is 20,975 and the prison population rate is 110 per 100,000 people. Pretrial detainees make up 47.6 percent and female prisoners 0.9 percent. The official capacity of the prison system is 7,641 and the occupancy level is 189.8 percent.

*George Thomas Kurian*

# Sudan

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**Official country name:** Republic of the Sudan

**Capital:** Khartoum

**Geographic description:** Largest country in Africa, located in North Africa below Egypt and bordering the Red Sea on the east

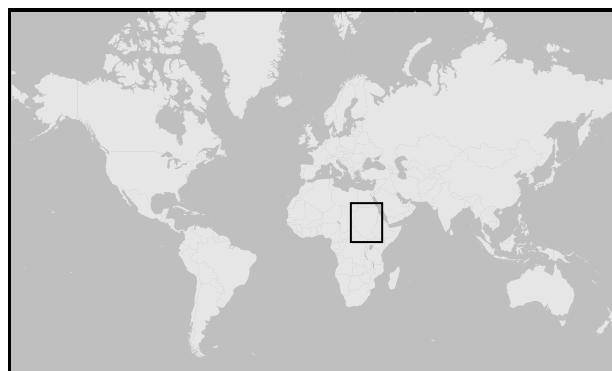
**Population:** 40,187,486 (est. 2005)



## LAW ENFORCEMENT

**History.** The Sudan Police Force is exclusively composed of Northern Arabs. The Sudan Police Force had its beginnings in 1898, when a British captain was placed in the central administration for police duties with thirty British army officers under him to organize provincial police establishments. From 1901 to 1908 police administration was completely decentralized, but in the latter year the central government at Khartoum took over its direction. In 1924 Sir John Ewert of the Indian Police was invited to make a study and his recommendations resulted in the drafting of a new police ordinance. A police school was opened in Obdurman in 1925 for both officers and noncommissioned ranks. The force was transferred with new changes to the national government on independence in 1955. At that time the force consisted of 169 officers and 7,500 men.

**Structure and Organization.** With a strength of over 44,000 men and officers, the Sudan Police is headed by a commissioner, who reports to the Ministry of the Interior. The organization of the police headquarters in Khartoum has not changed much since colonial times.



The headquarters division includes units for criminal investigation, administration, and training. Separate departments handle passports, immigration, and prisons. The department for security investigation reports directly to the minister of the interior.

The police establishment is distributed throughout the nine provinces and along the Sudan Railways, with special reinforcements in areas of potential trouble. Within each province the police are under the control of a commandant. The provincial police have both mounted and foot branches. The mounted police, mainly motorized, are still furnished with camels, mules, and horses for special assignments. Besides the regular force, there are a number of reserve companies completely motorized and organized along semimilitary lines. A separate unit, the Railway Police, guards trains and rail installations.

The Public Order Police, a new police unit established by the Islamic government, enforces the Sharia. Its mission includes enforcing proper social behavior as



***Detainees wait to board trucks to transport them from a camp for displaced people to central Khartoum, May 24, 2005. Thousands of police entered the camp to arrest suspects in connection with violent confrontations that occurred over the last week between police and residents resisting being moved out of the camp. Approximately 50 camp residents were arrested, according to State Minister of Interior Ahmed Mohamed Haroon, in the wake of clashes that left 14 policemen and three civilians dead. AP IMAGES.***

prescribed in the Koran, such as restrictions on the consumption of alcohol and immodest dress.

Other police units include the Border Guards, the Republican Guard, and the Customs Guard, the last under the Ministry of Finance and Economy. The Office of State Security, established in 1971 under the Ministry of the Interior, functions as a political police under the direct supervision of the president.

Below the commissioner the grades descend through deputy commissioner, assistant commissioner, commandant, superintendent, assistant superintendent, chief inspector, and inspector among the officer ranks. The lower ranks consist of *soul*, sergeant major, sergeant, corporal, and *nafar*. Pay for all grades is comparable to those in the armed forces.

**Education and Training.** All police officers are volunteers with recruits drawn mostly from among Sudanese Arabs. People from Nuba excel in police work.

The former Police School in Obdurman was transformed into a Police College in 1959. Senior officers are sometimes sent for training in Egypt.

**Uniforms and Weapons.** The police uniform consists of a light olive-green shirt and trousers worn with a dark-blue cap for the officers and olive green for the other ranks. Belts and badges of rank are also in dark blue. Traffic police officers wear white uniforms.

#### Police Statistics.

- Total Police Personnel: 50,121
- Population per Police Officer: 802

#### HUMAN RIGHTS

Members of the security forces are responsible for extrajudicial killings. They routinely beat, harass, arrest, detain incommunicado, and torture suspected opponents of the government. They and associated militias beat refugees and reportedly rape women abducted during raids in the southern provinces. Government planes have repeatedly bombed civilian targets in the south, Dinka villages have been raided, women and children have been abducted, and property has been looted and destroyed. Since the 1990s 15,000 Dinka women and children have



been abducted. Some of those abducted have been sold into slavery or killed.

In accordance with the Sharia the Criminal Act mandates physical punishments including flogging, amputation, stoning, and crucifixion and the public display of bodies after execution.

## CRIME

**Crime Statistics.** Offenses reported to the police per 100,000 population: 312. Of which:

- Murder: 10.2
- Assault: 46.3
- Burglary: 66.6
- Automobile Theft: 4.7

## CORRECTIONAL SYSTEM

The ruling Islamic fundamentalists have imposed the Sharia as the law of the land on both Muslims and non-Muslims. The Sharia replaces the penal code promulgated by the British colonial rulers.

The general supervision of the Sudan Prison Service is the responsibility of the Ministry of the Interior acting through the commissioner of prisons. The four federal prisons in Khartoum North, Port Sudan, and Sawakin are directly administered by the commissioner, who is also responsible for five reformatories, the Kober Institution for the Insane, the Port Sudan Local Prison, and the Prison Service Training School in Khartoum North. The Sudan Prison Service maintains reformatory centers for juveniles, local government prisons, open and semiopen prisons, and provincial prisons. All provincial detention camps and jails are under the control of pro-

vincial authorities. Provincial prisons are classified at Local Class I and II, according to their size. Few Sudanese women commit serious crimes, so there are few female prisoners. Reform schools handle offenders under fifteen years of age, giving them regular schooling while in detention. Prison guards are trained at the Prison Service Training School.

**Prison Conditions.** The treatment of prisoners is reported to be generally inhumane. Most prisons are old and maintained poorly and most lack basic facilities, such as toilets. Health care and food are inadequate. Family visits are denied arbitrarily. Inmates are quartered in large barracks or dormitory rooms. Vocational and literacy training is compulsory. Within prisons there are small industries, and prisoners are paid a small sum for their labor, which is held in escrow until their release. After completing their sentences—often shortened by amnesty or probation—prisoners receive discharges rated according to their behavior in prison. The recidivism rate is less than 20 percent.

## Prison Statistics.

- Total Prison Population: 12,000
- Prison Population Rate per 100,000: 36
- Pretrial Detainees: 10%
- Female Prisoners: 1.7%
- Juvenile Prisoners: 1.7%
- Number of Prisons: 125

*George Thomas Kurian*

# Suriname

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**Official country name:** Republic of Suriname

**Capital:** Paramaribo

**Geographic description:** Located in northern South America, bordering the North Atlantic Ocean between Guyana and French Guiana

**Population:** 438,144 (est. 2005)



## LAW ENFORCEMENT

**Structure and Organization.** The Armed Police Corps, which was founded during Dutch rule in 1865, has evolved over the years into a paramilitary force. It is headed by a commissioner of police who reports to the attorney general, but for operational purposes is under the Ministry of Justice and Police. Police training is provided by the Police Training School at Paramaribo. In remote communities in the interior the police conduct joint patrols with the military.

## CRIME

**Crime Statistics.** Offenses reported to the police per 100,000 population: 17,819. Of which:

- Murder: 7.6
- Assault: 1,824.4

## CORRECTIONAL SYSTEM

Prisons are administered by the director of prisons under the Ministry of Justice and Police. There are five prisons in the country, of which the largest is the Central Penitentiary Institution at Welgedacht.

**Prison Conditions.** Prison conditions are substandard. Violence among prisoners is common and authorities do



nothing to stop that. Some facilities have been renovated to improve health and safety conditions. However, most facilities are old structures in dilapidated conditions. Detention cells in police stations where suspects are held temporarily are exempt from normal regulations and standards. Here, detainees are allowed no exercise and are not allowed to leave their cells. Guards mistreat the detainees, and the food, medical care, and other living conditions are deplorable. Conditions in women's and juvenile jails are slightly better.

**Prison Statistics.** The official capacity of the five prisons is 1,188, while the actual prison population is 1,933, yielding an occupancy level of 162.7 percent. The incarceration rate is 437 per 100,000 population. Of the total prison population, 41.4 percent are pretrial detainees, 5.9 percent are females, 9.7 percent are juveniles, and 19.3 percent are foreigners. In addition, there are a number of detention cells attached to police stations.

*George Thomas Kurian*

# Swaziland

**Official country name:** Kingdom of Swaziland  
**Capital:** Mbabane (Lobamba is the royal and legislative capital)

**Geographic description:** Landlocked country in southern Africa between South Africa and Mozambique

**Population:** 1,173,900 (est. 2005)

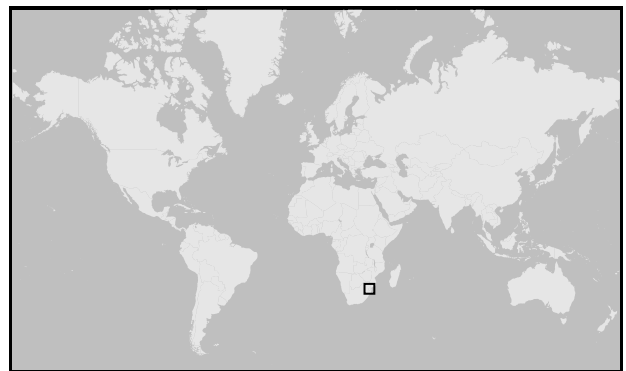


## LAW ENFORCEMENT

**History.** The first police force in Swaziland was started by King Sobuzha in 1880 and greatly expanded by his son, King Mswati. It consisted of royal regiments recruited from tribes loyal to the king. Each regiment was commanded by an *induna*, and its men had the power to make arrests for breaches of tribal law.

In 1895, when South Africa took over the administration of Swaziland, Chris Botha, the brother of General Louis Botha, who became the first prime minister of the Union of South Africa, was given the task of establishing a police force in the country. The force had a short life as the Republican administration was withdrawn in 1899, soon after the start of the Boer War.

When the war ended in 1902, a victorious Britain assumed control of Swaziland, and that same year a special commissioner with a force of 150 South African constabulary personnel, both European and African, were sent to the country to establish a provisional administration with headquarters at Mbabane. The police constabulary was under the commissioner's local control but subject to the administration of the South African constabulary headquarters based at Carolina, in the Transvaal.



On February 22, 1907, the Swaziland Administration Proclamation was proclaimed by Lord Selborne, the high commissioner for South Africa. This legislation made provision for the formation of the Swaziland Police Force, and on April 8, 1907, Captain C. H. Gilson was appointed assistant commissioner of police for Swaziland, with headquarters at Mbabane. Twenty-one European officers were transferred from the South African Constabulary to the Swaziland Police, and 125 African personnel, mainly Zulus from Natal, were recruited to bring the total to 146 officers and men.

A Police Training School was established about 1927. In May 1965 the Police College at Matsapa was opened. Up to 1933, the Swaziland Police also provided the staff for the Prisons Department. From 1963 to 1966 the force was reorganized and retrained and the establishment steadily increased until it numbered 644 in all ranks by 1967.

The Swaziland Police was a mounted force until 1953. It was renamed the Royal Swaziland Police in

## Swaziland

1969, when the process of Africanization began, with over half of the expatriate senior officers being replaced by local officers. Since 1972 the posts of commissioner and deputy commissioner have been filled by Africans.

**Structure and Organization.** The Royal Swaziland Police is constituted under the Police and Public Order Act 29/57. It combines the functions of a civil police force with those of an armed constabulary. It is commanded by the commissioner of police, who is assisted at the headquarters in Mbabane by a deputy commissioner, an assistant commissioner, and staff officers.

The country is divided into four police districts. District headquarters are at Mbabane, Manzini, Lubombo, Siteki, Shiselweni, Hhohho, and Nhlengano. There are seventy-four police stations, police posts, and border posts distributed among the districts.

There are seven operational branches:

- Criminal Investigation Branch, including the Dog Squad, the Fraud and Vice Squad, the Drug Squad, and the Firearms Registry; forensic assistance is provided by the South African Police Criminal Bureau
- Fingerprint Bureau
- Photographic and Printing
- Traffic and Transport
- Intelligence
- Police Mobile Unit, which is commanded by a superintendent of police with four platoons; the unit serves as the permanent security guard for the king
- Communications

**Education and Training.** The Police College at Matsapa, near Manzini, offers basic training for recruits and advanced training for officers.

For recruitment as constables, candidates must meet certain minimum physical and educational standards. Men must be between twenty and thirty years of age and women between eighteen and twenty-five years of age, and hold at least a Junior Certificate of Education. Gazetted police officers and inspectors are appointed by the Civil Services Board, while subinspectors and constables are appointed by the commissioner of police. Vacancies above the constable level are filled by promotion.

**Uniforms and Weapons.** All ranks wear a winter uniform of blue serge and a blue cap. In the summer lower ranks wear a gray shirt, khaki shorts, and puttees, while inspectors and over wear khaki. On ceremonial occa-

sions khaki units and trousers are worn with a khaki cap. In summer all ranks wear khaki tunic and shorts with a khaki cap.

The force personnel are armed with a baton or nightstick. During emergencies, however, they may be issued firearms.

### Police Statistics.

- Total Police Personnel: 1,842
- Population per Police Officer: 637

## HUMAN RIGHTS

The government's human rights record is poor. There are reports that the police torture and beat suspects and that the government fails to prosecute or otherwise discipline officers who commit abuses. During interrogation of suspects, police use a rubber tube to suffocate the suspects or the "Kentucky method," in which the arms and legs of the suspect are bent and tied with rope or chain.

## CRIME

**Crime Statistics.** Offenses reported to the police per 100,000 population: 3,960. Of which:

- Murder: 18.1
- Assault: 471.7
- Burglary: 706.8
- Automobile Theft: 54.1

## CORRECTIONAL SYSTEM

Swazi prisons are administered by the commissioner of prisons, who reports to the Minister of the Interior. The central prison is located in the capital while there are smaller prisons at the four police district headquarters and lockups and detention centers in the eighteen police stations distributed throughout the country.

**Prison Conditions.** Prison conditions generally meet international standards. However, detention centers are overcrowded and their conditions are unsatisfactory. Restrictions on the grant of bail result in overcrowding and other deplorable conditions. Women and children are held in separate facilities.

### Prison Statistics.

- Total Prison Population: 3,245
- Prison Population Rate per 100,000: 324
- Pretrial Detainees: 49.6%

- Female Prisoners: 4.6%
- Juvenile Prisoners: 1.8%
- Number of Prisons: 12
- Official Capacity of the Prison System: 3,130
- Occupancy Level: 103.7%

*George Thomas Kurian*

# Sweden

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**Official country name:** Kingdom of Sweden

**Capital:** Stockholm

**Geographic description:** Southern and larger half of the Scandinavian Peninsula, bordering the Baltic Sea and Gulf of Bothnia

**Population:** 9,001,774 (est. 2005)



## LAW ENFORCEMENT

**History.** Until 1965 Sweden had only local police forces who functioned in only 500 small police districts. Police work was hampered by restrictions on police movements from one district to another and the combination of the functions of district attorney and public distrainer in the police chief. In the 1930s a mobile auxiliary was created as a national police force with limited powers, primarily in the areas of traffic and serious crimes.

In 1984 the Riksdag approved a plan to reorganize the Swedish police system and create a new national force. On January 1, 1965, the Swedish Police (Rikspolis) was born. The law that created it reduced the number of police districts from 554 to 119 and the number of police posts from 989 to 510. The average strength of a police department was raised from 10 to between 20 and 50. The chief of police was also shorn of his functions as district attorney and public distrainer, thus enabling him to concentrate on police work proper. The public prosecutor's office was created, with 90 local districts, as was the distrainer's office, with 81 local districts.



**Structure and Organization.** The Rikspolis operates on three levels: national, regional, and local. The highest police authority in the kingdom is the National Police Board (NPB), which is answerable to the Ministry of Justice. The board is headed by the national police commissioner as chairman with the rank of director general, a deputy national police commissioner as vice chairman, and six members of the Riksdag representing different political parties. The NPB is responsible for the administration of the National Police Organization, the State Police College, the Police Council, the State Forensic Laboratory, and police training programs. The National Security Service and the National Criminal Investigation Department are units within the NPB.

The National Police headquarters in Stockholm is divided into four departments: A (Operations), B (Technical Services), C (Administration), and D (Security), the last of which reports directly to the commissioner's office.

Department A comprises Police Bureaus I and II. The former bureau deals with the work of uniformed police officers, including traffic control and surveillance. The Surveillance Section is assigned the task of allocating personnel to various police districts. Police Bureau II is concerned with investigation and detection. This bureau is divided into four sections: Planning, Local Records, Intrapolice Coordination, and Preliminary Investigations. It also deals with traffic accidents and police statistics.

The National Criminal Investigation Department is part of Police Bureau II. It has four squads: Squad A deals with murder and violent crimes, Squad B with narcotics, Squad C with larceny and theft, and Squad D with fraud.

Department B is divided into the Technical Bureau and the Training Bureau. The Technical Bureau has four sections: Equipment, Transport, Telecommunications, and Buildings. The Training Bureau is responsible for both training and recruitment.

Department C is divided into three bureaus dealing with administration, records, and staff, respectively. The Administration Bureau has sections dealing with budgeting and planning, purchasing, legal affairs, organization, service, and automatic data processing. Established in 1970, the Records Bureau keeps national criminal records, such as fingerprints, and records for passports, stolen vehicles, and wanted persons. The Staff Bureau is the personnel division of the Rikspolis and handles collective bargaining, contracts, appointments, dismissals, old age pensions, vacations, and salary classifications.

Department D has two bureaus dealing with national security. Bureau A deals with protection and control and Bureau B with detection and investigation.

The National Forensic Science Laboratory is attached to Police Bureau II of Department A, but is independent in technical matters. Bureau II of Department A is also the Swedish liaison for Interpol. Other police branches include the Intervention Police (Omradespolis) for crowd control and emergencies and the Aviation Police, which has a fleet of helicopters and airplanes.

Territorial organization starts with the counties, of which there are twenty-one. Each county, except for Gotland, has its own commissioner. The county government board can assume command of local police districts during emergencies. The county government is also in direct command of special county traffic surveillance groups, which are responsible for traffic surveillance across police district limits. Police functions are defined in the Police Act of 1984 as supplemented by police ordinances.

At the local end of the police administration are 118 police districts, most of them with 20 to 50 police officers. These are usually made up of both uniformed patrol officers and criminal investigation squads. The

police authority in each district is the Police Board, headed by the police chief with the title of police commissioner. The local district has a constabulary or a Surveillance Department or a Criminal Investigations Department. The uniformed police of the constabulary carries out routine law enforcement and maintains communication links with the national headquarters. In the larger districts there are sections for the control of traffic, which in the smaller districts is the bailiwick of the surveillance units.

The local Criminal Investigation Department is divided into squads for investigation, larceny, fraud, and violence. A technical squad handles technical investigations. Units of at least three officers working in areas away from the central headquarters are empowered to make on-the-spot decisions.

A special local body of municipal representatives called the Police Committee acts as an advisory body in the local police commissioner's office.

The 1965 separation of the functions of police chief and public prosecutor led to a redefinition of police duties vis-à-vis the public prosecutor. Either the police or the public prosecutor may conduct preliminary examinations, and where it is carried out primarily by the police, the public prosecutor may also provide instructions.

Probably the best known Swedish innovation in policing is the social police. Introduced in the 1950s, the social police are plainclothes police officers who patrol the streets with social workers and focus on young people. They identify potential delinquents and offer them direct assistance or invoke the intervention of the Child Welfare Board.

**Uniforms and Weapons.** Normal working dress consists of a dark-blue jacket and trousers worn with a white-topped peaked cap. A similar uniform worn with a skirt and knee-length boots and an Africa Korps cap is worn by the women police. For car patrol, a hip-length overblouse is worn instead of a jacket, and trousers are worn by women as well as men. Both wear a Scandinavian-type forage cap (*batmossa*). In summer the normal jacket may be replaced by a gray-blue short-sleeved tunic and in winter a heavy overcoat may be worn over the uniform, with an astrakhan cap. A Sam Browne belt is worn over all types of uniforms except for car patrol and from this is suspended a baton and a pistol holster. In all cases, a large patch is worn over the upper left arm showing the national crest surmounted by the word *Polis*. Badges of rank may appear on this patch or on the bottom of the jacket sleeve. Most officers in the higher echelons have badges showing rows of oak leaves between parallel bands.



*A Swedish police officer readies his gun as tensions escalate between police and demonstrators rioting against the European Union (EU) summit in the streets of Göteborg, Sweden, June 15, 2001. The events took place in a city park outside the complex where the 15 EU leaders were holding their summit and two shooting victims were hospitalized afterward.*  
AP IMAGES.

**Education and Training.** Cadets are recruited by the Training and Recruitment Bureau of Department B. The district police chief accepts applications and conducts preliminary investigations, after which he or she forwards them to the National Police Board. If the board accepts, the recruit is sent to one of the several training schools, such as the National Institute of Technical Police or the police high schools at Stockholm or Lund. Basic training takes place over a 43-week period, including the Constable's Course for 32 weeks, practical work for 8 weeks, and the Constable's Course II for 3 weeks. Three to 5 weeks after the completion of the basic course, candidates enter the higher police course for 10 weeks.

Police training for the higher ranks is conducted at the Police College at Solna. After promotion to sergeant, the police officer takes a 12-week sergeant's course. An 8-week inspector's course is offered to those who need to learn about police organization. There is a 15-week superintendent's course and a 56-week commissioner's course at the Solna Police College. Specialized courses are offered at the Swedish Army Driving School for traffic controllers and at the Armed Forces Dog

Training Center for dog handlers. In addition, the universities of Umeå and Växjö train police officers as part of their general curriculum. The Nordic Baltic Police Academy serves all Baltic states.

Police commissioners are recruited from law schools, but all other promotions are made from the rank and file. Police in Sweden are allowed to hold public office and belong to trade unions.

#### Police Statistics.

- Total Police Personnel: 27,145
- Population per Police Officer: 332

#### HUMAN RIGHTS

Sweden is a model for other nations in the scrupulous observance of human rights in law enforcement. Occasional violations of human rights trigger a number of corrective mechanisms, both internal to the department and through the national ombudsman's office.

#### CRIME

**Crime Statistics.** Offenses reported to the police per 100,000 population: 12,998. Of which:

- Murder: 4.5
- Assault: 42.5
- Burglary: 1,651.1
- Automobile Theft: 658.9

#### CORRECTIONAL SYSTEMS

The Swedish criminal justice system is governed by Riksdag legislation. The principal legislative enactments are the Code of Judicial Procedure and the penal code. However, not all crimes are listed in the penal code. A number of offenses are described in separate statutes, including traffic offenses and narcotics violations. Because Swedish law is not entirely codified, there is latitude for judicial interpretation. Thus, although Swedish criminal law belongs to the Romano-Germanic family, it shares with common-law systems a binding respect for judicial precedent.

The penal code, the most important source of criminal law, was promulgated in 1965 and has been revised many times since. The code is divided into three parts: Part 1 contains general provisions on the application of the law. Part 2 contains a list of the major crimes and specific elements that constitute each offense and the penalties that may be imposed in each case. The code divides offenses into four major categories: crimes against the person, crimes against property, crimes against the public, and crimes against the state. Since Sweden does



not have a separate military criminal code, crimes committed by members of the armed forces are treated as crimes against the state. Part 3 of the code is concerned with principles for assessing sanctions. Articles in this part exempt juveniles under fifteen years of age and persons of unsound mind from criminal responsibility and provide for minor punishments for offenders below twenty-one years.

The Code of Judicial Procedure outlines the powers of the police authorities. Arrests are permitted without a detention order when a person is apprehended in the act of committing a crime. It also gives the police the right to search and seize and to restrain suspects from travel.

Sweden's correctional system has evolved over the years and embodies social democratic concepts in rehabilitation. Since the 1940s Sweden has led the way in reducing the number of actions classified as crimes and morally deviant behavior. The nature of the sanctions has also changed. Tax offenses, minor frauds, and minor property offenses are penalized by a fine, rather than imprisonment. Certain offenses, such as drunkenness, are consigned to medical and social workers. At the same time, in response to a dramatic increase in serious crime since the 1990s, the full force of the law has been brought to bear on certain other types of crime, such as narcotics trafficking, armed robbery, illegal possession of weapons, and certain types of environmentally destructive crimes, such as pollution. The use of imprisonment as a deterrent and punishment is being replaced by fines. Youth imprisonment was abolished in 1979 and internment was abolished in 1981. Finally, greater attention is being paid to crime prevention under the auspices of the National Council for Crime Prevention.

The corrections system is administered by the Swedish Prison and Probation Administration under the Ministry of Justice. It is composed of laypeople appointed by the minister of justice and is headed by a director general. Parole decisions are handled by the Correctional Service Board, which is chaired by a Supreme Court justice. This board also hears inmate appeals based on decisions made by the local supervisory boards. There are fifty such local supervisory boards, and they are responsible for parole and probation decisions in their respective districts. Each board is composed of five members and is chaired by a lawyer.

Since 1978 Sweden has been divided into thirteen correctional care regions. Each region is administered by a regional director, who is a professional probation officer. The regional director determines where a convicted offender will serve his or her sentence.

The total number of prisons is eighty-four. The principal correctional institutions are local and national facilities, some of which are open and some are closed.

The largest prison is at Kumla, which can house 224 inmates, while the smaller ones hold between 20 and 40 inmates. Swedish prisons are noted for their cleanliness and well-appointed living quarters and amenities. There is virtually no overcrowding, and each prisoner has his or her own cell.

There are three types of correctional facilities: remand prisons, local facilities, and national facilities. Each is designed for a specific purpose and for a specific type of offender. There are twenty-one remand prisons serving the entire country. Because of the limited number of remand prisons, some of the other prisons have a remand wing attached to them.

The forty-four local facilities are used primarily to house offenders sentenced to less than one year of imprisonment and inmates serving longer sentences, but who are approaching the end of their terms. Security measures are minimal at these centers. The primary purpose of local institutions is to keep the inmates as close to their families as possible.

Finally, there are nineteen national penitentiaries, which are administered directly by the National Prison and Probation Administration. These closed, maximum-security prisons house people sentenced to more than one year in prison.

The legal basis of the correctional system is found in the 1974 Act on Correctional Treatment in Institutions, which defines the purpose of corrections as "to promote the adjustment of the inmate in society and to counteract the detrimental effects of deprivation of liberty. Insofar as this can be achieved without detriment to the need to protect the public, treatment should be directed from the outset toward measures that prepare the inmate for conditions outside the institution." The act further declares that "inmates shall be treated with respect for their human dignity. They shall be treated with understanding for the special difficulties connected with a stay in an institution."

The 1974 act requires all inmates to be involved in some form of work, study, or training and provides for remuneration for such activities. Even the disabled are given remuneration for purchasing personal items. Solitary confinement is used rarely and under exceptional circumstances. Inmates who violate prison rules or who are simply recalcitrant may be warned or cited for a specific period that does not count toward the sentence. Inmates also have the right to form councils and to negotiate grievances with prison authorities. The act empowers prison authorities to grant furloughs to inmates for work, study, and leisure-time activities. The furlough scheme has been considerably expanded since the 1990s and is designed to facilitate the inmate's eventual reentry into society. Medical furloughs are

granted if a person can receive better treatment in an outside hospital or clinic. Short-term and release furloughs are also regular features of the scheme. Short-term furloughs may be granted for a number of hours or days, primarily to enable the inmate to maintain ties with his or her family. Release furloughs are available for inmates eligible for parole. Inmates are allowed conjugal visits. Although correspondence may be scrutinized, it is not censored except in the case of high-security risks. Telephones are readily available, and inmates have access to a wide range of reading matter, including legal books and periodicals, and may borrow books from local public libraries. Finally, those within prison walls have the same right to social services as those without.

The largest high-security prison is at Kumla. Built in 1965, this prison holds 224 inmates and has a staff of 280. The high ratio of staff to inmates is typical of Sweden's correctional system. Kumla has a 21-foot wall around it, and its security is reinforced by an extensive television and radar monitoring system. Besides living blocks for regular prisoners, Kumla has two special blocks: one containing a hospital psychiatric ward, a temporary detention unit, and a disciplinary section, and the other for more dangerous inmates and security risks. Inmates are employed in one of the traditional prison workshops, or they can participate in one of the full-time educational programs. Generally, inmates are granted furloughs and conjugal visits as well as sojourns to local cultural and sporting events.

Tillberga is an open national prison where inmates are employed in the construction of prefabricated homes that are sold by a state-owned company. All workers are members of the construction union and are paid free-market wages negotiated by the union. However, they receive only 70 percent of the wages because they are not subject to the national income tax. Of this amount, the inmates actually receive only 25 percent; the rest is used to support the inmate's family and pay the cost of his or her food. The remaining sum is placed in a savings account, which he or she receives on release.

Under Sweden's privacy laws, newspapers cannot publish the names of people accused or convicted of crimes. Similarly, employers cannot ask a potential employee if she or he has served a prison term.

Parole is granted by the Correctional Services Board for inmates serving more than one year of imprisonment in a national prison and by local supervisory boards for others. It is never granted before at least three months of a sentence has been served. A probation officer is assigned to an inmate on eligibility for parole. A parolee is expected to maintain contact with his or her probation officer during the term of parole and is expected to maintain a residence and seek employment. The parolee

may also be subject to special directives, such as residing at a specific place, joining a job training program, or seeking medical or psychiatric care.

Sweden uses a number of noninstitutional programs to minimize the imposition of prison sentences and to prevent prison overcrowding. These include conditional sentences, probation orders, and fines. A conditional sentence is a form of probation for a period of up to two years, but the offender is not supervised by a probation officer. The sanction is a conditional warning to refrain from further criminal activity. A probation order is imposed on offenders who have committed an imprisonable offense and may be imposed for up to three years. It differs from the conditional sentence in that the offender is placed under supervision and may be sentenced to a short-term imprisonment (not exceeding three months) as well. Although the offender retains liberty while under supervision, he or she may be enjoined to pay fines or make compensation for damages, and the local supervisory board may issue other directives with which the probationer must comply. These directives usually include reporting periodically to the probation officer in any one of the sixty-three probation districts, and notifying the officer of place of residence and nature of employment or schooling. Fines are used extensively in Sweden as a penal sanction. Fines are of three types: standardized, fixed, and day fines. Day fines are determined by the per diem income of the offender and thus vary according to economic status. A person who fails to pay the day fine may have the fine converted to a sentence of imprisonment.

Despite the rising juvenile crime rate, Sweden's juvenile justice system is committed to social and medical treatment rather than traditional institutionalization. The age of criminal responsibility is fixed by the Code of Judicial Procedure at fifteen years. People below this age cannot be subject to criminal prosecution or penal sanction. The police, however, may interrogate a person under fifteen if the child's parents or guardians are present. Juveniles between fifteen and twenty years of age may be prosecuted and sentenced, but this is rarely done, especially if the suspect is under eighteen. If a prosecutor decides to bring charges against a person under the age of eighteen, the matter is turned over to the Child Welfare Board. Sweden does not have a separate juvenile court, and the Child Welfare Board performs some of the functions of a juvenile court. Each municipality has a board composed of five unpaid members elected by the municipal council for four-year terms. The board usually includes a minister, a lawyer, a school teacher, and a child specialist. The board has both a civil and criminal jurisdiction for juveniles under twenty-one years of age. The civil jurisdiction involves care proceedings where the child is neglected or abandoned or is delinquent. In criminal cases it is not concerned with establishing the offender's guilt, but with determining the

appropriate treatment. The Social Services Act of 1982 requires that the board's decision to place a child in custody be reviewed by an administrative court of appeal. In cases where criminal charges are pressed, fines, probation, or suspended sentences are generally handed down. In exceptional cases a person under eighteen can be imprisoned, but can never be sentenced to life imprisonment. The penal code further provides a milder sanction for persons under twenty-one than it does for adults who commit the same offense.

- Pretrial Detainees: 20.5%
- Female Prisoners: 6.2%
- Juvenile Prisoners: 0.3%
- Number of Prisons: 84
- Official Capacity of the Prison System: 7,099
- Occupancy Level: 103.3%

**Prison Statistics.**

- Total Prison Population: 7,332
- Prison Population Rate per 100,000: 81

*George Thomas Kurian*

# Switzerland

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**Official country name:** Swiss Confederation

**Capital:** Bern

**Geographic description:** Landlocked country in central Europe, flanked by the Alps in the south

**Population:** 7,489,370 (est. 2005)



## LAW ENFORCEMENT

**History.** In 1902 the Swiss Parliament enacted the Federal Department of Justice and Police Organization Act. The act was designed to unify civil and criminal law actions under one federal agency. Following its enactment the Justice Division consisted of a Divisional Head for Legislation and Administration of Justice, a Grade 1 deputy, a Grade 2 deputy, a secretary for the commercial register, a secretary for civil records, and a registrar.

After several years of consultations in various commissions and committees, the Parliament enacted the Swiss Civil Code, which established the law of person, family law, the inheritance law, and the law of property. In 1912 the cantons adopted the necessary legislation, and the new civil codes were put into full force. The legislation unified civil law practices throughout Switzerland. One of the hallmarks of the civil code is its democratic and down-to-earth style. It was the intention of its author, Eugen Huber, that the code should be geared toward the common person. He wanted it to be read and understood by ordinary citizens and to be expressed in clear and discernable language. The Swiss Civil Code has had considerable influence on the legal



systems of other jurisdictions. A case in point is Turkey, which adopted a slightly modified version in 1926.

In 1923 the Federal Office for Land Registry (including the Surveyor's Office), which was a separate division in the Federal Department of Justice and Police, was brought into the Justice Division. This occurred following the enactment of federal land survey legislation that called for the systemization of land surveys and the introduction of land registries in the cantons. The Federal Surveyor's Office was subsequently moved twice more in the interests of synergy, first to the Federal Office for Spatial Development (1991) and finally to the Federal Office of Topography (1999). The family register provision is enacted into federal law. This law eventually made it possible for the civil registry to keep track via up-to-date records of the civil status of all Swiss nationals. The family register contains details of current family relationships and establishes who is a citizen of the municipality and canton and is thus entitled to Swiss

citizenship. With this new process of registration, the government officials who maintain civil records have been able to provide a service that is unique in that it enables them to assist private individuals and official authorities whenever proof of civil status is required for the exercise of rights or the performance of obligations.

In 1942 a single Swiss Penal Code was established that eliminated the patchwork of cantonal codes. In 1967 appropriations legislation dealing with federal funding of penal and reform institutions was passed into law. Subsequently, as part of a reallocation of functions between the confederation and the cantons, the operating budgets were brought within the scope of the amended federal legislation that dealt with the funding of prisons and detention centers. The purpose of the legislation was to improve the quality of reform institutions and to coordinate the availability of places in reformatories.

In 1968, following years of assessment by a review commission (from 1958 to 1965), the Federal Council appointed a committee of legal experts to engage in a stage-by-stage reform of the family law sections of the federal civil code. The act had remained unchanged since 1912, and the changes that were made conformed to societal needs and attitudes that had evolved over the years.

In 1971 the federal penal code was amended to allow for alternative forms of criminal punishment. The law was also changed to allow for community service punishment for convicted juvenile offenders. New forms of crime made it necessary to create new offense classifications and changes to the penal code. In subsequent years additional crime categories were developed to deal with new and different types of criminal offenses such as insider trading (1988); money laundering (1990); membership of a criminal organization, power to seize criminal assets and reporting for financial intermediaries (1994); and cyber-crime and check and credit card abuse (1995).

As part of the government's efforts to ease increasing tensions between the church and state, the special church-related provisions, which were originally established in the era of the Kulturkampf, were systematically abolished. In 1973 the removal of the Jesuits and monasteries article was approved by the people and cantons. In line with these changes the new federal constitution eliminated the rule barring members of the clergy from holding public office. Finally, in 2001 the electorate and the cantons voted to abrogate the diocese article, which provides that dioceses can be established only with the authorization of the confederation. This removed the last special church-related provision from the federal constitution.

The Justice Division was reorganized into three new main divisions. The first division is responsible for legislation in the field of public and administrative law and plays an advisory role in the drafting of all major legis-

lation by any section of the federal administration. The second division is primarily concerned with the operation of existing law. A special unit within this division prepares the appeal decisions of the Federal Council. This division is also responsible for legislation in the field of criminal law. The third division is responsible for legislation in the field of civil law and civil procedure law and execution. Attached to this division are the Commercial Registry Office, the Federal Office of Civil Status, and the Federal Office for Land Registry. Following Switzerland's ratification of the European Convention on Human Rights in 1974, a Council of Europe affairs unit was established within the Federal Office of Justice and its responsibility is to provide advice on any case brought against Switzerland plus representing the government before the European Court of Human Rights.

In 1979 the Administration Organization Act (AOA) did not include provisions that would create a new Federal Office for Legislation. The Federal Office for Legislation, if approved as a new agency, would have taken on the responsibility for developing and coordinating federal legislation at the constitutional level. Despite the failure of the AOA to include the establishment of the Federal Office for Legislation, the Federal Council adopted the position that the Justice Division should be involved in all legislative proposals that are to be considered at the federal level. The AOA changed the name of the Federal Justice Division to the Federal Office of Justice.

The reform of family laws with respect to amending the statutes governing marriage and divorce are addressed by the government. The new marriage act (1988) codifies the legal principle related to clarifying the equality of a husband and a wife in a marriage and makes both equally responsible for their joint well-being. The new Divorce Act introduces the possibility of divorce by mutual agreement. Additionally, either spouse can petition unilaterally for a divorce following separations that are minimally four years in length. No-fault divorce language is adopted that makes the issue of which spouse is to blame for a marriage breakup insignificant. The final step in the reform of family law legislation was a radical overhaul of the law of guardianship. In 1991, following many years of work, the first report on the reform of company law was submitted to the Federal Council. Accordingly, the Parliament enacted the revisions proposed to the Federal Council. The revisions are referred to as Title 26 of the Contract Law. The amended provisions contained the following objectives: increasing transparency, creating greater shareholder protection, improving the structure and function of corporate governance, and making methods of raising capital for companies that contain provisions safeguarding against possible abuses more accessible.

Because of years of amendments and changes in society, the federal constitution of 1874 had become significantly antiquated and contained many superfluous provisions. As a result, it was replaced by a completely new document. The new federal constitution approved by the people and the cantons in 1999 reflects the modern constitutional realities of Switzerland. The new constitution codified a number of previously unwritten laws. A number of constitutional amendments were also added by the Parliament.

In 2000 the reform of the justice system approved by the cantons paved the way for several fundamental changes related to rules of procedure and the courts system. The reform provided for the constitutional basis for the unification of both civil and criminal procedural law, and it conferred a constitutional right of access to an independent court for all citizens involved in legal disputes. It also provided the basis for a reform of the federal courts system. It proposed to restructure the federal judiciary completely to bring about an effective reduction in the workload of the Federal Supreme Court and the Federal Insurance Court.

As part of the reorganization of the Swiss police system at federal level, the Federal Office of Police was restructured as an agency solely responsible for police matters. The federal units not concerned with police matters were transferred to the Federal Office of Justice. These units were the Division for International Mutual Legal Assistance, the Swiss Criminal Records unit, the Gaming and Lotteries Unit, and Social Aids for Swiss Citizens Resident Abroad.

**Structure and Organization.** Switzerland is a confederation of twenty-six sovereign cantons. The cantons are not vested in the constitution of the federation. Each canton has its own constitution, legislature, government, and courts. As a general rule, jurisdiction and police powers are left to each individual canton.

On January 1, 2002, Switzerland enacted legislation empowering the federal government with investigatory jurisdiction to fight serious crimes nationwide. A new agency, the Criminal Federal Police, overseen by the Federal Office of Police was formed and charged with investigating organized crime, money laundering, corruption, and some white-collar crimes.

**Principal Agencies and Divisions.** The hierarchy of the Swiss police is broken down into three primary divisions: the Federal Police, the cantonal police, and the local or municipal police. The Federal Police are primarily responsible for investigating organized crime, money laundering, human smuggling, and drug trafficking. The cantonal police are responsible for criminal investigations, security (routine patrol, protection of life

and property, and order maintenance), and traffic enforcement. If present, municipal or local police assist in standard law enforcement duties or may have insignificant assignments.

Differences can be seen in the structure of the cantonal authorities based on heritage. In general, German-speaking cantons separate division of labor into three categories: criminal, security, and traffic police. French-speaking cantons separate the division of labor into two categories: criminal (*Sûreté*) and *Gendarmerie*. The *Gendarmerie* corresponds to the German canton's security police and encompasses the traffic police.

**Salaries.** Officer salaries were observed in the canton of Basel-Stadt. Recruits at the Swiss Police School could expect to earn between 4,330 and 4,596 Swiss francs per month, depending on age. Additional social pay between 381 and 525 Swiss francs can be added based on the number of children in school. After graduation from the Swiss Police School officers can expect to earn between 4,396 and 5,545 Swiss francs per month.

**Police at Work.** Most of the cantons have officers working in various divisions throughout the police organization. The divisions vary from criminal patrol and investigation to traffic enforcement and investigation. There are also specialized units that are used, such as K-9, Mounted Patrol, and Sea Police. Of note, however, is the fact that Switzerland does not have a specialized unit for psychological criminal profiling. Speculatively, this may be because of the low number of serious assaults and murders.

**Hierarchy and Ranks.** The cantonal police are based on a paramilitary hierarchy and ranking structure. The *kommandant* (commander) is at the top of the ranking hierarchy. Each canton then has its own group of divisions, such as criminal division, traffic division, technical operations, and special operations, which are headed by lower-ranking supervisors and staffed with police officers and police service officers.

**Police-Community Relations.** The Swiss Crime Prevention Center directs a number of community-based programs informing the general public about topics of greater communal concern. The programs include "Hausliche Gewalt" (Stop), a program aimed at stopping domestic violence through education of controlling and intimidating behaviors, safety in old age, a program aimed at helping elderly Swiss citizens feel secure in their residence, and say no to drugs, an educating program designed to help drug users escape the downfalls of drug addiction.

The Swiss Crime Prevention Center also provides education regarding the areas of fraud (investment transactions, loan brokerage, and Nigerian con games), theft (bicycle, car theft, burglaries, pickpockets, and theft



***A demonstrator cleans the protective shield of a riot police officer in Bern, Switzerland, January 22, 2005. Small groups of protesters gathered to rally against the World Economic Forum taking place from January 26–30, 2005, in Davos, Switzerland. AP IMAGES.***

within the hospitality industry), violence (youth, family, school, and sexual), and drugs.

**Local Police.** Policing at the local level is canton specific. A number of cantons coordinate policing duties with municipal police agencies. The twenty-six cantons encompass over a hundred municipal police agencies. Some cantons use the municipal police agencies in traditional fashion, others delegate insignificant tasks to the municipal officers, while other cantons do not use municipal forces at all.

#### **Special Police.**

***Sea Police.*** Several cantons have Sea Police, which are responsible for patrolling Switzerland's bodies of water.

***Traffic Police.*** The Traffic division is an integral part of all the cantons. The traffic division may be broken down into subdivisions of patrol, accident, and technical. The Patrol Service Division oversees all the roadways by

ticketing for speeding and for other types of traffic violations. The Accident Service Division is responsible for complex traffic and accident investigations. The Technical Service Division is responsible for all the traffic controls and deployment of traffic police for large events.

**Education and Training.** Applicants may apply for admissions to police service between the ages of twenty and thirty-five years old, be in good physical and psychological condition, have excellent written and verbal skills (German), have knowledge of a foreign language, and possess an excellent driving record.

Law enforcement officers in Switzerland are not required to have a high school diploma or its equivalent. In fact, 70 percent have not completed high school. Training for law enforcement officers includes one year of academic and on the job training. Switzerland has one academy for specialized training and several other academies for basic law enforcement training.

**Uniforms and Weapons.** The basic uniform of a cantonal police officer is a dark-blue pant with a light- or dark-blue shirt. Patches are attached to the sleeve based on canton and assignment.

**Transportation, Technology, and Communications.** Vehicles vary from canton to canton; however, a mid-sized sedan such as the Volvo V70 is common to most localities. Other police vehicles include the Jeep Grand Cherokee, Honda CRV, Opel Monterey, Mercedes Vito, and Fiat Ducato. The vehicles are white with orange stripes or blue stripes horizontally traversing the vehicle's hood, fenders, and doors. The word *Polizei* is clearly marked on the hood and door panels.

The Swiss Police Technical Commission has working divisions on general technology and communications and electronics that keep the cantonal police organizations informed on new technology.

***Surveillance and Intelligence Gathering.*** There is a need for a unity of doctrine when criminal activity and police actions involve several cantons. There has been an extensive effort to strengthen cooperation between the cantonal police organizations and between the cantonal police and the Federal Office for Police and the Attorney General's Office. The Conference of Cantonal Police Commanders of Switzerland and the Swiss Association of City Police Chiefs have made interagency communication and the adoption of a unity of doctrine a priority.

**Police Officers Killed in the Line of Duty.** Since 1919 a total of eleven Swiss law enforcement officers have been killed in the line of duty: Johann Altdorfer, Leonhard Heer, Rudolf Himmelberger, Stefan Jetzer, Gottfried

Kottmann, Hans Kull, Julius Muntwyler, Roland Niederberger, Friedrich Pluss, Friedrich Pfennigwert, and Peter Spitzer.

**Police Statistics.** There are twenty-six cantons and over a hundred municipal law enforcement agencies employing approximately 14,954 law enforcement personnel. The population per police officer is 501.

## HUMAN RIGHTS

The Swiss government generally respects human rights, and the law and judiciary provide effective means of dealing with individual instances of abuse. There continue to be allegations by nongovernmental organizations of occasional police harassment directed against foreigners, particularly asylum seekers, including arbitrary detention. The government is continuing to take serious steps to address violence against women. Trafficking in women for forced prostitution has increased. Some laws still tend to discriminate against women. There continue to be reports of verbal abuse against foreigners by private citizens.

In one case, the Geneva prosecutor general dismissed a criminal complaint lodged against Geneva police by the Nigerian human rights activist Clement Nwankwo. He had accused the police of assaulting him on the street and subjecting him to degrading treatment in a police station following his arrest in 1997. While acknowledging that Nwankwo had been a victim of abuse of power, the prosecutor general concluded that disciplinary sanctions imposed on three officers following an administrative inquiry were sufficient punishment. In 1998 the Federal Supreme Court rejected Nwankwo's final appeal against his conviction for resisting the police at the time of the arrest, thus putting an end to all judicial proceedings. Nwankwo received no compensation, and the disciplinary actions against the three police officers were dropped without explanation. In October 1998 Nwankwo lodged a petition against Switzerland with the European Commission of Human Rights, claiming violation of two articles of the European Convention for the Protection of Fundamental Human Rights and Freedoms.

Swiss nongovernmental organizations believe that the Nwankwo case underscores overall problems with police treatment of foreigners, especially asylum seekers in Geneva and perhaps elsewhere. The cantonal government took measures in response to the incident, including launching an administrative inquiry into the conduct of the three police officers involved. The police successfully appealed the reprimand and warning that were imposed as a result of the inquiry. In 1998 the Association for the Prevention of Torture, a nongovern-

mental organization, organized a special seminar for police officers in Geneva. The federal government and the canton of Geneva financed the publication of a special brochure aimed at increasing respect for and awareness of the rights of all persons in custody. The brochure was distributed throughout the country.

In 1997, following its examination of Switzerland's third periodic report, the United Nations Committee against Torture expressed concern about "frequent allegations of ill treatment" inflicted in the course of arrests and police custody and a lack of independent mechanisms in the cantons to provide certain legal protections such as the possibility, "especially for foreigners," to contact their family or a lawyer in case of arrest and to be examined by an independent doctor on entering police custody, after each interrogation, and before being brought before an investigating magistrate or being released. The committee recommended the introduction of mechanisms to receive complaints of mistreatment by police officers against suspects and for the harmonization of the twenty-six different cantonal codes of penal procedure, "particularly with regard to the granting of fundamental guarantees in the course of police custody." In addition, the committee recommended that the authorities pay "the greatest possible attention" to the handling of cases of violence attributed to police officers to ensure the opening of investigations and, in proven cases, the imposition of possible sanctions. Responding to committee recommendations, in 1998 a team of experts appointed by the Federal Office of Justice presented a preliminary study identifying possible characteristics of a future federal-level code of penal procedures that would replace the cantonal codes. The study recommended granting fundamental protections to detainees in police custody, including the introduction of a legal right to inform relatives or third parties of their arrest. However, the committee did not recommend a provision for access to a lawyer from the time of arrest. The Federal Office of Justice issued a draft code in 2001.

The Brazilian national Luis Felipe Lourenco had been living illegally in the country and was arrested in 1998 by police in Geneva on charges of theft of a credit card. He allegedly was beaten by prison guards while in custody. The guards reportedly waited two hours before transporting Lourenco to the hospital, where he was diagnosed with a perforated lung and damage to his spinal cord. The Brazilian embassy reportedly asked the authorities to look into the incident. Inquiries are ongoing, but there has been no official report. Amnesty International criticized the police for brutality in its 1999 annual report. Lourenco claims to be partially paralyzed as a result of the injuries that he suffered at the hands of prison guards. The prison administration claimed that



Lourenço's injuries were incurred when he threw himself against a door.

Violence against women is a problem. According to a government-funded study on domestic violence, one-fifth of all women suffer in their lifetimes at least once from physical or sexual violence, and about 40 percent suffer from psychological or verbal abuse. The law prohibits wife beating and similar offenses. Spousal rape is a crime in the Swiss Penal Code. Victims of violence can obtain help, counseling, and legal assistance from specialized agencies or from nearly a dozen hot lines sponsored privately or by local, cantonal, and national authorities. Cantonal police have specially trained units to deal with violence against women, and victims are legally entitled to be heard exclusively by female police officers and judges. An estimated 680 women and 730 children took refuge in 14 women's shelters across the country during 1998. Those in charge of the shelters estimate that nearly as many were denied access because of lack of space and funding (Bureau of Democracy, Human Rights, and Labor 2000).

The difficulty in gathering information about the number of prosecuted, convicted, or punished spouse abusers stems in part from the fact that legal cases are handled by each canton and data are often not up to date. According to 1998 police criminal statistics, 320 men were investigated for rape offenses; in 1997, the last year for which data are available, 92 men were sentenced for rape (Bureau of Democracy, Human Rights, and Labor).

The Federation of Women's Organizations and many other women's nongovernmental organizations have heightened public awareness of the problem of violence against women. In 1998 two government-supported women's organizations that fight for equal gender rights jointly conducted the first national campaign against violence in relationships. This campaign received extensive media coverage.

Although the constitution prohibits all types of discrimination, and a 1981 amendment provides equal rights, equal treatment, and equivalent wages for men and women, a few laws still tend to discriminate against women. In 1996 a new federal law on equal opportunity for women and men came into force. The law includes a general prohibition on gender-based discrimination and incorporates the principle of "equal wages for equal work." The law also includes provisions aimed at eliminating sexual harassment and facilitating access to legal remedies for those who claim discrimination or harassment. The Federal Supreme Court has ruled that in a divorce settlement the primary wage earner must be left with sufficient income to remain above the poverty level. Since the man is the primary wage earner in most mar-

riages, when the income is too low to support both parties, it is usually the wife who must go on welfare.

On average women earn 20 to 30 percent less than men. Researchers find that discriminatory behavior by employers accounts for 40 percent of the overall wage gap between men and women. Women are also promoted less often than men. Individual cases of denial of equal pay for equal work are subject to the new law. In 1996, the most recent year for which data are available, 27.7 percent of the women between the ages of fifteen and sixty-one were not in the workforce; of those in the workforce, only 46 percent worked full time. Women held over 80 percent of all part-time jobs (Bureau of Democracy, Human Rights, and Labor).

According to nongovernmental organizational statistics, in 1999 there were 73 reported attacks against foreigners/minorities in the first seven months of the year, compared to 70 for the first half of 1998. These figures include instances of oral and written "attacks," which are much more common than physical assaults. Investigations of these attacks are conducted effectively and lead, in most cases, to the arrest of the people responsible. People convicted of racist crimes are commonly sentenced from three days' to three years' imprisonment with a fine of up to approximately \$27,000 (Bureau of Democracy, Human Rights, and Labor).

Prostitution is legal, while working without a valid work permit is illegal. The penal code criminalizes sexual exploitation and trafficking in women; however, trafficking in women is a problem. The penal code criminalizes sexual exploitation and trafficking in persons. Police officials are concerned about a growing number of foreign women subject to abuse in sex trafficking rings. In the past victims came from Thailand, parts of Africa, or South America; by the turn of the twenty-first century an increasing number of women came from Hungary, Russia, Ukraine, and other states of the former Soviet Union. Many victims are forced to work in salons or clubs to pay for the cost of their travel and forged documents and find themselves in a state of dependency. Traffickers sometimes seize victims' passports. Generally, the victims do not read, write, or speak the country's languages and are afraid to seek help from the authorities.

Since 1905 the government has had an office to combat trafficking of girls for the purpose of commercial sexual exploitation. Over the years this office has evolved to include all forms of trafficking in persons. The Federal Office for Police has a human trafficking office as part of the criminal intelligence unit. In 1998 the government institutionalized the exchange of information on trafficking in persons with nongovernmental organizations. The

## Switzerland

Department of Foreign Affairs launched programs intended to combat trafficking from eastern Europe. To confront modern forms of trafficking in women, especially via the Internet, the federal police have increased the number of their agents. In 1997 four persons were convicted of trafficking in women and thirteen were convicted of sexual exploitation; and in 1997–1998 police uncovered a large Thai trafficking organization. Its leader was arrested, tried, and convicted (Bureau of Democracy, Human Rights, and Labor).

### CRIME

**Organized Crime.** Organized crime investigations are carried out primarily by the Federal Criminal Police. The primary interest of an organized crime investigation in Switzerland is on the international trade in illegal drugs, trafficking of people, and money laundering. Investigations into organized crime are carried out by investigators who are banking specialists, auditors, and information technology experts.

**Crime Statistics.** The most recent crime data available from Interpol is for 2002. Switzerland's crime statistics were summarized as follows:

Homicides	213
Sex Offenses	3,383
Rape	484
Serious Assaults	6,123
Thefts	271,867
Robberies and Violent Theft	2,445
Breaking and Entering	60,822
Automobile Theft	65,571
Other Thefts	1,523
Fraud	10,327
Counterfeit Currency	6,735
Drug Offenses	49,201
Total Number of All Infractions	350,294

SOURCE: *Interpol 2002*.

### CORRECTIONAL SYSTEM

The Federal Department of Justice and Police is responsible for housing the Swiss prison population.

**Prison Conditions.** Reports on Switzerland indicate that prisoners are treated respectfully, with a minimum number of complaints. Overcrowding is kept to a minimum, possibly because of the minimal duration of most prison sentences. According to statistics regarding incarceration rates, most sentences are less than eighteen months long.

### Prison Statistics.

- Total Prison Population: 6,021
- Prison Population Rate per 1,000: 81
- Pretrial Detainees: 41.5%
- Female Prisoners: 6.2%
- Juvenile Prisoners: 1.4%
- Number of Prisons: 157
- Official Capacity of the Prison System: 6,584
- Occupancy Level: 91.4%

### MOST SIGNIFICANT ISSUE FACING THE COUNTRY

An issue facing Switzerland is how to address suicide tourism. Zürich's public prosecutor is drafting legislation that would restrict assisted suicide in Switzerland. In 2000 only three foreigners traveled to Zürich to commit suicide. This is a small figure, but it still remains an issue that the Swiss government feels it needs to address so that the problem does not increase in number. Because of the liberal laws in Switzerland, many foreigners are able to travel there and remain virtually unknown. Andreas Brunner, a Zürich prosecutor stated, "People are only here for one day before they die. We know nothing about them." This issue alone has created a problem for the Swiss government. Intelligence gathering is difficult and the Swiss government desires to be better educated in the profile of the type of person or persons who enter into another country to commit suicide. Along with investigations of suicide tourism, the Swiss government is also concerned with those who assist in these suicides. Each of these types of investigations in assisted suicide costs the canton between 2,428 and 5,000 Swiss francs (Capper 2004).

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# Syria

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**Official country name:** Syrian Arab Republic

**Capital:** Damascus

**Geographic description:** Located in the Middle East, occupying the land between Mesopotamia and the Mediterranean

**Population:** 18,448,752 (est. 2005)



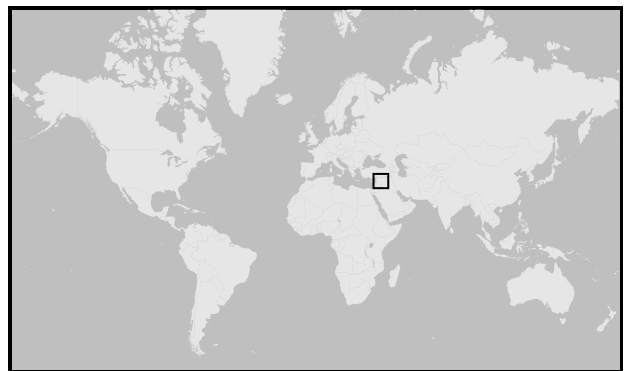
## LAW ENFORCEMENT

**History.** Although the Syrian police was first established under the Ottoman and French periods, it underwent a radical transformation after independence and now owes little to either the French-inspired Gendarmerie or the Ottoman police.

**Structure and Organization.** Under the reorganization under Hafiz al-Assad, there are three security agencies: General Security, State Security, and Political Security, all under the Ministry of the Interior. Each works independently of the other. The police, like the military, is predominantly Alawite in composition.

The core police agency, the Public Security Police, operates under the Ministry of the Interior. It is headed by a director general and is organized territorially by administrative districts. Damascus has a metropolitan police under the direct jurisdiction of the director general. The headquarters is divided into four main branches: Administration, Criminal Investigation, Public Order, and Traffic.

The police are supplemented by two paramilitary forces: the Gendarmerie and the Desert Guard. The



Gendarmerie had originally been formed under the French Mandate to police rural areas. The Desert Guard is responsible for guarding the border regions, especially those near Iraq. The People's Militia and the Detachments for the Defense of the Regime are quasi-military organizations, but they have been increasingly encroaching on police functions.

**Education and Training.** Education for all police ranks is provided at the central Police Training Schools in Damascus and Aleppo. There is also an Officers' College in H̄im̄ş where junior officers are enrolled for six-month courses in specialized subjects.

## Police Statistics.

- Total Police Personnel: 8,708
- Population per Police Officer: 2,118

**HUMAN RIGHTS**

Syria, a major offender against human rights, has a long history of violations in this regard. These abuses include torture, arbitrary arrest and detention, prolonged detention without trials, and an inefficient and corrupt judiciary that never holds security personnel accountable for their actions. The government never investigates deaths in detention or disappearances. Amnesty International reports that authorities at Tadmur and other prisons regularly torture prisoners. The government often detains relatives of detainees or fugitives to force their confessions or surrender. Some of the inmates are held incommunicado for years before they are brought to trial.

**CRIME**

**Crime Statistics.** Offenses reported to the police per 100,000 population: 42. Of which:

- Murder: 1
- Burglary: 15.6
- Automobile Theft: 2.7

**CORRECTIONAL SYSTEM**

Prisons are administered by the director of the Prisons Service under the Ministry of the Interior. There are

fifteen prisons in the country. In 2002 two major prisons at Tadmur and Mazzah were closed, and their prisoners were transferred to Saydnaya.

**Prison Conditions.** Prison conditions are substandard. However, there are rules for the segregation of women, children, and pretrial detainees from common housing with convicted criminals. Political and national security prisoners fare worse than common criminals.

Security officials demand bribes from family members who wish to visit their relatives in prison. Inmates are commonly denied food, medical care, and reading materials. The London-based Syrian Human Rights Commission reports the death of several detainees in prison as a result of torture. The government does not permit the independent monitoring of prisons.

**Prison Statistics.** Prison statistics are not published but the total prison population is estimated at 14,000 and the prison population rate is 93 per 100,000.

*George Thomas Kurian*

# Taiwan

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**Official country name:** Taiwan

**Capital:** Taipei

**Geographic description:** Island in the South China Sea, along with the Pescadores and the islands of Quemoy and Matsu, close to the Chinese mainland

**Population:** 22,894,384 (est. 2005)



## LAW ENFORCEMENT

**History.** When the Kuomintang set up an independent state in Taiwan in 1949 immediately following the takeover of China by the Communists, it transferred to the new government the administrative structure of the Republic of China, including the administration of law enforcement. The police system was made up of three broad categories: General Police, Peace Preservation Corps, and Counterespionage Agency. Later, all these forces were unified in the National Police Administration under the Ministry of the Interior.

**Structure and Organization.** The National Police Administration's legal basis is the National Police Act. The act not only delineates the general responsibilities of the police—the maintenance and promotion of social order, the protection of property, and prevention of crime and delinquency—but also invests it with a role as a guardian of public safety and internal security.

Taiwan uses a traditional military rank structure; in ascending order, it is officer, sergeant, lieutenant, captain, and several grades of command officers in two categories: noncommissioned and commissioned. Commissioned



officers—lieutenant and above—perform staff and command assignments, while noncommissioned officers—sergeant and below—perform first-line supervision and line duties. Structurally, the force is divided into divisions: bureaus and corps or offices.

About 20,025 or 28 percent of police personnel work in specialized units and bureaus that provide enforcement, investigative, or support services at the national level. These units include:

- Entry and Exit Bureau, which enforces visa and entry laws and provides customs services
- Criminal Investigation Bureau, which provides investigative and forensic services
- Highway Police Bureau, which enforces traffic laws and regulates traffic
- Airport Police Bureau
- Railway Police Bureau

- National Park Police Corps
- Taiwan Security Police Corps, which provides security for government buildings and maintains order during civil disturbances
- Harbor Police, which serves the ports of Keelung, Taichung, Kaohsiung, and Hualien
- Foreign Affairs Division, which monitors foreigners resident in Taiwan

**Municipal and Provincial Police.** Most police officers work at the local, that is municipal and provincial, level. Approximately 10 percent—about 12,277—of all uniformed forces work in Taipei and Kaohsiung, the principal port. Municipal police forces are geographically grouped in precincts, substations, posts, and patrol beats.

There are twenty-three other provincial bureaus that account for the remaining police personnel. Provincial police bureaus have cities, towns, and villages within their jurisdictions. Each town or village has one or more precinct, substation, post, and patrol beat.

Because of overlapping jurisdictions of the national, provincial, and municipal police forces, the National Police Administration has established a coordinating body called the Police Administration and Planning Bureau. This bureau evaluates and develops systems, policies, and strategies, evaluates staffing levels, and makes workforce assignments. Other bureaus and offices of administration provide inspectional services, logistical support, budgetary services, command and communication centers, and forensic and scientific services.

Several documents define police powers in Taiwan besides the National Police Act. The most important of these documents is the Code of Criminal Procedure, which is supplemented by internal National Police Administration regulations. They define police behavior and set limits on police powers. Except for infractions of national or local laws, the police have no punitive powers other than fines and detention for up to fourteen days. Deadly force is restricted to extraordinary situations, such as protection of the life of a police officer. The police may stop and briefly detain a person for general questioning if they have reason to believe that he or she presents a clear danger to public safety. They may arrest a suspect on the basis of reasonable criminal evidence or if there is a likelihood of flight to avoid prosecution. The Code of Criminal Procedure guarantees a number of civil and human rights, such as a warrant before searching a home or car, the right to legal counsel, and the right to remain silent.

Generally speaking, the police appear to be well trained and disciplined, and they display high morale and professionalism. There is some evidence of graft and corruption, especially in cases involving gamblers

and prostitutes, but it is not widespread. They are considerate and do not intrude unnecessarily into the lives of the citizens.

A special security force, the Peace Preservation Corps (PPC), operates under the Ministry of National Defense. It was established in 1949 to deal with the problem of communist infiltration and subversion. Among PPC functions are issuance of entry and exit permits, protection of public utilities against terrorism, prevention of smuggling, control of shipping, and counterespionage. Units of the PPC are organized in companies and are stationed in strategic locations, such as entrances to the mountain areas of aboriginal tribes.

**Education and Training.** Basic police education is provided in two institutions: the Taiwan Police College and the Central Police University.

Admission to either institution is based on physical, psychological, and academic qualifications. Both institutions combine academic training in criminal justice with field training in police work. They serve dual roles as police academies and institutions of higher learning. The curriculum covers a wide range of subjects: police administration, management, law, public safety, maritime law, visa and customs law, corrections, fire science, forensic science, information management, traffic management, and criminal investigation. The studies are divided into four categories: general academic courses, academic courses within a specific discipline, courses related to professional and ethical development, and physical and martial arts.

Each institution targets a specific geographical area. The Central Police University (CPU) is located in Gueishan District of Taoyuan County. Graduate degrees are offered through CPU's nine graduate schools:

- School of Administrative Management
- School of Crime Prevention
- School of Fire Science and Technology
- School of Forensic Science
- School of Information Management
- School of Traffic Management
- School of Law
- School of Criminal Investigation
- School of Maritime Police

The graduate program lasts for four years. Since 1994 the CPU has been offering a doctorate in crime prevention and corrections.

The Taiwan Police College (TPC) is a two-year institution located in Shan District of Taipei City. Graduates



*A backer of Taiwan's opposition Nationalist Party encounters police officers as he demonstrates against the inauguration of President Chen Shui-bian at his party's headquarters in Taipei, Taiwan, May 20, 2004. The opposition was still challenging the results of a March 20 election in which Chen won a second presidential term by a slim margin. AP IMAGES.*

earn an associate's degree and enter public service as entry-level noncommissioned officers.

**Uniforms and Weapons.** Police officers wear a black uniform in winter and a beige one the rest of the year. Shorts and shirts are worn in the hot months. A peaked cap is worn throughout the year. All members of the force carry a pistol and a truncheon.

#### **Police Statistics.**

- Total Police Personnel: 72,659
- Population per Police Officer: 315

#### **HUMAN RIGHTS**

Law enforcement personnel in Taiwan generally respect human rights, which are protected by the constitution and by the Judicial Yuan. There are occasional allegations of police abuse of detainees and judicial corruption. Detainees who are abused physically have the right to sue the police for torture, and confessions known to have

been obtained through torture are inadmissible in court. Respect for human rights is part of the basic police training.

#### **CRIME**

**Crime Statistics.** Offenses reported to the police per 100,000 population: 799. Of which:

- Murder: 8.2
- Automobile Theft: 124.9

#### **CORRECTIONAL SYSTEM**

The criminal code, first enacted in 1928, was revised in 1935. It was adopted by the Nationalist government when it took over Taiwan in 1949. It is based on Continental rather than Anglo-Saxon jurisprudence.

Correctional institutions are administered by the Department of Corrections within the Ministry of Justice. They are divided into six categories: prisons, detention houses, vocational training institutions, juvenile reformatory schools, juvenile detention, and classification



houses and detoxification centers. In 2002 there was 1 juvenile prison, 2 adult drug treatment facilities, 3 juvenile detention centers, 4 adult prisons, 19 adult correctional/vocational training institutions, and a number of juvenile classification houses and detoxification centers. Prisons hold inmates whose sentences run longer than 1 year. Detention houses house people awaiting trial or offenders sentenced to terms of less than 1 year. Reformatories hold juveniles between ages 14 and 18 who, under the law, may not be jailed with adults.

Each district court has an associated prison and a detention house, although they are not always located near the district capital. The Taipei Prison, for example, is located at Taoyuan, 10 miles west of the capital. The three major reformatories are at Taoyuan, Changhua, and Kaohsiung.

Administratively, each prison is headed by a warden and consists of five divisions: education and reform, work, health, guard, and general affairs. Facilities are quite extensive and include well-staffed medical sections and dispensaries, workshops, classrooms, and recreational areas. Each has one or more farms as well as full-scale factories. Under law, 25 percent of the profits from these enterprises is distributed to the convicts, 40 percent is set aside for working capital, 10 percent is put into the national treasury, and the balance is set aside to improve prison conditions.

There are no exclusive prison facilities for women, but each regular prison is segregated by sex. Convict mothers are permitted to bring their children under three years of age to live with them, and kindergarten facilities are provided for these children.

On entering the system, each prisoner is given a thorough physical and psychological examination and is categorized into one of four grades. Grade four is the lowest, reserved for dangerous criminals who are subject to strict, often solitary, confinement with no privileges. Grade-three prisoners have better quarters, with four people to a room, a double-decked iron cot, a stool, and a desk-table for each. They are required to attend classes, trained in prison shops to develop usable skills, and permitted a limited amount of free time to engage in sports or other recreational activities. Grade-two prisoners are housed in better quarters and have more privileges. They are allowed to mix with one another during the daytime and to participate in the full range of recreational activities. Grade-one convicts are comparable to what are commonly called trusties in the West. They

have single rooms for quarters; their free time is their own; there are no locks on the doors of their cells; and they may move within the confines of the prisons wearing ordinary clothes without restriction. Convicts of the first and second grades are permitted to receive visitors in special rooms. From time to time prison officials schedule family reunion parties, during which time prisoners get with their whole families. Prisoners may move up or down the grades on the basis of their conduct. Convicts are also given the opportunity to practice self-government, to elect a slate of officers and representatives to act as intermediaries before prison officials, and to form a council that administers a program of self-discipline among inmates.

**Prison Conditions.** Taiwan is one of the original signatories of the United Nations Standard Minimum Rules for the Treatment of Prisoners. The administration of penal institution conforms to the guidelines laid down by the United Nations Conference on the Prevention of Crime and the Treatment of Prisoners. The country's 4,000 custodial personnel are trained and their conduct is monitored by both human rights groups and internal watchdogs.

Taiwan has a progressive penal and rehabilitation philosophy. Inmates who have served one-third of their sentences are eligible for parole. Inmates serving life sentences are eligible for parole after ten years. In practice, parole is granted to 90 percent of the inmates. Inmates may participate in individual counseling and job training and are provided reentry assistance by private and government agencies. Community-based treatment programs also keep individuals on probation out of the prison system.

As a result of new construction, renovation, and expansion, overcrowding is no longer a serious problem. However, illegal aliens face long confinement in detention centers.

#### **Prison Statistics.**

- Total Prison Population: 57,275
- Prison Population Rate per 100,000: 252
- Number of Prisons: 86

*George Thomas Kurian*

# Tajikistan

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**Official country name:** Republic of Tajikistan

**Capital:** Dushanbe

**Geographic description:** Borders Afghanistan, China, Kyrgyzstan, and Uzbekistan

**Population:** 7,163,506 (est. 2005)

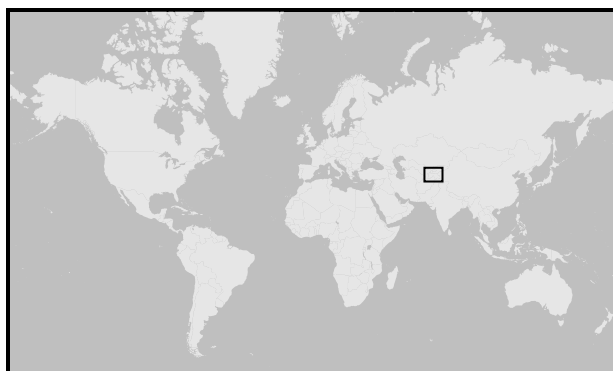


## LAW ENFORCEMENT

**History.** The Tajiks come from ancient stock—the inhabitants of the Pamir Mountains claim to be the only pure descendants of the Aryan tribes who invaded India over 4,000 years ago, and the Saxon tribes of western Europe also originated there. Tajikistan’s inaccessibility has protected it from most invaders, although Alexander the Great founded a city on the site of modern-day Khudzhand, calling it Alexandria Eskate (Alexandria the Furthest). However, the mountains effectively spared it from the Mongols, although it was under their aegis.

After the dissolution of the Mongol Empire, Tajikistan was successively ruled by the emirs of Samarkand, Bukhara, and finally Kokand. Russia took control of the Tajik lands in the 1880s and 1890s, but the Tajiks remained split among several administrative-political entities, and their territories were economically backward and were exploited for their raw materials.

In the aftermath of the 1917 Russian Revolution, the Tajiks rebelled against Russian rule; the Red Army did not establish control over them until 1921. Tajikistan was made an autonomous republic within Uzbekistan in 1924; in 1929 it became a constituent republic of the Soviet Union. The Tajiks continued to resist until the



early 1930s. During the fighting some 200,000 Tajiks fled to Afghanistan. Tajikistan’s distance and remoteness again saved it during the Soviet era, when it escaped Moscow’s heavy hand. In 1929 the Tajik state was upgraded to a full union republic, although Samarkand and Bukhara—where over 700,000 Tajiks still lived—remained in Uzbekistan.

In the 1930s canals and other irrigation projects vastly increased cultivated acreage and the population increased rapidly. Russian immigration was encouraged and many inhabitants of the Garm Valley and the Pamirs were forcibly moved to the southwest in the 1950s to help with the cotton growing, replacing those who had escaped into Afghanistan.

Independence came to Tajikistan with the dissolution of the Soviet Union in December 1991. The current system of governance emerged only after a period of turmoil in Tajikistan’s recent political history. Immediately following independence, the country was drawn into civil war by the various factions vying for power. A major source of conflict

was the disparity between the poorly developed regions in the south and those in the north, which had continued under the Soviet era.

The invasion of neighboring Afghanistan in 1979 by the Soviet Army created a complicated environment by the time Tajik independence arrived—the region was awash in weapons. Civil war continued in southern Tajikistan from 1992 until 1994, when the Tajik government and the United Tajik Opposition agreed to a ceasefire. Negotiations, which took place under the auspices of the United Nations, were difficult and prolonged, stretching over a three-year period. Russia and Iran, among others, participated as guarantor countries. The General Agreement on Restoration of Peace and National Consent in Tajikistan was finally signed in July 1997.

Fighting continued among some factions and, in a 1999 referendum, voters backed constitutional changes that would extend the president's term to seven years and allow the formation of Islamic political parties. By the end of 2000, a truce prevailed in most of Tajikistan. Some 30,000 to 50,000 were estimated to have died in the fighting, and war and neglect had devastated much of the country's infrastructure, making the nation one of the poorest in the world. Tajikistan remains dependent on help from Russia's military to preserve its tenuous stability and security. A drought in western and central Asia that began in the late 1990s has had particularly severe consequences in impoverished Tajikistan.

Post-Soviet developments in the former Central Asian republics had barely registered in the West. That changed after the terrorist attacks of September 11, 2001. Keen to prosecute its war against al Qaeda and the Taliban regime in Afghanistan, the United States started to canvas neighboring countries for facilities and military bases. Tajikistan, which shares a thousand-mile border with Afghanistan, was a prime candidate and much of the subsequent fighting in northern Afghanistan relied on U.S. supplies and personnel moved in from Tajikistan.

**Structure and Organization.** There is a great paucity of information regarding the police function in Central Asia generally and in Tajikistan specifically. Policing is guided by the Ministry of Internal Affairs, which is the most powerful armed institution in the country. The ministry is believed to have 28,000 personnel in a country of only 7 million people. The ministry shares policing authority with the National Security Service in areas such as narcotics, organized crime, and terrorism. The informal paramilitary units that sprang up around the country during the civil war are gone now. The procuracy is responsible for oversight of the ministry.

The branch of the Ministry of Internal Affairs in Khujand, a city with a population of 145,000, has around

500 staff members, including 47 officers in the criminal investigation police and about 100 ordinary police officers (militia).

**Police at Work.** Police officers spend much of their time illegally boosting their small official salaries. In 2003 the minimum wage in the country was 4 somoni (US\$1.20) per month. For an ordinary police officer, the monthly wage amounted to about 17 somoni (US\$5.50). High-ranking officers received 40 to 50 somoni (US\$13 to \$16) monthly. A regional judge in Tajikistan earned the equivalent of approximately US\$20. Several prosecutors have admitted that they have had to find ways to pay their staff salaries themselves. And many police stations have developed small land holdings on which they farm animals and grow crops.

The combination of underfunding, low salaries, inadequate staffing, and little training contributes to an environment where corruption is already endemic. The traffic police have a particularly tarnished reputation in Tajikistan (as in most countries of the former Soviet Union). With many checkpoints along every major traffic route, police officers often stop passing cars and take money from drivers with no explanation. However, they are merely the most visible of a widespread and deeply penetrating corruption contagion.

One effect of the dismal economic situation is the great difficulty in recruiting candidates to staff city police departments. Only about 25 percent of ordinary police are from cities; most come from villages. That is, most personnel are not intimately familiar with the jurisdictions they are policing, are not as educated as the city dwellers, are less knowledgeable of the legal rights of the population, and are less capable of developing investigative techniques. The Ministry of Internal Affairs Academy is the main source of training, but most police officers believe that it is far from sufficient. Up to 70 percent of police officers have no specialized training.

The situation in Khujand paints a picture that is common around the country. The forty-seven officers of the criminal investigation police have only two cars and three radios at their disposal. The Chinese government is providing the ministry with technical assistance worth approximately \$700,000, including fifty patrol vehicles.

The entire police force is dramatically underfunded and underequipped. There is little gasoline for the few cars available. The police are frequently forced to start their days by extorting gasoline from drivers for their patrol cars, thus forcing the police themselves to break the laws they are employed to enforce.

As for the rest of the department, officers are frequently forced to privately finance the purchase of uniforms and equipment, using personal mobile phones for communication for lack of police radios, and wearing



*A Tajik police officer talks with others on patrol as they take a break from their tour of duty near the Ismail Somoni monument in Dushanbe, the capital of Tajikistan, April 7, 2004. Civil security issues in Tajikistan have been rapidly improving since 1997, when the secular government and predominately Islamic opposition agreed to stop a five-year civil war. AP IMAGES.*

worn-out uniforms and nonregulation footwear because of shortages.

Corrupt practices are by no means limited to the lower ranks of the police force. The ministry suggests that it has initiated a campaign to clean up the ranks by dismissing corrupt officers and bringing charges against the worst offenders. In one of the worst cases, a lieutenant colonel was sentenced to twenty-five years' imprisonment in October 2002 for committing twenty crimes, including six murders, banditry, armed robbery, and drug trafficking. Realistic reform ends with these serious cases. Corruption is so embedded in the survival strategy of most police officers that rooting it out is all but impossible.

This systemic corruption, with police misuse of force, has created an abiding mistrust among the citizenry. By and large, the population views the police as ineffective, if not irrelevant, in protecting them from crime. It has also made the police an easy target for penetration by organized crime groups.

#### HUMAN RIGHTS

The government's human rights record is poor. Security forces torture, beat, and abuse detainees and other people, and they are frequently responsible for threats, extortion, and abuse of civilians. Prison conditions are harsh and life threatening, but the government agreed to permit the International Red Cross to make prison visits.

The government continues to use arbitrary arrest and detention, and arrests people for political reasons, including two top officials of a main opposition party.

Impunity and long pretrial detention are problems in Tajikistan as they are throughout the region. Law enforcement officers use torture to obtain confessions, which are used in trial without qualification. According to Amnesty International, people detained on capital charges say that they were tortured by police investigators. Allegations include torture by ferocious beating; rape with a truncheon, penis, or other objects; and electrocution of the ears, fingers, toes, and anus. The torture is said to have taken place when people were in police custody in so-called Temporary Detention Premises. Torture has also been reported by pretrial detainees held in investigative isolation prisons.

The torture of people in custody is prohibited by article 7 of the International Covenant on Civil and Political Rights. Testimony extracted under torture is inadmissible as evidence in court, according to article 15 of the Convention against Torture.

Tajikistan continues to use the criminal code of the former Tajik Soviet Socialist Republic (adopted in 1962), with amendments. Besides retaining capital punishment for a number of economic crimes (which is at odds with a trend evident since 1991 in other former Soviet republics to remove economic crimes from the scope of the death

penalty), the list of peacetime capital offenses includes up to fifteen offenses to which capital punishment has been extended.

The death penalty in Tajikistan is regulated by the following published laws:

- The 1994 constitution of the Republic of Tajikistan proclaims the right to life. Article 18 states that no one may be deprived of his or her life except by a court-imposed sentence for an especially serious crime.
- The death penalty is not mandatory. The fifteen offenses that may be punished by death are listed in article 59 of the Tajik Criminal Code, adopted in 1998. Article 59 prohibits the imposition of a death sentence on anyone who was under eighteen years of age at the time of the offense and on pregnant women.
- The 2001 Tajik Criminal Execution Code explains how all prisoners are to serve their sentences.

The government routinely sentences criminal defendants to death in trials that violate norms of due process and human rights. During pretrial detention the police often beat and otherwise coerce suspects into making confessions, which are introduced into trial without qualification. Amnesty International reports that none of the thirty-three people sentenced to death in the first six months of 2003 received a fair trial.

Official secrecy surrounds the death penalty in Tajikistan. Prisoners are executed in secret after unfair trials, usually with little warning to their families. Relatives of death row prisoners are kept in a state of uncertainty about the fate of the person they love and are deprived of all rights once the prisoner has been executed, often discovering that clemency has been refused only after the prisoner has been removed without warning to the place of execution. They have no right to see the condemned person to say good-bye before the execution and are deprived of all rights once the prisoner has been executed—such as the possibility of collecting the prisoner's personal belongings or the body for reburial. They are frequently not told where the grave is located.

The death penalty is not a mandatory punishment. In each case it is applied at the discretion of the courts, which ordinarily are presided over by one professional judge and two lay "people's assessors." The courts have been given significant leeway in deciding matters of life and death, and in practice there is an element of arbitrariness in the justice administered by different courts, in different regions, under different presiding judges.

The criminal code states that the death penalty is an "exceptional measure," but practice shows it is not excep-

tional. Some Tajik legal scholars and government officials say that the courts resort to the death penalty for repeat offenders, others say it is for criminals who killed more than one victim, in line with unpublished instructions that date back to the Soviet era.

Prisoners in Tajikistan are executed by shooting. As soon as a prisoner has been shot, the law requires the director of the prison to inform the Ministry of Justice, which in turn informs the court that passed the sentence that its penalty has been carried out. It is then the responsibility of the court to notify the prisoner's local records office and, simultaneously, the prisoner's family. This procedure is set down in the 2001 Tajik Criminal Execution Code, although it is not always followed.

Relatives are allowed to ask the Ministry of Justice for monthly visits of two hours with the prisoner on death row, but they receive no warning of when the prisoner will be transferred from death row to be executed or when the execution has been scheduled to happen.

Once all appeals have failed and a sentence has come into legal force, all prisoners—including those under sentence of death—have the right within seven days to petition the president for clemency. Should a prisoner refuse to do so, the director of the death row prison and the state prosecutor are obliged to petition on the prisoner's behalf.

In death penalty cases a stay is put on execution until the president has decided on the petition. Before the introduction of the 2001 Tajik Criminal Execution Code, prisoners could be executed before the outcome of their petition was known, according to legislation inherited from the Soviet era. The president must decide on clemency within four months. If he decides to grant clemency, the death sentence is commuted to a prison term of up to twenty-five years.

Authorities infringe on citizens' right to privacy. The government restricts freedom of speech and has reinstated restrictions on the press after it had initially relaxed such restrictions. Journalists practice self-censorship.

The government restricts freedom of assembly and association by exercising strict control over political organizations and by intimidating demonstrators. The government imposes some restrictions on freedom of religion and freedom of movement within the country. Violence against women and discrimination against women, people with disabilities, and religious minorities are problems. Child labor is a problem, and there are some instances of forced labor, including by children.

Government officials claim progress in investigating a number of political killings since the mid-1990s. The murderers of a British Broadcasting Company correspondent in 1995, a correspondent of the Russian TV

ORT in 1996, and the chairman of the State Television and Radio Committee in 2000 were convicted and sentenced in July 2003. The government formed a special investigative unit to look into crimes committed against journalists during the civil war and announced that a number of arrests had been made and charges filed. However, the government indicated that some of those under investigation were being detained without formal charges. Some of these individuals were held incommunicado.

Both the government and the opposition used landmines during the civil war. Landmine explosions in some unmarked minefields in the Karetegin Valley reportedly killed civilians in 2003. Landmines were laid along the northern segment of the border with Uzbekistan, which included some populated areas, and were not demarcated clearly in most places. The State Border Protection Committee reported that landmine explosions killed sixteen people along the Uzbek border during 2003. The media estimates that there have been 57 landmine deaths and that over 16,000 mines remain spread over 770 square miles.

#### CRIME

Crime statistics should always be handled with great care; in the case of Tajikistan and other former Soviet states they are relatively meaningless. Locked in an ideological battle with the West, Soviet reality urged the creation of fictitious figures across most sectors of the economy and society to portray a positive image to the outside world. The depiction of crime was one of the most important sectors for manipulation as the Soviet Union attempted to demonstrate the superiority of communism and its promise of the disappearance of crime. According to police officials, the practice of producing fraudulent statistics (*pripiska*) continues long after the demise of the Soviet Union. Latent crime has always been assumed to be rather high. Moreover, police officials come under considerable pressure to clear cases and produce favorable statistics. Filing citizen reports of crime can become a subjective procedure.

According to the Tajik minister of internal affairs, the percentage of crime solved during the first six months of 2000 was up 7.1 percent over the same period from 1999. The percentage of serious crime solved rose by 6.7 percent and economic crime by 15.6 percent. The minister did not discuss comparative data regarding the number of crimes actually committed throughout Tajikistan. In the capital, Dushanbe, however, 2,565 crimes were committed between January and June 2000, which is an increase of 295 over the first six months of 1999. However, at the same time serious crimes fell by 22.1 percent.

Police confiscated 260 tons of contraband aluminum destined for illegal export and intercepted 600 kilograms of drugs, including 300 kilograms of heroin.

**Narcotics.** With the official economy of Tajikistan a shambles, narcotics trafficking offers a viable alternative for criminal organizations, corrupt police officers, politicians, as well as the average citizen. Tajikistan itself produces few if any narcotic substances, but it remains a major transit country for heroin and opium from Afghanistan. Heroin and opium move through Tajikistan and Central Asia to Russia and western Europe. The volume of drugs following this route, through multiple land-based methods of transportation, is believed to be significant and growing.

The United Nations estimates that the amount of heroin from Afghanistan going through Tajikistan is roughly 40 to 50 metric tons a year. Hashish from Afghanistan also transits Tajikistan en route to Russian and European markets. During the first ten months of 2003, Tajikistan officials reported seizing 8,408 kilograms of illegal narcotics, including 5,137 kilograms of heroin, 1,966 kilograms of opium, and 1,179 kilograms of cannabis. In 2004 Tajikistan ranked third in the world for heroin seizures. Opium seizures also showed a slight increase compared to 2002's ten-month total of 1,025 kilograms. In December 2003 the Drug Information Center was established through the collaborative effort of the United States, the Ministry of Health, the Tajik State Medical University, and the World Health Organization. However, the number of young addicts continues to grow. Over 60 percent of Tajikistan's drug addicts fall into the eighteen to thirty age group.

Geography and economics continue to make Tajikistan an attractive transit route for illegal narcotics. The Pyanj River, which forms part of Tajikistan's border with Afghanistan, is thinly guarded and difficult to patrol. It is easily crossed, without inspection, at a number of points. Opium poppies and, to a much lesser extent, cannabis are cultivated in small amounts, mostly in the northern Aini and Panjakent districts. Law enforcement efforts have limited opium cultivation, but it has also been limited because it has been far cheaper and safer to cultivate opium poppies in neighboring Afghanistan. With the beginning of Poppy Operation in May 2003, more than two fields of opium poppies and 5,000 hemp plants have been found and destroyed. In June 2004 police in Dushanbe burned 600 kilograms of heroin that was confiscated in the course of 2003 and the first five months of 2004.

Abuse of heroin, opium, and cannabis in Tajikistan is a minor problem now, but it is growing in importance. Tajikistan's medical infrastructure is highly inadequate

and cannot address the population's growing need for addiction treatment and rehabilitation.

Experts from Tajikistan's Drug Control Agency expected a bumper crop in 2004 on Afghan opium plantations, the major source of Tajikistan's drug worries. The new harvest was expected to produce more than 400 tons of heroin. Twenty heroin "minifactories" have sprung up near the Tajik border, each capable of producing 20 kilograms of heroin a day.

**Organized Crime.** Narcotics trafficking is not the only illicit activity in which organized criminal groups are heavily involved. Groups engage in trafficking human beings, firearms and explosives, smuggling precious materials such as gold and aluminum, and money laundering.

In Dushanbe and the surrounding areas organized crime continues to be a problem. Heavily armed rival clan-based factions are actively competing for control of markets and narcotics trafficking. Past incidents have included several spontaneous shootouts between factions in public marketplaces.

In 2001 the Supreme Court upheld guilty verdicts of murder, banditry, hostage taking, illegal possession of weapons, armed robbery, and other related crimes of eight members of an organized crime group active in Dushanbe and other regions of the country. The sentences varied from twelve years in prison to the death penalty.

The fight against organized crime is intricately entwined with the struggle for political power in Tajikistan. Organized crime leaders command considerable resources to effectively counter law enforcement efforts. Short-term reductions in crime statistics do not accurately reflect the true state of crime and the ability of crime groups to rebound.

The past plays a large role in the present struggle. Many of today's reputed crime bosses were prominent commanders during Tajikistan's bitterly contested civil war beginning in 1992. When the fighting ceased, the victorious Popular Front commanders divided Dushanbe into spheres of influence. Over time six pro-government commanders established themselves in Dushanbe as forces with which to be reckoned. These commanders are from such units as an elite brigade of Internal Troops of the Ministry of Internal Affairs, the Presidential Guard, a special rapid deployment force, and special border patrol groups.

The signing of the General Agreement on Peace in June 1997 formerly ended the war and established a framework for the reintegration of society. It also created new underworld rivalries. Under the peace agreement former leaders of the United Tajik Opposition were integrated into official structures. They moved swiftly

to stake claims to their own spheres of influence in government committees controlling the oil and gas industries and other sectors of the economy. Turf wars have erupted among these commanders, politicians, and their respective clans. Traditional organized crime groups are deeply involved in these clan struggles. The power struggles have brought a spate of car bombings and assassination attempts of high government officials and rival group members.

Government officials also consider "outlaw extremist parties" to be organized crime groups. Chief among these has been Hizb ut-Tahrir. According to the head of the Ministry's Department for Combating Organized Crime, the group allegedly has committed such crimes as hostage taking and robbery. Essentially, the group is agitating for the establishment of an Islamic caliphate in Central Asia.

**Trafficking in People.** In August 2003 the Parliament approved amendments to the criminal code that make trafficking in people punishable by a term of imprisonment of five to fifteen years and the confiscation of one's property. The more general amendment defines trafficking in people broadly, while a second amendment specifically criminalizes trafficking in teenagers, defined as "the buying or selling of a minor with or without means and forms of coercion."

Traffickers may also be prosecuted under other laws prohibiting exploitation of prostitution, rape, kidnapping, buying and selling of minors, illegal limitations on arrival and departure in and out of the country, document fraud, and immigration violations. The penalties for these offenses are in most cases fines or imprisonment of five to fifteen years, although certain immigration violations carry a sentence of up to ten years, and rape is punishable by up to twenty years in prison or, in certain circumstances, a death sentence.

The Ministry of Internal Affairs formed a unit under the Criminal Investigation Department to deal with cases of trafficking, particularly to focus on fact-finding and investigation in cases of sexual exploitation. The unit reports that there are at least a dozen criminal organizations in the country involved in trafficking young girls to the Middle East.

Tajikistan is a source and transit point for trafficked people, primarily women. Trafficking within the country is also a problem. Media reports estimate that over 1,000 people were victims of trafficking in 2003. The actual figure is likely much higher. The Criminal Investigation Unit, as well as calls to hot lines, indicate that victims are most commonly trafficked to Russia, Central Asia, and the Persian Gulf states, including the United Arab Emirates, Yemen, Iran, and Saudi Arabia. Other trafficking destinations are other former Soviet countries,

Turkey, Syria, and Pakistan. There are also reports of the sale of infants. Most victims are female, ethnically Tajik, single, aged twenty to twenty-six, usually with at least one child (the children typically come under the care of extended family), and are new arrivals to Dushanbe or Khudzhand from a rural upbringing with little education. Ethnic minorities are overrepresented among victims, particularly those of Slavic origin.

Victims are commonly recruited through false promises of employment. "Advertising" is often done through social contacts, because traffickers employ their local status and prestige to help recruit victims. There are also cases of false weddings and, more rarely, kidnappings (usually in rural areas). Traffickers generally transport victims by air to the Middle East and by train to Russia and other former Soviet countries.

Traffickers tightly control arrangements for travel and lodging and employ contacts among tourism agencies. They sometimes employ document falsification services to evade entry restrictions in destination countries. Victims are commonly not separated from their travel documents until arrival in the destination country. Debt bondage is a common form of control. There are also reports of Tajik medical professionals—both men and women—trafficked to Yemen to work at medical clinics for substandard wages; traffickers reportedly seize their travel documents and force female medical personnel into prostitution.

Among the traffickers are individuals who rose to positions of power and wealth as field commanders—so-called warlords—during the civil war. Others, including women, are powerful local figures who use their wealth to cultivate patron-client relationships throughout their community; this creates a network that communicates supply and demand for trafficking victims.

Corruption is endemic in the country, and reports indicated that low-level government authorities working in customs, border control, immigration, police, and tourism receive bribes from traffickers. Furthermore, there is reason to believe that certain figures in the government act as patrons or protectors of individuals who are involved directly in trafficking. However, there is no indication of widespread institutional involvement in trafficking by the government.

#### CORRECTIONAL SYSTEMS

The Tajik prison system was transferred from the Ministry of Internal Affairs to the Ministry of Justice in 2002, following a trend throughout the former Soviet Union after 1991.

Over the past several years the number of inmates has grown by some 40 percent. The number of female inmates has increased as well. There is one women's

facility; men and women are held separately. Pretrial detainees are held separately from those convicted. Separate juvenile reform facilities held juveniles.

**Prison Conditions.** Besides being overcrowded, prisons are generally unsanitary and disease-ridden. There is a shortage of food and medicine. Some prisoners die of hunger. Family members are allowed access to prisoners only after a guilty verdict, in accordance with the law. There is one prison specifically for members of the "power ministries" (police, state security, and military personnel).

The government permits some prison visits by international human rights observers. In December 2003 the government agreed to permit the International Red Cross to visit prisons.

Unfortunately, detailed information about the state of Tajik prisons across the country is not available. Because of the continued risk of being taken hostage, foreigners face difficulties in traveling extensively outside Dushanbe, and the local population mostly cannot take the time needed to assert their rights because of their struggle to earn a living.

#### Prison Statistics.

- Total Prison Population: 10,000
- Prison Population Rate per 100,000: 161
- Pretrial Detainees: 33%
- Number of Prisons: 18
- Official Capacity of the Prison System: 9,000
- Occupancy Level: 111%

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*Joseph D. Serio*

# Tanzania

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**Official country name:** United Republic of Tanzania  
**Capital:** Dar es Salaam (Pending Capital: Dodoma)  
**Geographic description:** Located in East Africa, bordering the Indian Ocean  
**Population:** 36,766,356 (est. 2005)

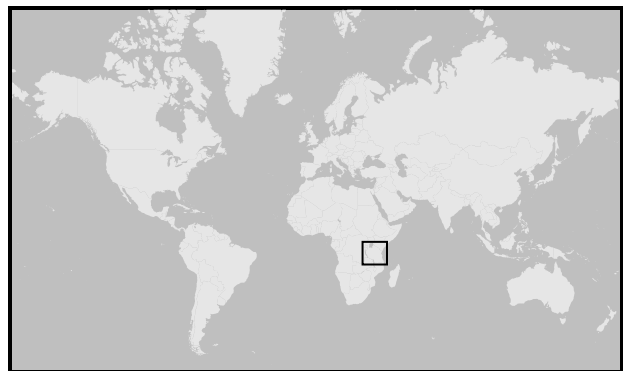


## LAW ENFORCEMENT

**History.** Before the arrival of the Europeans, the native peoples policed themselves through village-based tribal institutions. During the German colonial period there was no regular police force, and police work was done by the army. The first police system was set up by the British in 1919 by extending the British East African Police to the new territory taken over from Germany. The police and the prisons were administered as a combined service until 1931. The top ranks were filled by the British, the middle ranks by the Asians, and the lower ranks by Africans.

The recruitment of native police was biased in favor of the “fierce and tough tribes” such as the Wanyamwazi and Wayao. The native policemen were subjected to harsh treatment as the best means of creating a loyal and disciplined force. Police operations were largely confined to townships. Policing of rural areas was largely left to the native chiefs, except in the case of white settler farms and plantations, which received periodic visits by provincial police chiefs.

At independence, the postcolonial state inherited the British structure intact. A British police officer continued to head the force until 1963, when the first Tanzanian



was appointed to head it. It was not until 1969 that the entire force was Africanized

In Zanzibar the sultan was protected by an armed guard from 1877, but a formal police force, including the Harbor Police, was created only in 1908. A mobile force was added in 1961.

**Structure and Organization.** Up to 1964 the police force was headed by a commissioner, who was always a Briton. However, following the union between Tanganyika and Zanzibar in April 1964 and the creation of a single police force for the federation, the commissioner was replaced by an African inspector general. Below him are three commissioners: one in charge of Zanzibar, one in charge of the mainland, and the third in charge of the Criminal Investigation Department. There are two major divisions at the headquarters: Administration and Operations and Training. Field units, such as Traffic, Air Wing, Marine, Signals, Railways, and Harbors, are under the latter.



**Riot forces are positioned outside the U.S. Embassy in Dar es Salaam, Tanzania, in reaction to demonstrations held by Muslim youths, June 3, 2005.** The protests occurred in the wake of news that U.S. soldiers allegedly destroyed copies of Islam's holy book, the Koran, in the Guantanamo Bay prison in Cuba. AP IMAGES.

Below the headquarters the force is organized on regional and district levels. The regional level is headed by the regional police commander, while the regional crime officer is in charge of criminal investigations. The officer in charge of the district and the officer in charge of criminal investigations perform similar functions in the district. The noncommissioned ranks (formerly known as the rank and file) include sergeants, corporals, and constables.

The administrative wing at the national headquarters is under a senior assistant commissioner, who reports directly to the deputy commissioner.

Since President Julius Nyerere's socialization policies, the police force is considerably politicized. Under the doctrine of party supremacy, all policemen must belong to the ruling party, and there are party cells at each level in the force, from district to headquarters.

To give a more specific ideological orientation to law enforcement, Nyerere created the People's Militia (Jeshi la Mgambo) as a parallel law enforcement organization.

Every member of the militia has powers of arrest similar to those of a constable. There is also the Field Force Unit, elements of which are strategically placed at regional and district capitals. There are also citizens' patrols (Sungusungu), which remain active in rural areas but have disappeared from urban areas.

Constitutionally, the central government controls the police force throughout the country. In practice, however, it appears that the Zanzibar Police Force, even though centrally funded, operates as a separate force under the direct control of Zanzibar authorities.

**Education and Training.** Recruits for the various branches of the police force are selected from the ranks of the National Service, and standards of selection are relatively high. Recruits are expected to be fluent in both Swahili and English and must be members of the ruling political party. All enlistments are voluntary.

Initial training is for fifteen months at the Police Training School at Moslin or the Police College at Dar es Salaam. Tanzania has the distinction of having one of the highest numbers of university-trained police officers in black Africa. A large number of police officers are also trained abroad. Tanzania also trains police officers of neighboring countries, such as Uganda.

#### Police Statistics.

- Total Police Personnel: 26,242
- Population per Police Officer: 1,401

#### HUMAN RIGHTS

Members of the police and security forces commit unlawful killings and mistreat suspected criminals. There are also reports that police officers routinely use torture, beatings, and floggings. In response to public complaints of widespread police corruption, the inspector general of police took a series of disciplinary actions against offending police officers. There is the Prevention of Corruption Bureau, which is tasked with combating police corruption, but it is widely perceived as ineffectual.

#### CRIME

**Crime Statistics.** Offenses reported to the police per 100,000 population: 1,714. Of which:

- Murder: 7.7%
- Assault: 1.7%
- Burglary: 96.6%
- Automobile Theft: 0.9%

### **CORRECTIONAL SYSTEM**

The penal code that was introduced into British Africa was based on the Indian Penal Code with some modifications. These modifications were based on English common law rather than on local customary law. The code was not substantially revised after independence except for the innovation of minimum sentencing. The 1963 Minimum Sentencing Act made flogging a mandatory sentence for a variety of crimes and seriously curtailed the discretion of judges and magistrates in sentencing. Flogging had been a common punishment in colonial times, but many jurists found it incongruous that an independent nation would retain a form of punishment considered a brutal and degrading legacy of the past.

Until the coming of the Europeans, prisons were unknown in East Africa. Malefactors were punished according to the custom of the local group to which they belonged. Punishment of the offender was considered less important than compensation to the offended.

The first prisons in mainland Tanganyika were built by the Germans, who also used beheading, flogging, and hard labor as punishments. The British, who took over Tanganyika after World War I, built more prisons.

Prisons are administered by the commissioner of prisons under the Ministry of Home Affairs. Few new prisons have been built since independence. The total prison population is reported to be over 43,200, although the capacity of all prisons is only 22,000. The largest of the prisons is the Ukonga Prison at Dar es Salaam.

**Prison Conditions.** Conditions at all prisons and detention centers are deplorable by international standards. Visits are rarely allowed and all prisons suffer from overcrowding. Convicted prisoners are not allowed to receive food from outside sources even when the daily ration is inadequate. Inmates receive only limited medical care and have to depend on family members to provide medications. Serious diseases are common and result often in deaths. In 2002 seventeen prisoners suffocated to death in a jail cell in Mbeya. The cell was built to hold 30 inmates, but there were 112 in it at the time the deaths occurred. Women prisoners report that they are forced to sleep naked on the floor and are subjected to sexual abuse by wardens. Since there are only two juvenile detention centers in the country, most juveniles end up being kept with adults.

### **Prison Statistics.**

- Total Prison Population: 43,244
- Prison Population Rate per 100,000: 116
- Pretrial Detainees: 49%
- Female Prisoners: 0.9%
- Juvenile Prisoners: 0.07%
- Number of Prisons: 120
- Official Capacity of the Prison System: 22,699
- Occupancy Level: 190.5%

*George Thomas Kurian*

# Thailand

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**Official country name:** Kingdom of Thailand

**Capital:** Bangkok

**Geographic description:** Located in Southeast Asia at the head of the Gulf of Thailand and extending south to Malaysia

**Population:** 65,444,371 (est. 2005)



## LAW ENFORCEMENT

**History.** Thailand has had organized police forces since the sixteenth century, but the first Western-style police was created with the help of British advisers in 1861. A Railway Police was created in 1894, followed by a Provincial Police Force in 1897. The latter became the Gendarmerie and the Patrol Department in 1915, and it was reorganized as the Royal Thai Police Department in 1932.

**Structure and Organization.** The Thai National Police Department (TNP) is a division of the Ministry of the Interior and is charged with the enforcement of law throughout the kingdom. It is a unitary agency whose power and influence in politics have at time rivaled those of the army.

The formal functions of the TNP cover more than law enforcement; they play an important role in counter-insurgency operations. In the event of a war of national emergency, the police personnel could be mobilized under the Ministry of Defense.

Based at first on British, Continental, and Japanese models, the TNP was reorganized during the 1960s



and 1970s under U.S. Agency for International Development programs and has adapted many U.S. practices and concepts. All components of the force are administered by the central headquarters in Bangkok, which also provides a centralized array of technical functions. The major operational units are the Provincial Police, the Border Patrol Police, the Metropolitan Police, the Central Investigation Bureau, and the Police Education Bureau. Of the total 119,679 police personnel, over half are in the Provincial Police, 14 percent are in the Border Patrol Police, and 15 percent are in the Metropolitan Police Force. Quasi military in character, the TNP is headed by a director general who holds the rank of a general. He is assisted by three deputy directors general, all of whom have the rank of lieutenant general. Throughout the system, all ranks, except that of the lowest, the constable, correspond to those of the army. Ninety-five of the senior positions are occupied by officers who hold one of the three grades of general.

*The Provincial Police.* The Provincial Police is the largest segment of the TNPD in terms of both manpower and extent of territorial jurisdiction. It provides police services in every town and village throughout the kingdom except for Bangkok and territory contiguous to the national land borders. The Provincial Police is headed by a commander, who reports directly to the director general of the TNPD. For operational purposes, the Provincial Police is divided into seven regions:

- Region 1: Korat
- Region 2: Udon Thnai
- Region 3: Chiang Mai
- Region 4: Phitsanu Lok
- Region 5: Nakhom Pathom
- Region 6: Nakhon Sithammarat
- Region 7: Pattani

Since 1977 the regional commissioners who head the regional police have been granted considerable initiative and authority and have been given responsibility over railway, highway, marine, and forestry police operating within their jurisdictions. Under the regional commissioners there are provincial commanders in charge of the country's seventy-two provinces with headquarters in the provincial capitals.

*The Border Patrol Police.* The paramilitary Border Patrol Police (BPP) is an elite unit that enjoys considerable autonomy in its field operations, although it is technically part of the TNPD. Enjoying the direct patronage of the royal family, the BPP has links to the Royal Thai Army, and many of its commanders are former military officers.

Charged with border security along the land borders, the BPP deals with a variety of enemies, such as smugglers, bandits, illegal immigrants, infiltrators, and insurgents. As part of its mission, it maintains an extensive surveillance and intelligence network in the border districts. Despite its modest size in relation to other TNPD units, the BPP has become the country's primary and most effective counterinsurgency force. The basic operating unit is the line platoon of thirty-two men each, which functions as a security team. Each platoon is supported by one or more heavy weapons platoons stationed at each regional police headquarters as a mobile reserve support force. A special police aerial reinforcement unit airlifts BPP platoons to trouble areas during emergencies. Because of its superior skills and equipment, the BPP has been employed even to quell popular disturbances in the interior and in Bangkok.

The BPP has two subdivisions: the Border Patrol Air Support, which functions as a mobile tactical arm during

emergencies and renders aid to people during natural disasters, and the Border Patrol Development Police, which works with villagers and hill tribes to improve their standard of life. It is involved in many civil action projects, such as schools, medical aid stations, air strips, and agricultural stations, designed to win the hearts and minds of rural peoples. By doing so, the BPP not only gains the goodwill of rural folks but also obtains valuable information and deprives insurgents of potential bases of support. A local law enforcement adjunct of the BPP, known as the Volunteer Defense Corps was founded in 1954 as a civilian militia to protect local inhabitants from guerrillas by denying them food and supplies and by gathering information on the modus operandi and movements of antigovernment groups.

There are seven divisional headquarters within the BPP: the General Staff Headquarters, which handles administration, the General Support Headquarters, which handles operational matters, the Special Training Headquarters, and four sector headquarters.

*The Metropolitan Police.* Because of its population and its status as the national capital, Bangkok is granted a special status as the headquarters of the Metropolitan Police. It operates under the command of a commissioner who holds the rank of a major general, assisted by six deputy commissions of the same rank. Operationally, the force is divided into three divisions: Northern Bangkok, Southern Bangkok, and Thon Puri. Together, there are forty police precincts in the three divisions, which are patrolled around the clock. Besides foot patrolmen, the Metropolitan Police maintains motorized units, a canine corps, building guards, traffic control specialists, and juvenile specialists. The Traffic Police Division also provides mounted escorts and guards of honor for the royal family and visiting dignitaries and serves as a riot control force to disperse unruly crowds.

*The Central Investigation Bureau.* The Central Investigation Bureau is the nation's principal intelligence-gathering organization and investigative agency. In the latter role it assists other branches of the TNPD in their criminal investigations by providing technical expertise and trained personnel. It has nine divisions.

1. Crime Suppression Division conducts criminal investigations, such as counterfeiting, fraud, illegal gambling, narcotics trafficking, secret societies, and organized crime, throughout the kingdom and controls the Emergency Squad, which remains under alert at all times.
2. Special Branch Division is concerned with national security and engages in clandestine and covert operations against subversive political groups.



*Thai border officials patrol the banks of the Sungai Kolok River, which sits between Thailand and Malaysia, as a Thai-Muslim woman and her son drive by near the Manoh village of Narathiwat province in southern Thailand, September 6, 2005. Tensions mounted between the two countries after Malaysia authorities stated that they would not help Muslim insurgents in Thailand, but vowed that they would not ignore ongoing violence that threatened border security. Muslim insurgents in Thailand, who complained about being treated as second-class citizens in a Buddhist-dominant country, started a campaign of violence 20 months ago and since then more than 950 have died. AP IMAGES.*

3. Criminal Record Division collects records and information and keeps dossiers on suspects and criminals, missing people, wanted people, and stolen property.
  4. Scientific Crime Detection Division maintains forensic science laboratories and equipment. It examines DNA evidence, conducts polygraphs, takes photographs, identifies ballistic evidence, and tests handwriting evidence.
  5. Registration Division consists of three subdivisions: the first handles firearms and vehicle licenses and registration; the second grants licenses to pawnshops and secondhand dealers, and controls hotels, prostitutes, and gambling; and the third handles motor vehicle driving tests and inspections.
  6. Railway Police Division is responsible for preventing and detecting crime and ensuring the safety of passengers on the state-run railroads.
  7. Marine Police Division is responsible for the suppression and detection of crime on the nation's territorial waters.
  8. Highway Police Division controls and supervises vehicles and traffic on highways outside of Bangkok.
  9. Forestry Police Division enforces forestry laws throughout the country, especially illegal timber cutting and smuggling.
- The Police Education Bureau.* The education and training of Thai police is the function of the Police Education Bureau. It runs several schools: the Police Officers' Cadet Academy, the Detective Training School, the Noncommissioned Officers Training School, the Border Patrol Police Training School, four Metropolitan Police training schools, and four Provincial Police Chaiya (victory) centers.
- Director General's Office.* Several divisions come directly under the control of the Director General's Office:
- The Secretariat is the central communications and information department and administrative center
  - Office of the Inspector General formulates police rules and regulations and conducts disciplinary proceedings against police officers charged with human rights violations and corruption

- Legal Affairs Division handles cases against the police as well as intermural disputes with other agencies
- Police Prosecution Division prosecutes criminal cases in magistrates' courts
- Finance Division prepares the police budget and authorizes expenditures
- Quartermaster Division secures and maintains police equipment
- Foreign Affairs Division liaises with foreign police departments and with Interpol
- Immigration Department controls immigrants and aliens and apprehends and deports illegal aliens
- Research and Planning Division compiles records and statistics and conducts research into the nature of crime and means of crime prevention
- Communications Division operates radio and telephone networks and communication centers
- Technical Division is responsible for all police libraries and for publishing books and documents
- Police Fire Brigade Division is responsible for fire prevention and control within the metropolitan area and conducts research on fire-retardant chemicals
- Welfare Division provides welfare services for police personnel, including loans and educational grants
- Alien Registration and Taxation Division maintains a register of all resident aliens
- Police Aviation Division provides air support to police units
- Medical Division conducts medical and health programs for police personnel

**Education and Training.** The TNPD has an extensive training system. It runs some schools directly, such as the Police Officers' Academy at Sam Phran and the Detective Training School at Bang Khen. The Metropolitan Police runs a training school at Bang Khen and the Provincial Police runs training centers at Nakhon Pathom, Lampang, Nakhon Ratchasima, and Yala. The Border Police Patrol has schools specializing in counterinsurgency, such as the national school at Hua Hin and smaller schools at Udon Thani, Ubon Ratchathani, Chiang Mai, and Songkhla. Rank-and-file police officers are trained at the Police Education Bureau.

**Police Statistics.**

- Total Police Personnel: 119,679
- Population per Police Officer: 547

**HUMAN RIGHTS**

Corruption remains widespread among police officers. Low pay is one of the reasons cited for the widespread corruption. Many police officers are involved in prostitution and trafficking in women and children. The police are also charged by human rights organizations with rape, beatings, extortion, brutality, and threatening false charges. In some provinces police form their own killing teams and target canvassers belonging to opposition parties. In 2001 forty-eight people died while in police custody.

**CRIME**

**Crime Statistics.** Offenses reported to the police per 100,000 population: 351. Of which:

- Murder: 7.7
- Assault: 25.4
- Burglary: 9.9
- Automobile Theft: 3.3

**CORRECTIONAL SYSTEM**

The Thai Criminal Code of 1956 incorporates features borrowed from French, Italian, Japanese, English, and Indian models with some traces of native jurisprudence. Among other things it defines twelve kinds of offenses as felonies, including crimes against the Buddhist religion and the royal family. A death sentence is mandatory for certain kinds of offenses. The maximum prison term is twenty years.

Prisons are administered by the Department of Corrections within the Ministry of the Interior. The system includes 1 detention home, 3 reformatories, 5 regional prisons, 7 central prisons, 7 correctional institutions, and 23 prison camps. All metropolitan, provincial, and district police stations have jails used to confine offenders sentenced to terms less than one year.

The 7 central and 5 regional prisons house the bulk of long-term prisoners. The Khlong Prem Central Prison in Bangkok is the largest and oldest, with a capacity of 6,000 prisoners. The Nakhom Pathom Prison is a maximum-security institution for habitual criminals. One of the 23 prison camps is on Ko Tarutao, an island in the Strait of Malacca, and is administered separately.

Among the 7 correctional institutions, 1 at Ayutthaya and 1 at Bangkok house primarily youthful offenders 18 to 25 years of age serving terms of up to 5 years. The Women's Correctional Institution is also in Bangkok, while the Specialized Medical Correctional Institution for drug addicts and prisoners requiring



medical care is in Pathum Thani province, northwest of the capital. Two minimum-security correctional centers are in Rayong and Phitsanulok.

Of the three reformatories, the Ban Yat Lao (sometimes called Lard Yao) facility, just north of Bangkok, receives most of the more recalcitrant juvenile delinquents and has a capacity of about 2,000. Limited rehabilitation activities are undertaken there; those who fail to respond are sent to a second reformatory, near Rayong, which is operated as a prison farm. A third reformatory, at Prachuap Khiri Khan, southwest of Bangkok, accommodates the overflow from the other two institutions.

Additional special facilities for juvenile offenders, called observation and protection centers, are administered by the Central Juvenile Court and the Central Observation and Protection Center of the Ministry of Justice. Three of these centers are in Bangkok, Songkhla, and Nakhon Ratchasima. A center is attached to each juvenile court and assists it in supervising delinquent children charged with criminal offenses both before and after trial. Probation officers, social workers, and teachers are assigned to these centers.

Prisoners are classified into six classes, according to conduct. Those in the first three classes are considered eligible for parole and may be released when they have completed two-thirds, three-fourths, and four-fifths, respectively, of their terms.

As most prisoners are relatively uneducated, each facility runs special literacy classes. Some prisons also have vocational training programs and workshops. Products from prison labor are sold, and 35 percent of the net profit is returned to the individual prisoner. A small portion of this amount is credited outright to the

prisoner for his or her pocket expenses, but the greater part is put into a savings fund to afford the prisoner the wherewithal for a new start on release.

**Prison Conditions.** There is severe overcrowding in Thai prisons mainly because of the large number of those convicted of drug offenses. Medical care is inadequate. The corrections department employs only 10 full-time doctors, 10 part-time doctors, 6 full-time dentists, and 47 nurses to serve 168,264 inmates. Prison authorities use solitary confinement and heavy leg irons to control and punish difficult prisoners. Prisoners captured after failed escape attempts are beaten severely. Conditions in immigration detention centers that are not administered by the Department of Corrections are particularly inhumane with credible reports of physical and sexual abuse by the guards.

**Prison Statistics.**

- Total Prison Population: 168,264
- Prison Population Rate per 100,000: 264
- Pretrial Detainees: 23.3%
- Female Prisoners: 18.4%
- Juvenile Prisoners: 0.5%
- Number of Prisons: 136
- Official Capacity of the Prison System: 110,900
- Occupancy Level: 151.7%

*George Thomas Kurian*

# Togo

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**Official country name:** Togolese Republic

**Capital:** Lomé

**Geographic description:** Western African, bordering the Bight of Benin between Benin and Ghana

**Population:** 5,681,519 (est. 2005)



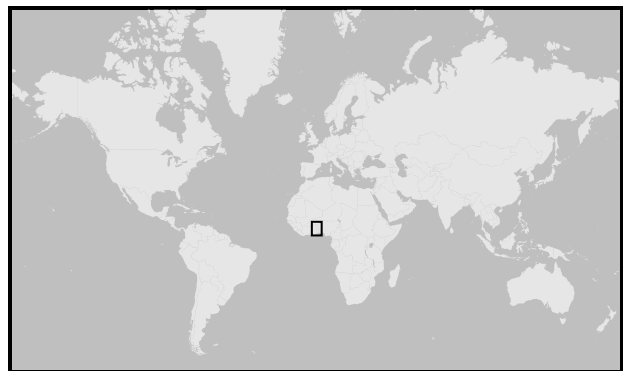
## LAW ENFORCEMENT

**Structure and Organization.** The Togolese Police comprise three branches: the Corps de Police Urbaine de Lomé, the Gendarmerie Nationale, and the National Police (formerly the Sûreté Nationale).

The Corps de Police Urbaine de Lomé is a municipal force under joint municipal and police control and organized in four commissariats, one for each arrondissement. A criminal investigation unit known as Brigade Criminelle is part of the corps.

The National Police, commanded by a director, has many sections, including Administration; Judiciary (the Judicial Police), Intelligence (Special Service), the Harbor Police, and the Railway Police. The National Police is also in charge of the Fire Service and the National Police School.

With a strength of 1,800 the Gendarmerie Nationale is deployed in one operational unit and five brigades: Air, Criminal Investigation, Harbor, Traffic, and Territorial. The Gendarmerie is also in charge of Central Criminal Archives and provides the presidential bodyguard.



## Police Statistics.

- Total Police Personnel: 2,756
- Population per Police Officer: 2,061

## CRIME

**Crime Statistics.** Offenses reported to the police per 100,000 population: 11.

## CORRECTIONAL SYSTEM

Prisons are administered by the director of the Penitentiary Administration of the Ministry of Justice.

**Prison Conditions.** Prison conditions are harsh and inhuman with serious overcrowding, poor sanitation, and unhealthful food. Lomé's Central Prison, for example, built for 350 inmates, houses 1,100. Medical facilities are inadequate and disease and drug abuse are widespread. Prison guards charge prisoners a small fee

to shower, use the toilet, and have a mattress. Sick prisoners are charged for visiting the infirmary. Women are housed separately from men and juveniles from adults, but pretrial detainees are housed with convicted felons.

**Prison Statistics.** There are 12 prisons in the country, with a total prison population of 2,043. The incarceration rate is 46 per 100,000 population. Of the total number of inmates, 55.4 percent are pretrial detainees and 2.3 percent are female.

*George Thomas Kurian*

# Tonga

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**Official country name:** Kingdom of Tonga

**Capital:** Nuku'alofa

**Geographic description:** Archipelago in the South Pacific; part of Oceania

**Population:** 112,422 (est. 2005)

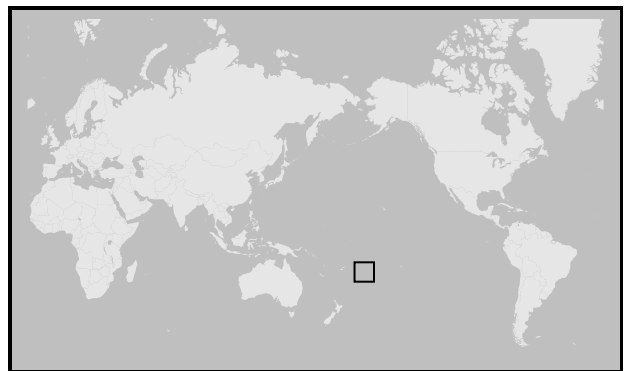


## LAW ENFORCEMENT

**History.** When Tonga gained independence in 1970, it inherited an organized police force from the British administration. During the seventy years of British protection, Britain maintained a small colonial police force under a commissioner.

**Structure and Organization.** The Tonga Police Force is a national agency with jurisdiction over the entire kingdom. It is commanded by a commissioner of police from his central headquarters in Nuku'alofa. Below this command post the force is deployed in three territorial districts that coincide with the island groups of Tongatapu, Ha'apai, and Vava'u.

Most of the personnel are permanently stationed on the island of Tongatapu, where the bulk of the kingdom's population resides. Smaller islands do not receive adequate police protection not only because of the limited number of personnel but also because many of the islands are too small to justify a permanent post and communications with them are sporadic at best. The island of Niuatoputapu is so far to the north that a government vessel visits only once every



two months. Peace and order are maintained on such islands only through the authority of the local chiefs and the stabilizing influence of ancient traditions and customs.

The mission of the regular police includes a number of tasks besides the standard duties of law enforcement officers. Members of the force monitor sales in retail shops, issue licenses to whalers and fishermen, register bicycles, and serve as truant officers to the school system. They also regulate all matters relating to Tongan custom and tradition.

**Education and Training.** Police officers are recruited without any minimum standards of education or health. Successful applicants undergo no formal training, but are given lectures at police headquarters for a period ranging from five to eight weeks. There are neither police schools nor any refresher courses. Duty personnel usually devote about one hour a week to foot and arms drill and are

required to attend lectures on practical police work. In the outer islands lectures are given by mobile teams sent from headquarters.

**Uniforms and Weapons.** Tongan police on regular duty wear uniforms consisting of khaki shirts and sarongs, a blue cummerbund fitted with a black belt, a navy-blue slouch hat, and black sandals. For ceremonial occasions, a white jacket is worn over the shirt, and the khaki sarong is replaced by a white one. The force is unarmed, but batons are held in reserve and issued when required.

#### Police Statistics.

- Total Strength of Police Force: 306
- Population per Police Officer: 367

#### HUMAN RIGHTS

The government's human rights record is generally poor. Detainees are sometimes beaten by the police. In cooperation with government prosecutors, the police use repeated postponement of court dates and filing of frivolous charges as a means of intimidating government critics.

#### CORRECTIONAL SYSTEM

Tonga's penal system consists of a main prison at Hu'atolitoli, near Nuku'alofa, and three lesser jails located at Ha'apai, Vava'u, and Niuatoputapu. Prisoners

sentenced to six months or more, regardless of their home island or where they committed their offenses, are incarcerated at the Hu'atolitoli institution. All sentences of more than one month may be remitted by as much as one-fourth for good behavior. This reduction is automatically granted at the time the prisoner enters the facility and may be revoked only if the inmate violates disciplinary standards.

**Prison Conditions.** Prison conditions are spartan but not harsh. Food and quarters are sanitary and adequate. Discipline is lightly applied, and security measures are not burdensome. Prisoners are required to perform labor on public works or on coral plantations owned by the government.

#### Prison Statistics.

- Total Prison Population: 116
- Prison Population Rate: 105
- Pretrial Detainees: 0.9%
- Female Prisoners: 3.4%
- Number of Prisons: 6
- Official Capacity of the Prison System: 139
- Occupancy Level: 81.3%

*George Thomas Kurian*

# Trinidad and Tobago

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**Official country name:** Republic of Trinidad and Tobago

**Capital:** Port-of-Spain

**Geographic description:** Caribbean islands between the Caribbean Sea and the North Atlantic Ocean

**Population:** 1,088,644 (est. 2005)



## LAW ENFORCEMENT

**History.** Organized as the Trinidad Constabulary Force in the early decades of the twentieth century, the Trinidad and Tobago Police Service was known as the Trinidad and Tobago Police Force from 1938 to 1965. It assumed its present name under the Police Service Act of 1965, which is the legal basis for the mission, staffing, pay and allowances, and retirement system.

**Structure and Organization.** The Police Service Act established two schedules of police officers:

### *Commissioned Officers:*

- Commissioner of Police
- Deputy Commissioner
- Assistant Commissioner
- Senior Superintendent
- Superintendent
- Assistant Superintendent

### *Noncommissioned Officers:*

- Inspector



- Sergeant
- Corporal
- Constable

About 70 percent of the force is constables.

The Police Service is centralized at the national level, with headquarters at Port-of-Spain. It is headed by a commissioner of police assisted by three deputy commissioners, all of whom are appointed by the president on the advice of the prime minister. The deputy commissioner of administration supervises finance, personnel, training, the highway patrol in the northern part of the country, transport, telecommunications, and the mounted branch. The deputy commissioner for operations is responsible for police units throughout the country and the prevention and detection of crime. He is assisted by an assistant commissioner for crime, who supervises the Criminal Records Office and the Criminal Investigations Department. The third deputy commissioner



*Female police officers march in the traditional Independence Day parade celebrated in Trinidad and Tobago, Queen's Park Savannah, Trinidad, August 31, 2003. This year's festivities celebrated the islands' forty-first anniversary of independence from England. AP IMAGES.*

is in charge of the Special Branch, which is concerned with security and intelligence.

The country is divided for operational purposes into nine divisions under two branches: the Northern Branch, headquartered in Port-of-Spain, and the Southern Branch, headquartered in San Fernando. The headquarters of local stations are changed from time to time. Government quarters are provided for married commissioned and noncommissioned personnel in major stations. There is a Traffic Branch in Port-of-Spain and a training school in St. James Barracks, St. James, the former British military headquarters on the island. Special units include a larceny mobile patrol, charged with the control of thefts from landed estates, an estate police unit known as the Antisquatting Brigade, assigned to prevent illegal settlements on private lands, and the police band.

A volunteer reserve force, called the Special Reserve Police, was organized in 1939. Its members are attached to divisions of the regular police throughout the islands. The Special Reserve Police are under the jurisdiction of the commissioner of police and are commanded by a senior superintendent.

Besides the national Police Service, there is a small municipal force in Port-of-Spain. Its functions are limited to the protection of buildings, parks, and government installations in the city.

Although East Indians make up a plurality of the population, the Police Service is predominantly black, who make up over 90 percent of both the commissioned and noncommissioned cadres. The reasons for this racial imbalance are both historical and physical. East Indians, because of their smaller stature, generally do not measure up to the physical requirements for recruits, and qualifications and selection procedures also favor blacks. East Indians are also largely rural people who historically have been excluded from active participation in the Police Service.

The Trinidad and Tobago (Constitution) Order in Council of 1962 established a Police Service Commission, whose chairman is concurrently the chairman of the Public Service Commission. The other four members of the commission are appointed by the president on the advice of the prime minister.

The Police Service Act authorizes the formation of a police association empowered to function as a police

## *Trinidad and Tobago*

union and represent police officers in discussions with the commissioner on matters relating to pay and grievances.

**Education and Training.** Police recruits are assigned to St. James Barracks for an initial training program. Training at the advanced level is also provided. Some officers are sent abroad for specialized training.

**Uniforms and Weapons.** The police uniform consists of a gray shirt and khaki shorts or a white tunic and blue slacks topped by a white helmet in daytime, and a blue tunic and blue peaked cap at night. Weapons are not carried during normal patrol, but rifles and bayonets are carried on ceremonial parades.

### **Police Statistics.**

- Total Police Personnel: 4,657
- Population per Police Officer: 234

### **HUMAN RIGHTS**

The police system generally respects the human rights of its citizens. However, police corruption is a major problem. The Police Complaints Authority, an independent body, receives complaints of police abuse or brutality, monitors investigations, and determines disciplinary measures, including dismissal. However, its power to impose discipline and dismiss offending officers is severely curbed by the Public Service Commission.

### **CRIME**

**Crime Statistics.** Offenses reported to the police per 100,000 population: 1,170. Of which:

- Murder: 9.7
- Assault: 31
- Burglary: 452.7
- Automobile Theft: 80.6

### **CORRECTIONAL SYSTEM**

The criminal code is based on doctrine of equity and general statutes that were in force in the United Kingdom on March 1, 1848. English common law and doctrines of

equity originating between 1848 and 1962 are generally accepted by the courts, but are not necessarily binding.

The Prison Service Act of 1965 provides the legal basis for the correctional system. The service is headed by a commissioner of prisons and staffed, in order of precedence, by a deputy commissioner, senior superintendents, assistant superintendents, supervisors, welfare officers, and prison officers.

The country has eight prisons. The Royal Gaol in Port-of-Spain, the island prison on Carrera Island in the Chaguaramas, and the Golden Grove Prison near Arouca are among the largest. The first two are maximum-security prisons, while the third is an open prison designed for first-time offenders of minor crimes and others amenable to rehabilitation. A new maximum-security prison that opened in late 1998 has a capacity of 2,450. Offenders under sixteen are classified as juveniles and are not processed through the prison system but committed to an orphanage or industrial school.

**Prison Conditions.** Prison conditions in most prisons meet international standards. However, conditions are poor in the Frederick Street Prison in Port-of-Spain, which dates to the 1830s. Designed for 250 inmates, it houses 800. Diseases, such as HIV/AIDS, are rampant, and inmates have to buy their own medications. Overcrowding caused a riot in a Port-of-Spain facility in 2002.

### **Prison Statistics.**

- Total Prison Population: 3,991
- Prison Population Rate per 100,000: 307
- Pretrial Detainees: 29.2%
- Female Prisoners: 3.1%
- Juvenile Prisoners: 1.2%
- Number of Prisons: 8
- Official Capacity of the Prison System: 4,348
- Occupancy Level: 111.9%

*George Thomas Kurian*



# Tunisia

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**Official country name:** Tunisian Republic

**Capital:** Tunis

**Geographic description:** Located in the North African littoral; juts into the Mediterranean Sea at the point where the narrows between Cape Bon and Sicily divide the Mediterranean Sea into eastern and western basins

**Population:** 10,074,951 (est. 2005)



## LAW ENFORCEMENT

**History.** During French colonial rule there were two law enforcement agencies in Tunisia: the *Sûreté Nationale* and the *Gendarmerie*. The *Sûreté* was an urban police and the *Gendarmerie* a rural police that became the *Garde Nationale* in 1956. Until 1967 both organizations operated independently, but the *Garde* had a closer relationship with the Tunisian National Army, especially in its types of equipment and training methods. Both forces were under the Ministry of the Interior. Following riots in the wake of the Arab-Israeli War of 1967, the Ministry of the Interior adopted a stronger role in police reorganization. The two forces were merged to form the Directorate of National Security Forces, under whom the directors of the *Garde* and the *Sûreté* were placed. Both forces have the same pay scales and conditions of service.

### Structure and Organization.

**The *Sûreté Nationale*.** The *Sûreté Nationale* is the effective national police force that maintains public order, investigates crime, and controls traffic in cities and urban areas.



The *Sûreté* is organized generally along the lines of its French counterpart, with operational and investigative branches and support services. The section best known to the public consists of the uniformed urban police, segments of which are assigned to each of the governorates. All elements are under the supervision of the director general of the Directorate of National Security Forces in Tunis. A separate section of the *Sûreté* handles border control, immigration, political intelligence, security of the president, and general information. Other components are responsible for criminal files, Judicial Police, crime research laboratories, the Licensing Bureau, and the prison system.

The Traffic Police, a branch of the *Sûreté*, is limited to the large cities and includes women. Generally, the Traffic Police is the most visible of police units.

In the late 1960s, particularly after the ineffectual performance of the *Sûreté* against the anti-Jewish riots of 1967, the government established a special branch known as the Brigade of Public Order. With six battalions, recruited largely from the army's growing pool of reservists,



*Tunisian security forces stand guard outside a government building, where the second United Nations' World Summit on the Information Society is scheduled to open the following day, November 15, 2005. The event, taking place in the city of Kram, received criticism from others who felt that Tunisia did not deserve the honor because of its history of censorship and human rights abuses. AP IMAGES.*

the brigade specializes in control of riots, crowds, strikes, and other demonstrations.

A special section of the Sûreté known as the Directorate of Territorial Surveillance is responsible for intelligence and counterespionage activities and constitutes the equivalent of a secret service. It is responsible for much of the human rights violations for its reliance on torture and other means of repression.

**Garde Nationale.** The Garde Nationale was formed at independence to police rural areas, formerly the responsibility of the colonial Gendarmerie. The bulk of the Garde served in rural areas and the remaining served as highway patrol and as presidential bodyguards and ceremonial troops. Because of its size, training, equipment, and tactical deployment capability, the Garde is a versatile paramilitary force. It is also responsible for aiding the army in counter-insurgency operations when needed and in assisting in civic action projects and in emergency relief during disasters.

**Education and Training.** Sûreté personnel are public servants recruited in accordance with civil service regu-

lations. The force has six categories of personnel divided into several classes based on seniority and achievement. The highest is that of police superintendent, who is also authorized to exercise the powers of a magistrate in administrative, judicial, or municipal capacities. Most of them are recruited by means of a competitive examination; the rest are selected from among officers of the Garde Nationale, the army, and regional administrations. Frequent transfers tend to keep them under the influence of the central government and out of local politics.

The second highest rank, known as police officials, assist the superintendents in the performance of their duties and perform additional investigative and administrative tasks. Most are recruited by a special competitive examination and the rest from the Garde Nationale.

Police secretaries, the third rank, assist in investigation and administration. They are recruited on the basis of tests from applicants with at least six years of secondary education. Technical detectives, who make up the fourth rank, are charged with identification, documentation, and other technical police duties. Their recruitment

is on the same basis as secretaries. Inspectors, the fifth-ranking group, work under the direction of superintendents and officials. Most inspectors are recruited by tests from civil service applicants with a high school diploma, and the rest by application or personnel with eighteen months' experience. The last category is the uniformed urban police corps, known as police constables. Of these, some are recruited from students at the Police Academy and others by competitive examinations.

Applicants accepted by the *Sûreté* are trained at its academy at Bir bu Ruqba. The duration of their courses varies with the service in which they are enrolled. Members of the force may be called on at any time to attend special training courses at the academy, and all except those in the grade of superintendent are required to participate in sports and physical education training.

Garde members are recruited in accordance with civil service regulations and consist mostly of former enlisted men and junior noncommissioned officers. Selected applicants train at the Garde training academy at Bir bu Fishah for at least six months.

**Uniforms and Weapons.** Khaki open-necked tunics and trousers are worn with a forage cap in summer and a blue uniform in winter. Pistols are carried by all ranks.

#### Police Statistics.

- Total Police Personnel: 28,717
- Population per Police Officer: 351

#### HUMAN RIGHTS

Members of the security forces routinely torture and physically abuse prisoners and detainees. They are intolerant of criticism by human rights activists. In 2000 and 2001 the National Council for Liberties in Tunisia reported five suspicious "accidental deaths" while in police custody. They were classified as accidents or suicides. The security forces use torture to coerce confessions. The forms of torture include electric shock, confinement to tiny, unlit cells, submersion of the head in water, beatings, suspension from the ceiling, cigarette burns, and food and sleep deprivation. There are also credible reports of sexual assaults. In 2002 the Tunisian Human Rights League prepared a report documenting human rights abuses by the security forces.

#### CRIME

**Crime Statistics.** Offenses reported to the police per 100,000 population: 1,419. Of which:

- Murder: 1.2
- Assault: 165.1

- Burglary: 60.1
- Automobile Theft: 10.2

#### CORRECTIONAL SYSTEM

Tunisian jurisprudence has undergone radical changes during the twentieth century as the government sought to modernize the legal system. The whole body of Tunisian law is now codified. The penal code was first enacted by beylical decree in 1913 and amended after independence in 1956. Similarly, the code of criminal procedure was introduced in 1921 but was amended extensively in 1968. Not surprisingly, both codes strongly reflect French legal traditions but are in many areas influenced by the Islamic Sharia.

The corrections system is the responsibility of the Ministry of Justice and is administered by a department of the *Sûreté*. It includes central prisons at Tunis, Bajah, Bizerte, Qabis, Qafsah, Al Qayrawan, Al Kaf, Safaqis, Susah, and Bardo and smaller facilities at less populated centers. Habitual criminals are usually sentenced to hard labor at the agricultural penitentiary at Jabal Faqirin. All these prisons were originally established by the French in the colonial era.

In most cases juvenile offenders are segregated from adults and women inmates from men. Selected prisoners serving less than five years are placed in open camps called reeducation centers for rehabilitation. Here, they perform useful work, for which they receive a token wage.

**Prison Conditions.** Prison conditions do not meet international standards. The most serious problem is overcrowding. Typically, 40 to 50 inmates share a 14-by-14-foot cell and 140 inmates share an 18-by-18-foot cell. Over 100 cellmates share a single water and toilet facility. Prisoners have to sleep on the floors. Human rights activists claim that political prisoners are placed in solitary confinement in special cellblocks. Political prisoners are regularly moved from prison to prison to make it harder for their relatives to remain in touch with them. Prisoners in several facilities undertake hunger strikes to protest subhuman conditions in the prisons. The government does not permit international organizations or the media to inspect or monitor prison conditions.

#### Prison Statistics.

- Total Prison Population: 23,165
- Prison Population Rate per 100,000: 253
- Pretrial Detainees: 22.7%

*George Thomas Kurian*

# Turkey

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**Official country name:** Republic of Turkey

**Capital:** Ankara

**Geographic description:** Anatolian Peninsula formerly known as Asia Minor, comprising southwestern Asia with the city of Istanbul and its Thracian hinterland in southeastern Europe, bordering the Black Sea and the Aegean Sea

**Population:** 69,660,559 (est. 2005)

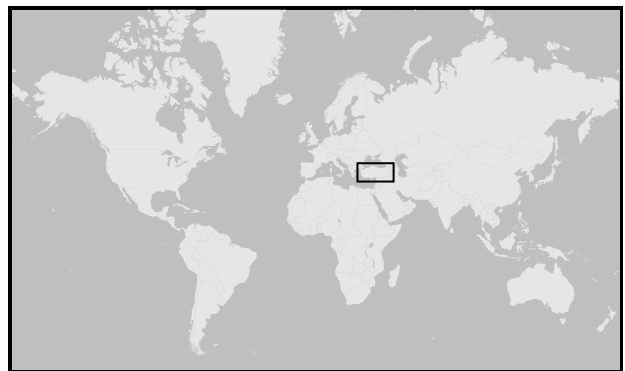


## LAW ENFORCEMENT

**History.** According to article 2 under the General Principles of the Turkish constitution, the characteristics of the Republic of Turkey are defined as “a democratic, secular and social state governed by the rule of law.” The criminal justice system can be examined under three main branches: National Police, judicial system, and corrections system. Each branch works separately under different administrative organizations. The National Police are affiliated to the Ministry of Interior, whereas the judicial and corrections systems function under the Justice Department.

“The history of Police started at the same time as the history of the Turks. During the governments of different Turkish nations, public order and public security have been provided by the State along with the national defense.” It is better to classify the history of Turkish law enforcement into three periods: policing in old Turkish states, policing in the Ottoman period, and policing in modern Turkey.

**Policing in Old Turkish States.** During the tribal era, before the Turkish Islamic states, police had a



militaristic structure and served under the military commander. The name Subasi was given to people who were in charge of the military. During wartime Subasi was leading and commanding his army; in peacetime he was providing the public safety of his region, which he was obligated to manage. However, public order and safety were directed according to certain rules and regulations in the old Turkish states. The Customs of Oguz Khan, the law of the Almighty Cenghiz Khan, and the Statutes of Timur were a few main examples of this period.

**Policing in the Ottoman Period.** Policing in the Ottoman era showed more organized structure compared to the early Turkish states. Indeed, the Ottoman dynasty ruled for 600 years between 1299 and 1922. Through this long history and the evolution thereof, Ottomans have combined the progress of Eastern and Western ideologies of organization and state structure. In the classical period of the state the main institution was the

military, which consisted of both Turkish cavalry called *sipahis* and *kapikulu* soldiers, who were Christian youths from the Balkans who had been taken from their families at an early age and developed through education and training. In many circumstances the members of the *kapikulu* represented the elite in the society and formed the famous janissary (*yeniceri*, “new soldier”) infantry, which was renowned for its military skills. During the late fourteenth century the janissary corps became the most important element of the Ottoman Army.

From the earliest period there were two authorities to administer a district: the bey, who came from the military class and represented the sultan’s executive authority, and the Qadi, who came from the ulema (a name for a group of respected Islamic scholars) and represented the sultan’s legal authority. The bey (military commander) could not inflict any punishment without first obtaining the Qadi’s judgment, but the Qadi could not personally execute any of his own sentences. Especially in small towns and country areas, public order was maintained by three different groups: *kollukcular* (patrolmen), *yasakcilar* (prohibitors), and *bekciler* (night watchmen, sentries).

By the nineteenth century there were signs of weakness in every level of government as well as in the military. Finally, a janissary rebellion broke out in 1826. The new Ottoman Army was established in a few months after the extermination of the janissaries in Istanbul and was named Asakir-i Mansure-i Muhammediye (Triumphant Soldiers of Muhammad). This time a special unit, Asakir-i Redife, formed inside this new militarist structure and it was specifically assigned to maintain the public order in terms of policing. The commander of this new military police, the Serasker (captain), had the same authority as the commander of the janissary units in Istanbul. This new military police was directly affiliated to the new organized Ministry of Finance. However, in the provinces the security was being done by the cavalry units (*sipahis*) under the command of beys. This double structure continued until 1845. There was no unity for police organizations nationwide. “In March 20, 1845, the first police organization regulation (Polis Nizami) formed of 17 codes was made by the administration. The word ‘police’ was brought into official language for the first time in Ottoman history with this document and with a second official note, Mehmed Ali Pasha was assigned as the first chief of this new police force.” In this progressive era the final change was made in 1879 by attaching the police to the new Ministry of Security (Zaptiye Nezareti); hence, the Gendarmerie and the police had been separated. The new Ministry of Security gathered the unity of command under its management. Centralization became a vital point in the new era of policing. At this point the first jurisprudence

document regarding police management was published on December 6, 1896. The duties and responsibilities of the police organization were defined clearly in this official written article. According to the same regulation, police officers were classified as Ser-commissioner, second commissioner, third commissioner, assistant commissioner, and police officer.

During the Independence War (1919–1922) there were three organizations providing the internal security in the country: Gendarmerie, National Police, and Istanbul police forces.

*Policing in Modern Turkey.* Policing in modern Turkey started with the Republic of Turkey. In the modern era there are two organizations maintaining the internal security: National Police, as a law enforcement agency, and Gendarmerie, as a military branch. Ankara is the headquarters of both systems and all are affiliated with the Ministry of Interior. Both have their own jurisdictions, authority, and structural hierarchy. The Code of Amendments to the Law on Duties and Competencies of the Police defines the responsibilities of the police by stating: “The police protect the moral values, life of the people, and the property of society by securing the public.”

**Structure and Organization.** Turkey can be divided into two types of administrative management: provincial and local. Therefore, all police departments function according to headquarters policy and commands. There are eighty-one provinces in Turkey; hence, each city has its own police department. “In each province, there is a provincial security directorate (police department) being responsible to both the governor of the province (who is also a representative of central government) and the General Directorate of Security in Ankara. In each town, a town security directorate (like a police station) work as accountable to the city security directorate and the governor.” Depending on the size and population of the cities, the extent of the police departments varies. “The policing model in Turkey is put into the authoritarian model by a study. One of the characteristics of an authoritarian model of policing is that public participation is not allowed in policing either by the private or voluntary sector.” The concept of the authoritarian model fits the definition of the police job in the National Police. In terms of policing applications the laws and regulations are strict, coercive, and demanding according to circumstances in Turkey.

The laws establishing the organization of police at the provincial and local levels distinguish three categories of functions: administrative, judicial, and political. In this context the administrative police perform the usual functions relating to the safety of persons and property:

enforcement of laws and regulations, prevention of smuggling and apprehension of smugglers, quelling of public disorder, fingerprinting and photographing, public licensing, controlling traffic and inspecting motor vehicles, apprehending thieves and military deserters, locating missing persons, and keeping track of foreigners residing or traveling in Turkey. The main distinction about the administrative police task is to prevent crime and to take serious precautions against any criminal activity in society. The government orders the public to abide the laws and regulations, which are enforced by the administrative police in the behalf of the administration. Put simply, the administrative police act as arms of central administration, which makes the laws and policies. The task of administrative police does not involve tracking criminals or doing crime scene investigations. Administrative police maintains social order.

Judicial police function directly with the administrators of justice. Small towns may not have this specific unit, so instead the administrative police serve as judicial police; the provinces have special divisions mostly attached to the offices of public prosecutors. The judicial police work with the courts and track down its investigations according to criminal procedure law. Assisting the prosecutor in investigating crimes, issuing arrest warrants, and finding evidentiary documents and materials for district attorneys are the main tasks of this force. The system Polnet serves as a domestic or international network system so a police officer from the southeast part of Turkey can easily access the same information as a police officer in Germany. This central computer information system provides immediate connection to other agencies, especially in terms of investigating property crimes. Technically, it is hard to make the distinction between administrative and judicial police in some levels. In certain situations administrative police have to work under the judicial police for gathering evidence or tracking criminals.

The authority of judicial police is not as broad as for police in the United States. The laws and regulations in Turkey place the police in a close relationship to public prosecutors in their region. Without the authorization of prosecutors, naturally an indirect connection with the judge, almost every police operation is accepted illegitimately. Besides, there is public criticism from all levels of society—media, legalists, and administrators—regarding the use of excessive force by police as well as criticism from the European Union. The Turkish National Police have been trying to adjust the whole system according to European Union conditions. Therefore, it is one of the best-computerized and well-equipped organizations of Europe.

Political police, at one point, were obliged to watch all activities and groups, including covert plans that

might be identified as contrary to the security of the republic, but this function was terminated. Instead, counterterrorism units were established.

The policing model in Turkey is based on the authoritarian model. One of the characteristics of the authoritarian model of policing is that public participation is not allowed either by the private or voluntary sector. The concept of the authoritarian model fits the definition of the police functions spelled out for the National Police. The Turkish police model is similar to European countries, especially the German model. One of the possible supporting ideas to authoritarian model dissuasion might be the vision of the state among the public, because police act as the law enforcers of this enormous bureaucratic structural organization.

**Education and Training.** There are three types of schools that function for the National Police: Police University, Police College, and police training schools (police vocational schools of higher education). Faculty of Security Sciences is one of the main sections of the Police University and provides undergraduate higher education in four areas: legal studies, police professional studies, cultural studies, and applied studies. The Institute of Security Sciences of Police University is dedicated for graduate studies in four areas: criminal investigations, security administration and security strategies, international policing, and traffic investigations. The Institute of Security Sciences is a graduate school for individuals who possess a bachelor's degree from a military school, law school, or department of political science and finance. There are twenty police training schools in Turkey, and candidates are tested for their intelligence and knowledge in policing during the two-year course period. These police training schools are administered as two-year higher education units under the umbrella of the Police University in Ankara. Applicants to these schools have to have not only academic intelligence but also physical ability to be accepted (the Faculty of Security Sciences and the Institute of Security Sciences do not include any physical agility requirements). There is an equal opportunity for both genders to be a police officer in each school.

The Police College and Police University require highly standard test score results, which are applied by the national government. Police College students have direct access to continue their education in the Police University without any competitive selection phase.

In light of universal values and technological developments as well as their conformity to Turkish culture, the National Police try to form personnel by responding to all the needs of the twenty-first century's technological progress by making a great worldwide integration with



*Metin Kaplan, an Islamic militant, is accompanied by Turkish police as he arrives at a courthouse in Istanbul, Turkey, April 4, 2005. Kaplan was extradited from Germany to stand trial in Turkey for charges of treason connected to a plot to fly an airplane into the tomb of Kemal Atatürk, the founder of modern Turkey. AP IMAGES.*

other law enforcement agencies. The Turkish National Police educate brave, intelligent, and skeptical officers in terms of the quality of its organization.

There is the discussion of theory versus practice for the new graduates from the Police University. H. H. Cevik states, "The background that is provided and given by the police Academy to students who are candidates for future police chiefs has direct influences on the quality, direction and dimensions of policing work. After the students of the Police Academy (as candidates for administering the police organization at all levels) have graduated, they are directly appointed to operate their profession without being given a chance to observe policing exercises in police stations and other units, or having any experience before starting work. At the moment, although there is one year probational training, it has not actually been applied" (1999). The main point of this discussion is to give time for prospective police chiefs in the field of police work. New graduates from the Police University are limited in use of their power for one year. A field training officer, who has ten years of experience and a perfect record in the field, commands and trains these new fresh candidates during this one-year period. After this, they are appointed to police departments as sergeants, provided they have nothing negative in their record and medical report.

**Gendarmerie.** There is a clear jurisdiction distinction between the Gendarmerie and National Police. "Gendarmerie provides security outside the municipal boundaries of cities and provincial towns and guards Turkey's land borders against illegal entry and smuggling. It has jurisdiction over 90 percent of the territory of Turkey and 50 percent of the population; however their interaction with community is limited. In each province, the principal gendarmerie commander, a colonel or lieutenant colonel, advises the governor on matters of security and maintains direct charge of the district gendarmerie commands, usually headed by captains. The gendarmeries recruits are supplied through the military conscription system, and its officers and non-commissioned officers are transferred from the army."

#### JUDICIAL SYSTEM

The modern Turkish judicial system, which was adopted in 1926, is based on the Swiss Civil Code and the Italian Penal Code. The constitution was formed by the Turkish National Assembly in 1982 as the supreme law of the country.

According to article 9 of the constitution, "Judicial power shall be exercised by independent courts on behalf of the Turkish Nation." Besides the independence of

courts, the security of judges and public prosecutors is guaranteed by the constitution and cited separately under the heading of "Judicial Power" of the constitution (articles 138–160), which certainly provides judicial and administrative protection for them by saying that "[n]o organ, office, authority or individual may attempt to intimidate, instruct or order, make suggestions or recommendations to or send notices to any judge concerning how they should exercise their powers in the courts." The most important factor that ensures the independence of the judiciary is the "Guarantee for Judges and Prosecutors" provided for in the constitution.

The Turkish legal system can be identified in three main structures: judicial (criminal), administrative, and military justice. All three judicial systems are regulated separately by the supreme power of the constitution.

The judicial courts form the largest part of the system; they handle most civil and criminal cases involving ordinary citizens. Each system includes courts of first instance and appellate courts. The superior courts are the Constitutional Court, the Court of Appeals, the Council of State, the Military Tribunal of Appeals, the Supreme Military Administrative Court, the Court of Jurisdictional Dispute, the Court of Accounts, and the Supreme Council of Judges and Public Prosecutors. The courts in Turkey are in fact divided into courts of justice, administrative courts, military courts, and Constitutional Court. Except for the Constitutional Court, they are further divided into lower and higher courts.

The Constitutional Court was established by the constitution of 1961. Its role is to examine all laws in respect to conformity with the constitution. The Constitutional Court reviews the constitutionality of laws and decrees at the request of the president or of one-fifth of the members of the National Assembly. Its decisions on the constitutionality of legislation and government decrees are final. The eleven members of the Constitutional Court are appointed by the president from among candidates nominated by lower courts and the High Council of Judges and Public Prosecutors.

The Court of Appeals (also known as the Court of Cassation) is the court of last instance for review of decisions and verdicts of lower-level judicial courts, both civil and criminal. Its members are elected by secret ballot by senior judges and public prosecutors. Below the Court of Appeals are the ordinary civil and criminal courts. At the lowest level of the judicial system are justices of the peace, who have jurisdiction over minor civil complaints and offenses. Every organized municipality (a community having a minimum population of 2,000) has at least one single-judge court, with the actual number of courts varying according to the total population. Three-judge courts of first instance have jurisdiction over major civil suits and

serious crimes. Either of the parties in civil cases and defendants convicted in criminal cases can request that the Court of Appeals review the lower-court decision. The Turkish courts have no jury system; judges render decisions after establishing the facts in each case based on evidence presented by lawyers and prosecutors.

#### Courts of Justice.

*Civil Courts of the Peace.* This is the lowest civil court in Turkey with a single judge. There is at least one in every town. Its jurisdiction covers all kinds of claims that include a certain amount of money, claims of support, requests by minors for permission to marry or to shorten the waiting period of marriage, eviction cases for rentals by lease, and all cases assigned to the court by the Code of Civil Procedure and other laws.

*Civil Courts of First Instance.* This is the essential and basic court in Turkey. Its jurisdiction covers all civil cases other than those assigned to the civil courts of the peace.

*Commercial Courts.* The commercial courts are the specialized branches of all civil courts of first instance, having jurisdiction over all kinds of commercial transactions and acts and affairs relating to any trading firm, factory, or commercially operated establishment. Where there are no commercial courts, the civil courts of first instance perform the functions of the commercial court.

*Penal Courts of the Peace.* This is the lowest penal court with a bench of one judge. They have jurisdiction over penal and municipal misdemeanors and all acts assigned by the Criminal Code, the Code of Criminal Procedure, the Code on the Application of the Criminal Code, and by other laws according to the assignment or to the degree of punishment stated by them.

*Penal Courts of First Instance.* Among the penal courts, this court with a single judge handles the essential local criminal work. Its jurisdiction covers all penal cases excluded from the jurisdiction of the penal courts of the peace and the central criminal courts.

*Central Criminal Courts.* This court consists of a presiding judge and two members with a public prosecutor. Offenses and crimes involving a penalty of over five years of imprisonment or capital punishment are under the jurisdiction of this court. There is one in every province.

*State Security Courts.* In accordance with article 143 of the constitution, the state security courts were established to deal with the offenses against the indivisible integrity of state with its territory and nation, the free democratic order, or against the republic whose characteristics are defined in the constitution, and



offenses directly involving the internal and external security of the state.

**Administrative Courts and the Council of State.** The administrative court system consists of the Council of State, an appellate court, and various administrative courts of first instance. The Council of State reviews decisions of the lower administrative courts, considers original administrative disputes, and, if requested, gives its opinion on draft legislation submitted by the prime minister and the Council of Ministers. The president appoints 25 percent of the Council of State's judges. The other 75 percent are appointed by the High Council of Judges and Public Prosecutors. The Council of State is also the highest consultative body of the state and examines draft regulations and concessional contracts. It is responsible for resolving administrative disputes.

**The Military Court System.** The military court system exercises jurisdiction over all military personnel. In areas under martial law the military also has jurisdiction over all civilians accused of terrorism or "crimes against the state." The military court system consists of military and security courts of first instance, a Supreme Military Administrative Court, an appellate State Security Court, and the Military Court of Appeals, which reviews decisions and verdicts of the military courts. The decisions of the Military Court of Appeals are final. Military justice is carried out through the military courts and military disciplinary courts. These courts, unless the contrary is stated in the law, have jurisdiction to try military personnel for military offenses, for offenses committed by them against other military personnel or in military places, or for offenses connected with military service and duties.

## CORRECTIONAL SYSTEM

From the administrative aspect it is possible to classify Turkish penitentiaries into two groups:

- The fully organized penitentiaries, which are stationed at the centers of aggravated felony courts, have the broader capacity. These penitentiaries have an administration, internal security, execution, health, psychosocial treatment, education, purifying, and workshop units in which directors, deputy general directors, administrative officers, accountants, doctors, dentists, psychologists, social workers, teachers, clerks, warehouse officers, and other necessary officials take place.
- The not-fully organized penitentiaries, which are stationed in towns, are the small-capacity ones.

The prisons are classified into three groups according to security aspects: maximum-security prisons (F-type prisons), medium-security prisons (E-type and special-type prisons), and minimum-security prisons (open prisons and juvenile reformations).

The prisons and remand houses, which are under authority of the Ministry of Justice, are stationed in the places determined by this ministry. In principle, the prisons and remand houses are established at the centers of courts.

The Gendarmerie, which is under the authority of the Ministry of Interior, maintains the external security of the prisons and the transferring of prisoners.

The penal institutions are under the authority of the General Directorate of Prisons and Detention Houses. A general director who is in charge of the directorate, 4 deputy general directors, 4 department chiefs, 11 examining judges, and 170 staff work at this directorate.

According to the Regulation on the Administration of Penal Institutions and Execution of Punishments, public prosecutors are responsible for the maintenance of order and security. The penal institutions are under the permanent supervision and control of public prosecutors in compliance with the laws, regulations, and circulars. Furthermore, the penal institutions are subject to periodical supervision of the controllers of the directorate and inspection of the ministry.

**B-Penal Execution System.** People who are subject to a detention order or a final decision containing a custodial sentence are placed in prison.

Prisoners are classified into groups according to the age, sex, type, crime, duration of punishment, and legal status. Various activities are carried out to rehabilitate the prisoners.

Prisoners may be given the following disciplinary punishments because of disruptive behaviors:

- Condemnation
- Deprivation of receiving visitors
- Deprivation of correspondence
- Solitary confinement

Disciplinary punishments containing collective, physical, cruel, degrading, and inhumane methods cannot be implemented.

The prisoner, the director, or at least two members of the disciplinary board have the right to appeal in twenty-four hours to the supervisory judge against the punishment decision.

There are various types of treatment activities in institutions:

- Literacy courses and elementary, high school, and university education
- Vocational training and creative activities (the prisoners are given a certificate at the end of the training process)
- Social, cultural, and sportive activities (cinema, theater, folk dances, music, library studies, debates, conferences, seminars, intelligence games, videos, television, computer courses, and so on)
- Religious education (this education aims to motivate the prisoners during the rehabilitation process)

Local institutions, nongovernmental organizations, professional institutions, and voluntary institutions contribute to these activities.

Prisoners who serve one-fifth of their imprisonment with good behavior may be selected for open prisons by the decision of the prison disciplinary board and prison administrative board and by the approval of the general directorate.

Prisoners who serve one-fifth of their imprisonment with good behavior may be granted excuse-permission from one to ten days, in case of their parents', spouses', or children's deaths. In urgent cases such as serious illnesses, fires, and earthquakes that have unfavorable damages on the close relatives of a prisoner, the prisoner may with the approval of the ministry be granted leave from one to ten days.

By contrast, prisoners who serve one-fourth of their imprisonment with good behavior and are selected for the open prison may be given seventy-two-hours of special leave (except travel duration).

#### Prison Statistics.

- Total Prison Population: 67,772
- Prison Population Rate per 100,000: 95
- Pretrial Detainees: 49%
- Female Prisoners: 3.5%
- Juvenile Prisoners: 3.6%
- Number of Prisons: 503
- Official Capacity of the Prison System: 70,994
- Occupancy Level: 95.5%

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*Timothy Ocnaschek  
Nathan R. Moran  
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# Turkmenistan

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**Official country name:** Turkmenistan

**Capital:** Ashgabat

**Geographic description:** Located in the southwestern part of Central Asia, and bordered by Kazakhstan, Uzbekistan, Afghanistan, Iran, and the Caspian Sea

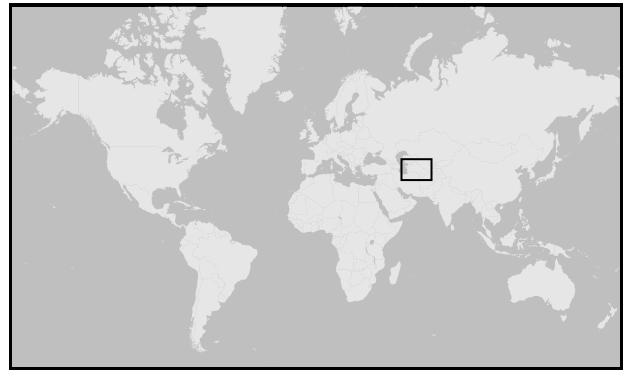
**Population:** 4,952,081 (est. 2005)



## LAW ENFORCEMENT

**History.** Turkmenistan was annexed by Russia between 1865 and 1885 and became a Soviet republic in 1925. It finally achieved its independence on the dissolution of the Soviet Union in 1991. From a historical point of view the Turkmen are descendants of the Oguz Turks of the eighth to the tenth centuries. From an ethnological point of view the Turkmen are the most distinctive of the Turkish peoples of Central Asia. Mentioned in the Orkhon inscriptions of the eighth century, they belong to the Oguz tribal confederation that moved west in the tenth century and formed the Saljuq dynasties of Iran and Anatolia. In this sense the Turkmen are more akin to the Ottomans and the Azeri Turks than to the Turks of Central Asia. However, like the Kazakhs, their loyalties are extended to a wider circle, which encompasses clan and tribe, before it reaches the state. Turkmen are Sunni Muslims of the Hanafi sect. Conversion of the region to Islam began early and was complete by the tenth century. At the present, around 89 percent of the population is Muslim.

The establishment of Soviet power in Central Asia was determined largely by the events in the main theaters of the Russian civil war. From 1890 to 1917



Turkmenistan was part of Russian Turkistan, a province that included Central Asia and its Muslim nationalities—the Kazakhs, the Uzbeks, the Kyrgyz, the Tajik, and the Turkmen. Within Turkistan, however, the Turkmen had a lesser status. Their lands were defined as the Transcaspian region and were ruled as a military colony. This neglect by Russia's government allowed the Turkmen to maintain their culture, language, and nomadic way of life with little interference. During the early part of World War I most of the area, except Tashkent, was in anticommunist hands, but British withdrawal in June 1919 and the defeat of General Aleksandr Kolchak in Siberia exposed it to penetration by the Communists. In 1922 the Communists founded the Union of Soviet Socialist Republics. Two years later they established the Turkmen Soviet Socialist Republic (SSR) as a full member of the Soviet Union. Two republics were so formed and admitted to the Soviet Union in May 1925: Uzbek SSR, in the eastern part, and Turkmen SSR, in the

western part. After reclaiming Turkmen SSR in 1932, Joseph Stalin executed thousands of Turkmenistan's Communist leaders—including the president and the premier—whom he accused of helping the nationalists. Following this incident, the Communist regime in Ashgabat became completely obedient to the central Soviet government in Moscow.

After World War II the Soviets built new plants in central Asian cities, including Ashgabat and Chard Zhou (modern Türkmenabat). A workforce made up of ethnic Russians and ethnic Ukrainians emigrated to Turkmen SSR to take advantage of new jobs in the republic. Most Turkmen, however, remained rural and nomadic. Despite the immigration of factory workers, Turkmen SSR remained one of the Soviet Union's most isolated republics. In spite of the republic's isolation, economic development continued in the region. During the 1970s the Soviet government developed the region's energy resources, including oil and natural gas.

The Soviet leader Mikhail Gorbachev instituted several new policies after coming to power in 1985. Glasnost allowed more open criticism of the Communist Party and of the country's economic system. Perestroika eased government control over many small businesses, which could now set their own wages, prices, and production schedules. Turkmen Communist leaders, however, were slow to adopt these reforms. Annamurad Khodzhamuradov, who became Turkmen SSR's leader in 1986, remained loyal to the Soviet government but never accepted Gorbachev's reforms.

In 1990 Turkmen SSR declared that it would take greater control over local politics and economic policy. The government established the office of president and named Saparmurat Niyazov to the post. On October 27, 1991, Turkmenistan proclaimed its independence from the Soviet Union.

More than a decade after their independence, each of the Central Asian states is on its own particular path of political and economic development. While most have achieved at least partial integration within the international community, one stands out as an exception: the remote former Soviet republic of Turkmenistan, on the eastern shores of the Caspian Sea.

**Structure and Organization.** The national police force, estimated to include 25,000 personnel, is under the jurisdiction of the Ministry of Internal Affairs. The force is located in cities and settlements throughout the country, with garrisons in Ashgabat, Gyzylarbat, and Dashhowuz. Police departments do not have an investigative function in Turkmenistan; that role is filled by the procurator's offices in Ashgabat and other cities. The

police role is confined to routine maintenance of public order and to certain administrative tasks such as controlling the internal passport regime, issuing visas for foreign travel, and registering foreign guests. The Ministry of National Security (MNB), formerly the Committee on National Security, has the responsibilities formerly held by the Soviet Committee for State Security. The MNB is responsible for ensuring that the government remains in power and exercises wide discretion over issues such as exit visas, Internet access, and personal freedoms. The Ministry of Internal Affairs directs the criminal police, which works closely with the MNB on matters of national security. Civilian authorities maintain effective control of the security forces. The minister of the MNB does not formally supervise other ministries; however, the MNB exercises control over personnel changes and enforces presidential decrees.

**Border Guards.** About 5,000 personnel serve in the Turkmenistan Border Guard, which is commanded jointly by Turkmenistan and Russia. The Border Guard Command was established in 1992 to replace the Soviet-era Central Asian Border Troops District of the Committee for State Security of the Soviet Union. The Border Guards patrol the wild, mountainous Afghan and Iranian frontiers, which total over 1,000 miles and are rated the most sensitive borders of the country. The guards have small arms and some armored personnel carriers; experts evaluate them as an effective border force.

**Education and Training.** Police personnel are trained mostly on the job and many are recruited from military ranks. The Ministry of Internal Affairs runs a training school that is an institution of higher education. Law enforcement personnel are also recruited from law schools.

The Ministry of Justice receives training and equipment from the United States. Experts from the International Criminal Investigative Training Assistance Program (ICITAP), an organ of the U.S. Department of Justice, impart training in forensic procedures and investigative techniques to the specialists of the Ministry of Justice of Turkmenistan. The ICITAP develops country-specific packages to support the local law enforcement agencies. The ICITAP program in Turkmenistan is aimed at better training of the criminologists and improvement of their output by introduction of modern technologies.

At the national level, the primary security concerns are prevention of trafficking in drugs and other illegal commodities and combating organized and international crime. In December 1994 the MNB and the Russian Federation's Foreign Intelligence Service (a successor

agency to the KGB) signed a five-year agreement for cooperation in state security and mutual protection of the political, economic, and technological interests of the two states.

### CRIMINAL JUSTICE SYSTEM

The criminal justice system of Turkmenistan is deeply rooted in Soviet institutions and practices. As it did in the Soviet period, the Ministry of Internal Affairs continues to direct the operations of police departments and to work closely with the MNB on matters of national security.

The MNB continues as the main security force similar to the Soviet-era Turkmenistan Committee for State Security. The Ministry of Internal Affairs administers the regular police, working closely with the MNB in matters of national security. Criminal investigation is under procurator's offices, not regular police, who have only routine functions. As in the Soviet system, procurators investigate and prosecute crimes. The rule of law is hampered by the judiciary's subordinate position to the executive branch and a lack of independent judicial tradition.

### JUDICIARY SYSTEM

As one of the three branches of government, the judiciary is charged with upholding the constitution and the Supreme Law, as the national codex of civil and criminal law is called. Power is concentrated in the president; the judiciary is wholly subservient to the regime, with all judges appointed for five-year terms by the president without legislative review.

The Ministry of Justice oversees the judicial system, while the Office of the Procurator General is responsible for ensuring that investigative agencies and court proceedings are in compliance with the constitution and the Supreme Law. The president appoints the republic's procurator general and the procurators in each province, and the procurator general appoints those for the smallest political jurisdictions: the districts and the cities. The court system is divided into three levels:

- Supreme Court
- Appellate courts
- Military courts

At the highest level, the Supreme Court consists of twenty-two members, including a president and associate judges, and is divided into civil, criminal, and military chambers. The Supreme court judges are appointed by the president. The Court hears only cases of national importance; it does not function as an appeals court. At the next level, appellate courts function as courts of

appeal in the six provinces and the city of Ashgabat. Sixty-one trial courts operate in the districts and in some cities, with jurisdiction over civil, criminal, and administrative matters. In courts at this level a panel of judges presides in civil and criminal suits, and typically one judge decides administrative cases. Outside this structure, military courts decide cases involving military discipline and crimes committed by and against military personnel. Also, the Supreme Economic Court performs the same function as the state arbitration court of the Soviet period, arbitrating disputes between enterprises and state agencies. The constitution stipulates that all judges at all levels are appointed by the president to terms of five years, and they may be reappointed indefinitely. Enjoying immunity from criminal and civil liability for their judicial actions, judges can be removed only for cause.

Observers of several trends in the administration of justice in this court system have concluded that rudimentary elements of legal culture are absent in the implementation of legal proceedings in Turkmenistan. First, the judiciary is subservient to the Ministry of Justice, and it is especially deferential to the wishes of the president. Second, because the Office of the Procurator General fills the roles of grand jury, criminal investigator, and public prosecutor, it dominates the judicial process, especially criminal proceedings. Third, disregard for due process occurs frequently when higher officials apply pressure to judges concerned about reappointment, a practice known as "telephone justice." Fourth, the legal system disregards the role of lawyers in civil and criminal proceedings, and the Ministry of Justice has not permitted an organized bar. Finally, the republic's citizenry remains largely ignorant of the procedures and issues involved in the nation's legal system. Turkmenistan's Parliament approved a new criminal code on June 12, 1998. The death penalty is provided for seventeen crimes, and the maximum custodial sentence is twenty years.

In February 2003 President Niyazov signed the "Betrayers of the Motherland" law, which characterizes any opposition to the government as an act of treason. Those convicted under the law face life imprisonment, are ineligible for amnesty or reduction of sentence, and may not receive visitors or food from outside sources. The law provides that a person accused of a crime may be held in pretrial detention for no more than two months that, in exceptional cases, may be extended to one year.

A warrant is not required for an arrest. The chairman of the Cabinet of Ministers, a position held by the president, has sole authority for approving arrest

warrants. Authorities may detain individuals for seventy-two hours without a formal arrest warrant, but legally must issue a formal bill of indictment within ten days of detention. Detainees are entitled to immediate access to an attorney once a bill of indictment has been issued; however, in practice, they are not allowed prompt or regular access to legal counsel. Incommunicado detention is a problem.

The condition of the legal system and international doubts about human rights in Turkmenistan are indicators that this potentially prosperous former Soviet republic is far from a Western-style democracy, despite the stability its government has achieved and the eagerness with which Western investors have approached it. Future years will determine whether this is a transitional stage of independent democracy, whether liberation from the Soviet empire has produced a permanently authoritarian nation, or whether the independent stance of the mid-1990s will yield to closer ties and more economic and military reliance on the Russian Federation.

#### CRIME

**War on Drugs.** Like all other countries of the Central Asian region, Turkmenistan is facing an increasing domestic drug problem. Turkmenistan remains a key transit country for the smuggling of narcotics and precursor chemicals. The flow of Afghan opiates destined for markets in Turkey, Russia, and Europe frequently enters Turkmenistan from Afghanistan, Iran, Pakistan, Tajikistan, and Uzbekistan. The bulk of Turkmen law enforcement resources and manpower is directed toward stopping the flow of drugs from Afghanistan. Turkmen law enforcement at the Turkmen-Uzbek border is primarily focused on interdiction of smuggled commercial goods. Visits by U.S. government officials to crossing points on the Iranian border confirm that commercial truck traffic from Iran continues to be heavy. Caspian Sea ferryboat traffic from Turkmenistan to Azerbaijan and Russia continues to be a viable smuggling route; however, specific seizure statistics are unavailable.

Under a mutual cooperation agreement signed in September 2001, the United States and Turkmenistan have joined hands in antinarcotic efforts. In the ongoing support initiative, the ICITAP provides Turkmenistan with US\$500,000 for the purchase of equipment and US\$150,000 for supplementary measures to strengthen antinarcotic efforts and maintain law and order. Police and Customs units are given drug detection kits, vehicles, and communication devices. Furthermore, video equipment is purchased and provided for the Police Academy of Turkmenistan.

Some of this information seems to confirm what is reported by the Bureau for International Narcotics and Law Enforcement Affairs in its annual report on narcotics worldwide. In its 2003 report on Turkmenistan the bureau writes:

Turkmenistan remains a key transit country for the smuggling of narcotics and precursor chemicals. The flow of Afghan opiates destined for markets in Turkey, Russia and Europe frequently enter Turkmenistan from Afghanistan, Iran, Pakistan, Tajikistan and Uzbekistan. The bulk of Turkmen law enforcement resources and manpower are directed toward stopping the flow of drugs from Afghanistan. Turkmen law enforcement at the Turkmen-Uzbek border is primarily focused on interdiction of smuggled commercial goods. Visits by USG officers to crossing points on the Iranian border confirm that commercial truck traffic from Iran continues to be heavy. Caspian Sea ferryboat traffic from Turkmenistan to Azerbaijan and Russia continues to be a viable smuggling route; however, specific seizure statistics have been unavailable. Turkmenistan Airlines operates international flights connecting Asgabat with Abu Dhabi, Bangkok, Birmingham, Frankfurt, Istanbul, London, Moscow, New Delhi, Almaty, Tashkent and Tehran.

During 2003 the government of Turkmenistan (GOTX) increased public pressure on law enforcement officials to slow narcotics traffic through Turkmenistan. Counternarcotics efforts are heavily focused along the mountainous Afghan border, but increased efforts have also been made along the Iranian border.

**Narcotics.** The GOTX continues to give priority to counternarcotics law enforcement. Despite poor equipment and insufficient transportation, Turkmen border forces are moderately effective in detecting and interdicting illegal crossings by armed smugglers. According to GOTX officials, there are female border guards along the Turkmen border checkpoints to search suspected female traffickers; nearly half of all traffickers being arrested at border crossings are female. Official statistics on narcotic seizures made in Turkmenistan are not published; however, efforts are netting larger seizures. Turkmen law enforcement continues to engage in operations to prevent the smuggling of acetic anhydride (AA), a heroin precursor chemical, through its borders. These efforts are primarily focused around the large rail and truck border crossing point at Serhetabad (formerly Kushka) on the Afghan border. Turkmen officials operating at this border point have made large seizures of AA headed for Afghanistan from as far away as India. In 2003 Turkmen authorities also arrested a number of internal body

smugglers, mostly Turkmen or Tajik citizens, at legal crossing points on the Uzbek border. Seizures up to 400 kilograms of narcotics occurred along the Iranian and Afghan borders. Those convicted of possession of even small amounts of illegal drugs are routinely sentenced to eight to ten years in prison; however, these sentences are usually mitigated by the annual presidential amnesty, which is available to all but the most hardened criminals.

Turkmenistan's 1,100-mile Uzbek frontier remains thinly staffed by Border Guard forces when compared to its boundaries with Afghanistan and Iran. In addition, Turkmenistan's border with Uzbekistan has many legal crossing points that are ill equipped in comparison to those on its Afghan and Iranian frontiers. The Uzbek frontier has thus increasingly become an attractive alternative for smugglers seeking to circumvent more stringent controls on Turkmenistan's southern borders. In July 2004 Turkmenistan Border Patrol received two helicopters and one patrol boat under the ongoing border strengthening program that is designed to deter narcotics and contraband smuggling and ensure better border management.

Domestic drug abuse is steadily increasing, although concrete statistics are difficult to obtain. Turkmenistan remains vulnerable to financial fraud and money laundering schemes because of its dual exchange rate and the presence of foreign-operated hotels and casinos. There are troubling reports of involvement in narcotics trafficking by senior GOTX officials. Unofficial estimates suggest that as many as 20,000 people in Ashgabat alone are involved in the drug trade. Observers say that it is now possible to buy drugs in markets, discos, schools, and universities and that the peddlers are becoming less secretive about it. The problem of drug addiction is even more acute in rural areas, where living standards and education levels are lower than in the towns. The problem of drug dependency is exacerbated by local traditions, in which marijuana and opium are used as narcotic and folk remedies.

Turkmenistan's two major border control agencies, state customs, and the Border Guard are significantly handicapped in carrying out their drug enforcement duties by a systematic lack of adequate resources, facilities, and equipment. Most Turkmen border crossing points have only rudimentary inspection facilities for screening vehicle traffic and lack reliable communications systems, computers, unloading and x-ray equipment, and dogs trained in narcotics detection. Turkmenistan will continue to serve as a major transit route for illegal drugs and drug-making precursors until meaningful legal and

political reforms are initiated and border control agencies are adequately funded.

**Trafficking in Persons.** The law does not prohibit trafficking in persons. The penal code prohibits prostitution, which is punishable by two years' imprisonment or hard labor. There have been unconfirmed and anecdotal reports of women from the country traveling to Turkey and the United Arab Emirates and working as prostitutes. There are no reports of trafficking within the country.

The government does not have programs in place to combat trafficking in persons, but it cooperates with the International Organization for Migration in educational efforts on this topic.

**War against Terrorism.** Turkmenistan supports the war on terrorism by allowing U.S. and international assistance to flow across its borders to Afghanistan. Access to this essential route has been a key to transporting food aid and other humanitarian assistance.

#### CORRECTIONAL SYSTEM

Prisoners are held under the "Traitors of the Motherland" law. Most are held in the newly constructed maximum-security prison at Ovadan Depe (completed in June 2004), near Ashgabat, where access to prisoners is extremely limited. There are three types of prisons throughout the country:

- Educational-labor colonies
- Correctional-labor colonies
- Prisons

**Prison Conditions.** Prison conditions remain poor and unsafe, and authorities refuse all requests for access to prisons and prisoners by international observers. Prolonged pretrial detention and unfair trials are still being practiced. According to BBC and Interfax news agency reports, Turkmenistan has the sixth-highest prison population rate in the world following Kazakhstan. Facilities for prisoner rehabilitation and recreation are extremely limited.

In the correctional-labor colonies there are reports of excessive periods of isolation of prisoners in cells and "chambers." Hardened criminals and political prisoners are held at Ovadan Depe. In Gyzylgaya prison, located in the Kara-Kum Desert, prisoners work in the kaolin mine.

Men are held separately from women, and juveniles are held separately from adults. Prisoners who are connected to the November 2002 attack are reportedly held separately at Ovadan Depe. Former members of intelligence and security services are typically held in a

dedicated facility at Akdash, near Türkmenbaşy. Pretrial detainees are usually held separately from convicted prisoners in detention centers; however, individuals connected to the November 2002 attack are held with convicted prisoners in detention centers before their eventual imprisonment.

In October 2000 President Niyazov announced an amnesty for 10,000 of the country's 19,000 prisoners, who were released on the Night of Nights during Ramadan. All those who committed crimes accidentally or for the first time and women and the elderly were granted amnesty on the eve of the Night of Nights.

**Prison Statistics.**

- Total Prison Population: 22,000
- Prison Population Rate per 100,000: 489
- Number of Prisons: 19

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*Hakan Can*



# Tuvalu

---

**Official country name:** Tuvalu

**Capital:** Funafuti (administrative offices are located in Vaiaku on Fongafale Islet)

**Geographic description:** Group of nine coral atoll islands in Oceania, in the South Pacific Ocean

**Population:** 11,636 (est. 2005)



## LAW ENFORCEMENT

**Structure and Organization.** The Tuvalu Constabulary is a centrally controlled and administered law enforcement agency under a chief police office assisted by superintendents, inspectors, noncommissioned officers, and constables. In addition, a unit known as the Island Police, a decentralized force of part-time policemen, complements the work of the constabulary.

### Police Statistics.

- Total Police Personnel: 35
- Population per Police Officer: 332

## CORRECTIONAL SYSTEM

Tuvalu has one minimum-security prison, located near the airport and segregated by sex. Only adults are held at this facility and children are remanded to their families. The men's section accommodates thirty-five inmates and the women's section twenty. In any given year, the number of inmates is far below capacity and in most years there are no female prisoners. There is also a single



holding cell at the police station for detentions of less than twenty-four hours. Pretrial detainees are usually released on their own cognizance, except in cases where they are charged with violent crimes, such as homicide. Such exceptions have not happened yet.

**Prison Conditions.** Prison conditions meet international standards in terms of medical care, sanitation, and food.

### Prison Statistics.

- Total Prison Population: 6
- Prison Population Rate per 100,000: 56
- Number of Prisons: 1
- Official Capacity of the Prison System: 55

*George Thomas Kurian*

# Uganda

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**Official country name:** Republic of Uganda

**Capital:** Kampala

**Geographic description:** Landlocked country in east central Africa, covering the headwaters of the Nile

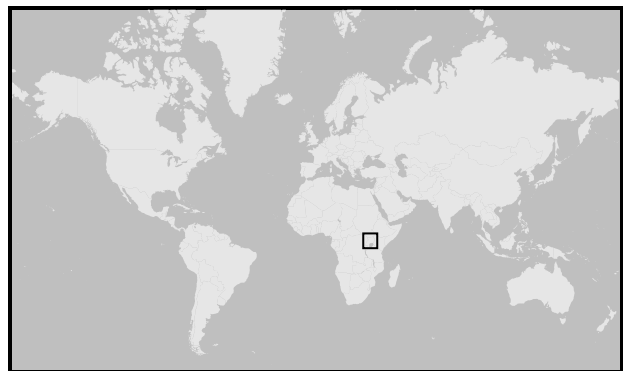
**Population:** 27,269,482 (est. 2005)



## LAW ENFORCEMENT

**History.** The forerunner of the Uganda Police Force was the armed constabulary, which was formed in 1900 with 1,450 Africans under the command of British district officers. In 1906 an inspector general was appointed as the commanding officer of all police detachments. Although established as a civil force, the police were from the outset frequently assigned military duties. During World War I the constabulary detachments patrolled the border between Uganda and German East Africa. In addition, police units were regularly assigned to peace-keeping patrols in Karamoja District to suppress cattle raiding and tribal skirmishes.

During the protectorate period and for the first few years after independence the semiautonomous federal states maintained their own police forces. The forces in Ankole, Bunyoro, and Toro were small, but the Uganda Police Force was a large, well-organized corps. The 1962 constitution provided that these forces were subject to the Uganda inspector general of police, but, in fact, he was able to exercise only nominal control over them. The 1967 constitution abolished the federal states, and the police forces in those states were either merged into



the Uganda Police Force or became local constabularies responsible to the district commissioners, but under the overall control of the inspector general.

**Structure and Organization.** The Uganda Police Force is a multiracial armed constabulary that, besides regular police work, performs intensive paramilitary duties, provides guard of honor detachments for visiting dignitaries, and assists public prosecutors in criminal courts.

The ratio of policemen to the population is 1 for every 1,948 inhabitants. A significant imbalance exists in the assignment of police among the districts, ranging from 1 to 100 in Kampala to 1 to 5,000 in Tezo District and 1 to 8,000 in Kigezi District. The heavy burden of law enforcement in the historically lawless outlying areas is placed on a relatively small force.

The Uganda Police Force is commanded by an inspector general who is appointed by the president on the advice of the Public Service Commission. The actions



*A protestor is arrested and taken to Uganda's Central Police Station in Kampala after two days of riots in the area, November 15, 2005. Several people protested the arrest of Colonel Kizza Besigye, an opposition leader of Forum for Democratic Change (FDC). That same day, a district magistrate decided that prosecutors had substantial evidence to support allegations of treason, concealment of treason, and rape against Besigye. AP IMAGES.*

of the inspector general of police are exempt from judicial inquiry or review, and he reports directly to the minister of internal affairs and the president.

The inspector general of police is directly assisted by four regional commanders, who manage police operations in their respective regions. A Police Council consisting of the inspector general of police, the permanent secretary of the Ministry of Internal Affairs, and four other members appointed by the minister oversees all aspects of recruitment and service. Senior police officials are appointed by the Public Service Commission after consultation with the inspector general of police.

The force is divided into several branches or units:

- Uniform Branch, assigned mainly to urban duties
- Special Branch
- Criminal Investigation Department
- Special Constabulary

- Special Force Unit
- Signals Branch
- Railway Police
- Police Air Wing
- Police Tracker Force
- Police Band
- Police Dog Section
- Public Safety Unit, formed in 1971 to combat armed robbery

The highlight of the corps is the Special Force Unit, formerly the Internal Security Unit. The Special Force Unit is a paramilitary organization trained in riot control and border patrol by Israeli instructors. Each unit consists of fifty men. The Police Tracker Force, the successor to the Karamoja Constabulary, is also organized along military lines. Its special assignment is the suppression of cattle raiding. The detective branch of the force is the Criminal Investigation Department, which maintains fingerprint, identification, and criminal records and operates the Photographic and Scientific Aids Section. Communications are handled by the Signals Branch. The Police Air Wing operates aircraft with VHF equipment for air-to-ground contact.

**Education and Training.** New recruits are assigned for initial training to the Police College in Kampala. Noncommissioned officers and constables are sent for promotion and refresher courses to the Police College at Naguru. Selected officers are also sent abroad, particularly to Australia, Israel, the United Kingdom, and the United States.

#### Police Statistics.

- Total Police Personnel: 14,000
- Population per Police Officer: 1,948

#### HUMAN RIGHTS

Uganda People's Defense Force, the key security force, is the source of most human rights violations in the country, including extrajudicial killings, disappearances, and torture. In 2002 the Police Human Rights Desk received 386 complaints of human rights violations. Some cases of abuse are investigated and some offenders are punished. There is a training program in place for police officials to respect internationally recognized human rights standards.

#### CRIME

**Crime Statistics.** Offenses reported to the police per 100,000 population: 316. Of which:

- Murder: 9.9

## *Uganda*

- Assault: 54.8
- Burglary: 19.3
- Automobile Theft: 8.3

### **CORRECTIONAL SYSTEM**

The criminal justice system is governed by the 1930 criminal code, which was amended in 1968. The list of punishments includes death by hanging, imprisonment, whipping, and fines. Since 1968 the death sentence is mandatory for all persons convicted of armed robbery. Despite these deterrents, incidents of violent crime are increasing, especially in areas without significant police presence.

The prison service is part of the Public Service under the command of the commissioner of prisons. The commissioner, who reports to the minister of local government, is appointed by the president on the recommendations of the Public Service Commission.

The Prison Service operates 194 prisons, many of which are industrial and agricultural prisons with an emphasis on rehabilitation. There are special prisons for long-term prisoners and those placed in preventive detention as habitual criminals, that is, those convicted of a serious crime more than four times. Prisoners who are given the death sentence are confined in the Upper Prison at Murchison Bay in Kampala, where all executions are carried out. In addition, there are local prisons or jails administered by the district council administrations.

Prison Service recruits are trained at the Prisons Training School.

**Prison Conditions.** Uganda's prisons and police cells hold 21,900 prisoners. Prison conditions come closest to meeting international standards in Kampala, where inmates receive running water, medical care, and minimum sanitation. However, these prisons are also among the most overcrowded. The country's prisons hold three times their planned capacity. Although the law provides access to prisoners by their families, prison guards

demand bribes to allow such visits and otherwise intimidate family members. Human rights groups receive complaints of torture, unhygienic conditions, and prisoners suffering from semistarvation. There are a number of reported deaths in custody, some as a result of torture. There is a high mortality rate in all prisons, many from malnutrition, but some from HIV/AIDS. Of the thirty-seven prisoners who died in 2002 in Kampala's Luzira Prison, thirty died of HIV/AIDS.

Prisoners at most prisons grow maize, millet, and vegetables. Skilled prisoners receive US\$0.14 a day and unskilled prisoners US\$0.06 a day. The Community Service Act reduces prison congestion by allowing minor offenders to do community service. Female prisoners are held in segregated wings, and rape is not generally a problem. Because of lack of space, juveniles are often kept in prison with adults. The prison system maintains one juvenile prison and four lower security remand homes. None of the juvenile facilities has school facilities or health clinics. Severe overcrowding is a problem in all juvenile facilities. The remand home in Kampala, designed for 45 inmates, holds 140 children. Prisoners as young as twelve perform manual labor from dawn until dusk.

### **Prison Statistics.**

- Total Prison Population: 21,900
- Prison Population Rate per 100,000: 89
- Pretrial Detainees: 65.7%
- Female Prisoners: 4.3%
- Juvenile Prisoners: 4.2%
- Number of Prisons: 194; 45 central government and 149 local government
- Official Capacity of the Prison System: 8,530
- Occupancy Level: 186.4%

*George Thomas Kurian*

# Ukraine

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**Official country name:** Ukraine

**Capital:** Kiev

**Geographic description:** Located at a strategic position at the crossroads of Europe, sharing its border with Belarus, Hungary, Moldova, Poland, Romania, Russian, and Slovakia as well as the Black Sea

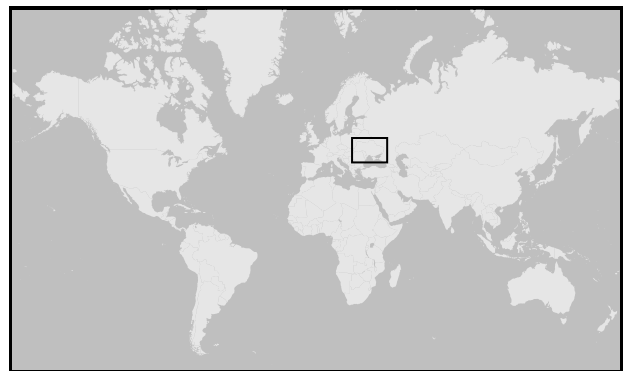
**Population:** 47,425,336 (est. 2005)



## LAW ENFORCEMENT

**History.** When World War I erupted the first modern Ukrainian military formation, the Sich Riflemen, was formed in Western Ukraine. The riflemen swore allegiance to the Austrians to ensure the defeat of Russia. On January 22, 1918, an independent Ukrainian Republic was proclaimed in Kiev, which included the Right and Left Bank areas of the Dnieper River. On November 1, after the collapse of the Austro-Hungarian monarchy, the Western Ukrainian Republic was proclaimed in L'viv. It formally merged with the Ukrainian National Republic in Kiev on January 22, 1919.

Because of war with the Russian Bolsheviks and the Poles, Ukrainian independence was short lived. The Ukrainians themselves were not capable of uniting behind a single leader or policy of independence. Having been under both Polish and Russian rule, much of the Ukrainian intelligentsia was radicalized and predisposed to Vladimir Lenin's rhetoric. Nevertheless, Lenin recognized the potency of a Ukrainian national awareness and granted the Ukrainians a political identity in the form of the Ukrainian Soviet Socialist Republic (SSR), rather



than absorbing them into the Russian Federated Soviet Socialist Republic. In 1922, except for Galicia and parts of Volhynia and smaller regions that were incorporated into Romania and Czechoslovakia, the Ukrainian SSR joined the Union of Soviet Socialist Republics (USSR).

Lenin's attempts to assuage Ukrainian nationalism through a measure of cultural autonomy were abandoned by Joseph Stalin; he imposed agricultural collectivization on Ukraine and requisitioned all grain for export. One result was the famine of 1932–1933 in which 7 million Ukrainians perished. In the late 1930s he persecuted the Ukrainian intelligentsia and destroyed the Ukrainian Orthodox Church. Nikita Khrushchev later said Stalin wanted all Ukrainians deported, but there were simply too many of them.

In 1941 all of Ukraine fell under the Germans' control when the Nazis invaded the Soviet Union. A group of Ukrainians in Western Ukraine took advantage of the Russo-German War and on June 30, 1941, proclaimed

the restoration of the Ukrainian State in L'viv. The Nazis' reaction was one of mass arrests and extensive terror.

The republic suffered severe wartime devastation, especially as a battleground both in 1941–1942 (the German advance) and 1943–1944 (the Russian advance). Most of the Ukraine's 1.5 million Jews were killed by the Nazis during the war; many were shot outright in 1941.

By the end of World War II the Red Army reoccupied the Ukraine and in 1945 Stalin incorporated most of Western Ukraine into the Ukrainian SSR. Subsequently, mass arrests and deportations followed in the western territories. The Ukrainian Catholic Church was officially abolished by the Soviets in 1946. In April 1945 Stalin included Ukraine and Belarus among the forty-seven founding states of the United Nations, as a ploy to give the Soviet Union two extra votes.

During the 1950s and 1960s Ukrainians emerged as tacit junior partners of the Soviets in governing the Soviet Union. Khrushchev, although a Russian by birth, served as first secretary of the Ukrainian Communist Party during the 1930s and carried out the Stalinist purges in Ukraine. He went on to become head of the Communist Party of the Soviet Union in the 1950s and early 1960s. Leonid Brezhnev was born in the Ukraine and held important party posts there before being called to Moscow and serving as general secretary of the Communist Party into the early 1980s.

The Ukrainian parliament passed a declaration of sovereignty in July 1990, and in August 1991 it declared the Ukraine independent of the Soviet Union. Ukraine became a charter member of the Commonwealth of Independent States in December 1991. Leonid Kravchuk, a former-Communist-turned-nationalist, became Ukraine's first president. Parliamentary and presidential elections were held in 1994, and Kravchuk was defeated by Prime Minister Leonid Kuchma.

Since his election, Kuchma has implemented a few market reforms, but the economy remains dominated by huge, inefficient, state-run companies and has not improved significantly. Ukraine, briefly the world's third-largest nuclear power, also ratified the Strategic Arms Reduction Treaty and the Nuclear Nonproliferation Treaty (1994) and turned its nuclear arsenal over to Russia for destruction (completed 1996); in return the Ukraine received much-needed fuel for its nuclear power plants. The country's economic reforms and cooperation in disarmament helped it gain substantial Western aid and loans.

In the 1998 legislative elections communists won most of the seats. Kuchma was reelected in 1999 after defeating the Communist candidate, Petro Symonenko, in a runoff, and in December Viktor Yushchenko, the central bank chairman and an advocate of market reforms, was chosen as prime minister. In April 2000

voters in a referendum approved constitutional changes that increased the president's power over the legislature.

In September 2000 an opposition journalist was murdered. When tape recordings implicating Kuchma in his murder and other abuses of power subsequently were aired, Kuchma's support in Parliament eroded, and there were demonstrations in early 2001 calling for his resignation. The government refused to investigate the journalist's death and was accused of suppressing press coverage of the incident. The dismissal of Prime Minister Yushchenko in April 2001 by Parliament was a blow to reformers; he was succeeded by Anatoly Kinakh, an ally of President Kuchma. In the March 2002 legislative elections, Yushchenko supporters won roughly a quarter of the seats, as did supporters of the president. In November Kuchma dismissed Kinakh as prime minister and appointed Viktor Yanukovich to the post. In December 2003 the Ukrainian Supreme Court ruled that Kuchma could run for a third term because the election for his first term had occurred before the current constitution took effect.

The Ministry of Internal Affairs (MIA) of Ukraine originates from the period when Ukraine was a part of the Russian Empire. The Russian army of law and order existed until February 1917, at which time it undertook service on behalf of the provisional government. With the fall of the provisional government and rise of the Bolsheviks later that year, the police were retained to combat crime and guard prisoners. In the time of the Soviet Union, the MIA forces in Ukraine distinguished themselves not only in upholding traditional law and order but also by taking part in military operations from 1941 to 1945.

When Ukraine gained its independence in 1991, the objectives and priorities of law enforcement had been redefined. In accordance with the legislature's decree of September 30, 1991, No. 1465-XII, the internal forces of the Soviet Union, located on the territory of Ukraine, were transferred to the MIA of Ukraine with its full complement; at the same time, party control commissions and party committees were liquidated. Military political bodies have been reorganized into bodies of education and social legal work.

The MIA of Ukraine plays an important role in exercising control and supervision over guaranteeing of rights and freedoms of the citizens of Ukraine.

**Structure and Organization.** The MIA of Ukraine is the umbrella organization that oversees police activities in the country. The MIA is headed by the minister of internal affairs with several deputy ministers managing the various services and divisions. Each directorate or department of

internal affairs is headed by a chief and is managed by his deputies—directors of the departments and services.

Most police units in Ukraine are referred to as “militia,” deriving from the Soviet tradition that emphasized the fact that the police consists of ordinary citizens and exists to serve the people. According to article 7 of the Militia Act of 1990, the militia is a united system of agencies under the structural umbrella of the MIA and carries out administrative, preventive, investigative, criminal procedural, executive, and protective activities. It includes criminal investigation militia, public order militia, transport militia, state traffic inspection, security militia, and others.

Besides the militia, police functions are carried out by other divisions that also fall under the central authority of the MIA and are organized by geographic hierarchy:

- At the national level in the MIA
- Regional agencies (regional directorates of internal affairs; Kiev and Sevastopol City Directorates of Internal Affairs; the Main Directorate of Internal Affairs of the Crimean Republic; Directorate of Internal Affairs for Transport)
- District departments (district departments of regional directorates of internal affairs)
- City departments (city department [*gorodskoe upravlenye*] of the regional directorate of internal affairs)
- City precinct (precinct of the city department of the regional directorate of internal affairs)

The system of internal affairs agencies is headed up by the minister of internal affairs, who is directly responsible for overseeing the Minister’s Apparatus, the Department of Management, and the Department of Internal Security. Deputy ministers run the following agencies and divisions:

- The Main Directorate for Fighting Organized Crime is responsible for setting policy, developing strategies, acquiring equipment, and maintaining appropriate staffing levels, among other things, to effectively address the problem of organized crime throughout the country
- The Department for Cooperation with the Supreme Council of Ukraine and the Public Relations Department are responsible for liaison activities between the national police and the legislature as well as coordinating mass media inquiries
- The Department of Information Technologies is charged with upgrading and improving the processing and dissemination of police information

- The Department for the Search for Fugitives, the State Service for Combating Economic Crime, the Department for Combating Illegal Drugs, the Criminal Investigation Militia for Juvenile Affairs, and the National Central Bureau of Interpol in Ukraine all fall under the auspices of a single deputy minister. As their names suggest, these departments make up the core of the police function with both domestic and international matters falling in their purview
- The Administrative Service of Militia, the State Automobile Inspectorate, the Main Directorate of Interior Troops, the Department of Citizenship, Immigration and Personal Registration Affairs, the Security Service, and the Department of Fire Safety are geared toward domestic safety and security; of particular interest is that the MIA in Ukraine, as in many other states of the former Soviet Union, has its own military to quell social unrest or political instability leading to attempted secession
- The Main Directorate of Investigations, Investigation Department, and the State Scientific-Research Forensic Expertise Center constitute the heart of the investigative function
- The Department of Personnel Management
- The Department of Logistics, Financial Resources, and Medical Care

All these services, agencies, and divisions performing special law enforcement administrative tasks have their own multilevel structure and are integrated in the previously mentioned departments and directorates of internal affairs. Directors of the services and divisions are subordinate to the chief of the Department or Directorate of Internal Affairs.

It should be noted that some of the agencies and divisions have subdivisions only on the regional level (e.g., Service for Combating Organized Crime) and some subdivisions are not directly subordinate to police departments or directorates (e.g., Interior Troop units).

**Retirement Age.** Terms of service depend on rank and gender. Men who are privates or low-level command personnel must retire by the age of forty-five. For women the mandatory retirement age is forty-five. With proper authorization, this age may be extended by five years.

Middle-, senior-, and high-command personnel may remain in service until the age of: 45 (except colonels); 50 (colonel); 55 (major general and lieutenant general); and 60 (colonel general). On reaching the mandatory age, the officer has to be discharged to reserve status and either register in a military service or retire. However, if necessary the term of service can be prolonged by five

years or, in exceptional cases (taking into account the state of health), for a second time by five or ten years for those who have an advanced degree or high rank.

Middle-, senior-, and high-command personnel can be discharged for reasons of ill health, in the event of a down-sizing of personnel, by their own volition, in connection with transfer to another ministry or agency, or if they do not meet the requirements of service or have committed a crime.

**Police at Work.** Positions in some of the departments and divisions include:

- Investigative departments—investigator, senior investigator, serious crimes investigator, assistant of the director, and director
- Departments of Criminal Search, Combating Economic Crime, Combating Organized Crime, and Combating Illegal Drug Trafficking—detective, senior detective, detective in the most important cases, senior detective in the most important cases, deputy of the director, and director
- Local Inspectors Service—local inspector, senior local inspector, and director
- Beat and patrol officers as well as the Local Inspectors Service are subordinate to the director of Administrative Service of Militia

To occupy a position in departments, directorates, or the MIA, each police officer should have the appropriate level of education, experience, and rank. The system of police ranks is based on the military structure:

*High Command Personnel:*

- Major General
- Lieutenant General
- Colonel General

*Senior Command Personnel:*

- Major
- Lieutenant Colonel
- Colonel

*Midlevel Command Personnel:*

- Second Lieutenant
- Lieutenant
- Senior Lieutenant
- Captain

*Low-Level Command Personnel:*

- Corporal
- Sergeant

- Senior Sergeant
- Master Sergeant
- Warrant Officer
- Senior Warrant Officer
- Private

The Ukrainian police is reported to be notoriously corrupt. In 2002, 58 criminal cases were brought against police officers and 334 against former police officers. An additional 828 employees were dismissed for malfeasance. Whole police units are reported to provide services to organized crime and to assist in the trafficking of women in exchange for money.

**Local Police.** The police of Ukraine are centralized and this remains one of the main features of the Ukrainian law enforcement system. However, steps have been taken to create local police units that are to be funded from local budgets and subordinate to local authorities as well as to the MIA. The presidential decree on the creation of a municipal militia was issued, and on April 3, 2004, the Supreme Council of Ukraine adopted amendments to the Militia Act and passed other laws concerning the creation of a municipal militia.

**Traffic Police.** The State Automobile Inspection (SAI) of the MIA is the primary agency tasked to oversee the operation of the traffic police. There is also the Directorate of Internal Affairs for Transport, which serves railroads. The SAI consists of several divisions:

- Department of Monitoring and Prevention
- Directorate of State Automobile-Technical Inspection, Control of Condition of Roads, and Informational Support, which includes the Department of State Automobile-Technical Inspection, Registration and Exams, and Control of Autotransport Sales; Department of Informational Support of Activity of SAI Divisions; and Department of Control of Transporting Dangerous Loads and Roads Condition
- Department of Road-Patrol Service
- Department of Economical Provision
- Office (Chancellery)

Also, there are departments of the SAI included in the directorates, city, districts, and departments of internal affairs.

The main tasks of the SAI are to ensure safety on the roads, control adherence to traffic laws, issue driver licenses, carry out searches for stolen vehicles, and combat traffic crimes. In 2001 SAI officers solved 4,500 criminal cases and 2,400 cases of drivers leaving the scene





**Authorities take an unidentified detainee into custody following a violent exchange between supporters of Red Army veterans and supporters of Ukrainian partisans in downtown Kiev, Ukraine, October 15, 2005.** *Red Army veteran supporters were protesting against assertions by Ukrainian partisans to deny them official recognition as World War II veterans. Partisans from the Ukrainian Insurgent Army battled both Nazis and Red Army soldiers during World War II as part of efforts to establish an independent Ukraine.* AP IMAGES.

of an accident, seized 2,200 weapons, and investigated 5,800 cases of illegal transportation of narcotics (totaling 4.4 tons).

Every year between 5,500 and 6,000 people die in traffic accidents and 38,000 are injured. A traffic accident occurs on average every fifteen minutes. According to the SAI, from 1997 to 2002 the number of traffic accidents dropped by 9 percent. With the collapse of the Soviet Union and the softening of the borders, Ukraine has found itself in the middle of a vast network of stolen car routes moving from west to east, typically destined for Russia.

**Special Police.** There are several units of special designation in the structure of the Ukrainian police. The Militia Troops Rapid Reaction Force, Berkut (Golden Eagle), is a highly mobile unit of special troops created for combating organized crime and ensuring public order during public events such as political demonstrations and rallies, sporting events, cultural programs, and religious observances. The rapid response forces were created in January 1992 and modeled after the militia troops of special designation. Berkut's activities are carried out by the Department of Patrol-Post Service, the transport

militia, and militia troops of special purpose subordinated to Department of Public Order Protection.

The Special Forces group, Sokol (Falcon), is attached to the Regional Directorate for Organized Crime Control of the MIA and designated to perform special operations regarding combating members of organized criminal groups.

The Titan group is a special task division of the State Security Service and the Gryfon (Griffin) group is a special task division of the militia responsible for overseeing the court system. There are also special task forces in the structure of the Interior Troops.

**Education and Training.** In 2002 there were 12 police institutions of higher education in Ukraine that hosted 110 doctors of science, almost 800 candidates of science, 23,400 cadets, and more than 24,000 students.

In general, the system of police education can be divided into several levels:

- Schools and special centers for training officers of lower rank and certain types of specialists

- Universities, academies, and institutes that graduate investigators, detectives, experts, and so on and midlevel staff; the institutions enjoying the best reputation for turning out high-quality graduates and producing good research are the National Academy of Internal Affairs in Kiev and the National University of Internal Affairs in Kharkiv
- Universities and academies providing special courses for professional development for all professionals particularly mid- and upper-level commanders

It should be noted that besides bachelor and specialist degrees, universities and academies offer masters and doctoral degrees in a variety of specialties. The educational process is set according to standards of higher education adjusted to address the specific nature of law enforcement activity. The quality of education is compatible with well-known civilian colleges and universities.

**Recruitment and Conditions of Service.** Conditions, terms, and rules of service are determined by the Statute on the Service of Private and Command Personnel of Internal Affairs Agencies of Ukraine adopted by a decree of the Cabinet of Ministers of the Soviet Union on July 29, 1991, with changes and amendments between 1992 and 2003.

Individuals having reached eighteen years of age and can perform the responsibilities expected of them can be accepted into the service of internal affairs agencies on a voluntary basis. Draftees are not taken into the internal affairs agencies except at those times when indicated by the legislature.

Ranks of private and those in low-command personnel are filled on a contractual basis by men who served in the army, others who are in armed forces reserves (except officers in reserve), and, in some cases, by women. The conditions of the contract are set by the minister of internal affairs.

Positions of middle-, senior-, and higher-command personnel are filled by those who have higher education and meet the requirements of the service. Middle-command personnel are filled by people from the low command who have middle or higher education, practical experience in the internal affairs agencies, and had good reputations during their time of service.

For excellent fulfillment of duties, high achievements in the service, courage and bravery demonstrated while fulfilling duties, and other special accomplishments, police officers can be recommended for state awards, medals, and recognition in accordance with the Disciplinary Statute of the internal affairs agencies.

Police officers are allowed to hold another job in internal affairs agencies and, in exceptional cases, in other ministries or agencies with the consent of the minister or

the directors of the directorates of internal affairs. They are prohibited from involvement in any kind of entrepreneurial activity or from organizing strikes or participating in them. However, they can join public organizations or associations to protect their professional and socioeconomic interests.

Police officers are also allowed to study in educational institutions of the MIA and in higher schools of other ministries and agencies and take advantage of privileges afforded students.

Privates and command personnel work a forty-one-hour week and, if necessary, will work overtime during days off and holidays as well.

Promotion is decided on a competitive basis taking into consideration professional and personal qualities, accomplishments, and proven ability to carry out responsibilities. Rules for promotion are determined by statute. Certification of middle-, senior-, and higher-command personnel is held on every position every four years.

**Uniforms and Weapons.** The uniform of the Ukrainian police has changed several times in attempts to emulate the best police traditions of the leading European countries. Introduction of new uniforms followed several steps. In July 2000, the creation of new samples of the militia uniform was completed (full dress uniform and daily). In October 2000 the MIA adopted the conception of the new uniform for the MIA, and in November 2001 the Council of Ministers of Ukraine adopted the decree, "On Uniforms for the Officers of Internal Affairs, Servicemen of the Special Motorized Militia Units of Internal Troops of the MIA and for the Officers of the Tax Militia." In May 2002 the MIA issued the official rules for the proper wearing of the uniform. The complete set of the summer uniform was created in 2002.

The uniform of Ukrainian police officers was created in such way that unites an aesthetic look while contributing to the fulfillment of law enforcement tasks. To satisfy demands for mass production, the uniforms are made from Ukrainian materials, including new types of textiles. Responsibility for producing, buying, storing, and distributing the uniform belongs to the jurisdiction of the Logistics and Resource Supply Department of the MIA.

According to the Law on Militia, the militia has a right to use physical force, so-called special measures, and firearms. The use of force is forbidden against women with obvious signs of pregnancy, elderly people, people with obvious disabilities, and minors. An exception can be made in cases where a group of these people is committing an assault that threatens lives of citizens or militia officers or in cases of armed assault or resistance.

Firearms may be used in the following cases:

- To protect citizens from life-threatening assaults;
- To release hostages
- To resist an armed attack on a militia officer or members of his family or other attack if there is a threat to their lives or health
- To resist attacks on guarded locations, convoys, private residences, offices of state, and public organizations
- To detain a person who commits a serious crime and is trying to escape
- To detain a person who demonstrates an armed resistance or is trying to escape from custody
- To stop an armed person who threatens to use weapons and other objects that threaten the life of a militia officer
- To stop a vehicle in cases where the driver creates a life-threatening situation to a militia officer

The Ukrainian police service uses a variety of weapons. Depending on the task, police officers might use the TT (an old weapon rarely used), the Makarov (the most widely used weapon), the FORT series of pistols, the Kalashnikov submachine gun, carbines, and sniper rifles. The FORT series is quickly becoming the weapon of choice. For example, the FORT-12 is a 9mm pistol with a capacity of twelve rounds and can accommodate a laser-mounted guide.

The FORT series of weapons is produced by the State Research and Production Association. FORT was created in 1994 by the MIA for the express purpose of improving the firepower of Ukrainian law enforcement and other institutions.

#### **Transportation, Technology, and Communications.**

There are three basic types of police vehicles: motor vehicles, helicopters, and boats. Since the 1990s the police service has introduced a variety of foreign-made vehicles to supplement and eventually replace the aging fleet of Russian-made Ladas and Moskviches. For example, the Ministry of Interior uses Mazda vans for special operations units, Volkswagen sedans in the traffic police as well as Volkswagens, BMWs, and Mercedes in a police capacity. The traffic police has also used the so-called dummy vehicle, a flat piece of metal placed on the side of the road to deter speeders.

The MIA manufactures a wide range of protection devices for its law enforcement personnel including polyfoam and polycarbonate helmets, a variety of protective vests, and bulletproof shields. Some of the armored garments produced by the MIA have been successfully tested

by ballistic laboratories in Germany and the United States.

In addition, since 1992 the State Engineering Center, Spetsteknika, has produced means of communication and transport as well as forensic devices related to phonoscopy and ballistics, devices for the bomb squad, and special equipment for investigative units and rapid response teams, among other things.

***Surveillance and Intelligence Gathering.*** Surveillance and Intelligence Gathering in law enforcement bodies is carried out in the form of operative-search activity (OSA). According to the Operative-Search Activity Act (1992), OSA is a system of public and nonpublic (covert) surveillance, intelligence, and counterintelligence measures carried out by operative and operative-technical means (article 2) for the purpose of discovering and documenting factual data concerning illegal acts by individuals and groups and intelligence collection and sabotage activities by special services of foreign countries to stop the violation of law and secure the interests of the public and the state.

Only special operative forces are entitled by law to carry out OSA. A number of state agencies have operational-search units including the MIA, the State Security Service, the Border Guard Troops, and the State Tax Service, among others.

When carrying out OSA, police operative units should adhere to principles of legality, respect for human rights and freedoms, and cooperation with executive authorities and the citizenry. Decisions to apply operative search measures can be made only when:

- There is the necessity to check legally obtained information regarding a crime committed or prepared by an unknown perpetrator; people are preparing to commit or have committed a crime; people are hiding from investigation, court, or avoiding execution; people are reported missing; intelligence and sabotage activity of foreign special services, organizations, or people is discovered; there is a real threat to life or health of court or law enforcement personnel because of their professional activity or threats to participants of the criminal justice system, members of their families, or close relatives
- There is a request of authorized state agencies and organizations regarding a background investigation of an individual in connection with access to state secrets and work with nuclear materials or on nuclear plants
- It is in the interest of public safety and national security

If there are grounds for OSA, decisions to initiate such investigations must be approved by the chief of the appropriate unit or his authorized deputy. Although OSA contains secret measures and can limit human rights and freedoms, it can happen only in circumstances set by law. Citizens of Ukraine and other people have the right to obtain a written explanation about the restriction of their rights and freedoms from operative-search bodies or appeal this action as established by law (article 9).

Secret penetration of residential premises or other property, collecting information through the use of technical devices, and controlling mail, telegraph, other correspondence, and telephone calls must be sanctioned by the court. Results of the previously mentioned operative-search measures are to be fully documented to be used as evidence at trial.

**Police Officers Killed in the Line of Duty.** In 2000, 54 officers were killed in the line of duty and 356 were injured. Two years later, the number killed had dropped to 40 and only 215 were injured.

**Police Statistics.**

- Total Strength of the Police Force: 125,000
- Population per Police Officer: 379

**CRIME**

In the 1990s there was significant growth in crime and then in the second half of the decade the situation began to stabilize. In 1995 the number of registered crimes was nearly 642,000, in 2000 that figure was down to 553,600, and in 2002, the number of general crimes was slightly more than 408,000. In 2002 the number of serious crimes fell by 1.6 percent, less serious crimes fell by more than 30 percent, and crimes against people fell by 17.8 percent.

During 2003, 385,800 crimes were discovered, 350,700 of which were so-called traditional crimes (172,600 serious). Approximately 260,000 offenders were identified and 351,900 people were recognized as victims. Data also show that the level of crime in Ukraine is comparatively low: per 10,000 people in Ukraine, 110.9 crimes; in Poland, 290; Russia, 205.1; Romania, 157.3; and Belarus, 117.3.

In 2003, generally speaking, 43,200 crimes were related to the economy (42,000 in 2002); 8,900 pertained to the budget; more than 3,000 in banking; 6,700 in agriculture; 3,900 in the fuel-energy complex; 3,600 pertaining to privatization; and 1,900 regarding foreign economic activity. Two hundred twenty-five incidents of operating fictitious firms were documented, 245 of money laundering, and more than 3,000 of bribery.

Statistics also show the high level of effectiveness of Ukrainian police response. The clearance rate in 2000 was 74 percent; of every ten homicides, nine were solved. In 2002 police solved 93.3 percent of murders.

**Criminal Investigations and Forensics.** Criminal investigation is performed according to the constitution of Ukraine, the Criminal Procedure Code, and other acts of the legislature. Investigations are carried out by a variety of agencies including departments within the MIA, the Prosecutor General's Office, the Security Service of Ukraine, and the Tax Militia of the State Tax Service. All investigators have the same status, rights, and obligations as set in the Criminal Procedure Code, though internal regulations and directives of agencies may add details and specifications. Most cases are handled by MIA investigators.

The post-Soviet period of Ukrainian independence is characterized by the strengthening and development of forensic service. The Explosive-Technical Service and the Criminalistics Research Center were attached to the Criminalistics Directorate of the MIA in 1995 and 1997, respectively. In 1998 the State Criminalistics Research Center of the MIA was created, uniting the Criminalistics Directorate, the Explosive-Technical Service, and the Criminalistics Research Center. In 2000 the Expert Service of Ukraine was established, uniting under a single organization the State Criminalistics Research Center of the MIA, the Criminalistics Research Centers attached to the Main Directorates, regional directorates, and the Directorate for Transport of the MIA, and the Criminalistics Departments attached to district and city departments.

The forensics units of the MIA perform investigations in a wide variety of areas including:

- Handwriting analysis and author profiles
- Documents, money (banknotes), and securities
- Photo-technical and portrait work
- Audio and video recordings
- Medical-biological
- Materials, substances, and products
- Hair, fibers, ballistics, and weapons
- Accounting
- Automobiles
- Arsons and explosions
- Food and plants

**Narcotics.** By 2003 detectives of the Department for Combating Illegal Drug Trafficking had discovered

57,400 crimes connected with illegal drug trafficking (among which 22,000 were serious), 3,800 groups of drug dealers had been eliminated, and more than 2,500 drug dens had been closed. Two hundred twenty-four illegal drug laboratories were eliminated, almost 22 tons of drug substances were seized, among which 110 kilograms of opium, almost 6 tons of marijuana, 3.4 kilograms of heroin, 76.5 grams of cocaine, and 3.5 kilograms of amphetamines (15,100 doses) were found.

The transit of narcotics through Ukraine is a serious problem. Combating narcotics trafficking is one of the most important tasks for the police, though a lack of economic resources seriously complicates efforts. Coordination between law enforcement agencies responsible for counternarcotics work is weak.

Ukraine is not a major drug-producing country; however, it is located along several important drug trafficking routes to Europe, making it an important transit country. Ukraine continues to experience an increase in drug trafficking from Afghanistan. Drugs pass through several countries before transiting Ukraine: Russia, Georgia, Armenia, Azerbaijan, Turkey, Romania, Moldova, and Poland are among these transit countries.

Criminal groups use Ukraine's seaports and rivers as part of the "Balkan Route" for smuggling narcotic drugs. Many available ports on the Black and Azov seas, river transportation routes, porous borders, and inadequately financed and underequipped border and customs control forces make Ukraine susceptible to drug trafficking. Shipments are usually destined for western Europe, and arrive by road, rail, or sea, which is perceived as less risky than by air or mail shipment.

Opium poppy is grown in western, southwestern, and northern Ukraine, while hemp cultivation is concentrated in the eastern and southern parts of the country. Small quantities of poppy and hemp are grown legally by licensed farms, which are closely controlled and guarded. The Cabinet of Ministers' approved such cultivation in late 1997. Despite the prohibition on the cultivation of drug plants (poppy straw and hemp), by 2003 over 5,000 cases of illegal cultivation by private households had been discovered.

Counternarcotics enforcement responsibility is given to the MIA, the State Security Service (SBU), the State Customs Service, and the Border Guards. The Drug Enforcement Department, an independent department within the MIA, reports directly to the minister of interior and is staffed by 1,725 personnel.

Corruption remains a major problem. Corruption in Ukraine is rarely linked with narcotics, although it decreases the effectiveness of efforts to combat organized crime, a major factor in the narcotics business. There were no prosecutions in 2003 on any charges of corruption of

public officials relating to drugs. There were several cases of prison guards smuggling drugs into prisons. To combat corruption, the Ukrainian government has adopted an extensive set of laws and decrees. At the beginning of 2001 the government approved a national plan of action to combat corruption, but progress in implementation has been slow.

The number of officially registered drug addicts now exceeds 200,000, including over 4,000 teenagers, with over 18,000 new registrations in 2003. Sixty-eight percent of registered drug users are under thirty years of age, nearly 25 percent are women, and over 78 percent are unemployed.

Estimates of unregistered drug abusers vary widely, up to 1 million reported by local nongovernmental organizations. About 15,000 criminal offenses are committed annually by drug addicts. Drug addiction results in more than 1,000 deaths every year, according to officials. Marijuana and hashish continue to gain popularity with young people. Nevertheless, opium straw extract remains the main drug of choice for Ukraine addicts. Young people are using synthetic drugs more frequently, such as ephedrine, ecstasy, LSD, amphetamines, and methamphetamines. Hard drugs such as cocaine and heroin are still too expensive for most Ukrainian drug users, but there is a rise in heroin use because of the continued decrease in price. Efforts to combat narcotics continue to be hampered by a lack of resources (e.g., financing, personnel, and equipment).

**Organized Crime.** In 2003 special units combating organized crime revealed 634 organized groups and criminal organizations, which consist of 2,700 members who committed 6,200 crimes, including 60 murders and assassinations, 177 robberies, 455 armed robberies, and 1,400 thefts and burglaries. Fifty-three armed groups were eliminated. For comparison, in 2000, the activity of 960 criminal organized groups was stopped. These groups included 4,000 members that committed 7,700 crimes. In 2002 the Internal Affairs agencies eliminated 722 organized crime groups that committed 6,000 crimes.

In 2003 police determined the involvement of members of organized groups in the commission of 167 crimes connected with illegal weapons trafficking, 665 in drug trafficking, and 39 in money laundering. One thousand five hundred active participants and leaders of criminal groups were sentenced to prison.

The most dangerous element of the crime phenomenon is corruption and the strong cooperation among former Communist Party elite, members of the law enforcement and security apparatuses, and gangs of organized criminals. Much crime combines government

officials' access to information or goods with the use or threat of force by organized criminals. The country's privatization program, for example, was undermined by former party officials and a criminal elite that appropriated state resources by stripping assets from banks and enterprises.

Drug traffickers, as well as other domestic and foreign crime groups, launder money through casinos, exchange bureaus, and the banks. And banks provide criminal groups with information about businesses' profitability and assets, which they use to extort money from them. Criminals and public officials often collude in this effort. Criminals, for example, extort money from businesses by threatening to sell the information they illegally obtain from banks to the tax police. Tax officials are sometimes willing to share their information about businesses with crime groups in return for a share of the money they extort from businesses.

Public officials in Ukraine are poorly paid and face many opportunities to benefit from their positions. Business activities are regulated by as many as 32 laws, about 30 presidential decrees, and more than 80 resolutions; 32 ministries and departments have the right to issue licenses for various activities. At the same time, taxes are high, creating incentives for businesses to pay off officials rather than pay taxes. A number of parliamentary deputies oppose tax cuts for fear that they will tempt many private firms out of the shadow economy, thus eliminating lucrative corruption-related opportunities for themselves.

The infiltration of the national and local legislatures by criminals has become a serious problem. In 2003 more than twenty members of Parliament could have been tried on criminal charges if they had been stripped of their parliamentary immunity. Forty-four legislators, elected to local political bodies, also had criminal backgrounds.

**Trafficking in People.** The law prohibits trafficking in people; however, trafficking in men, women, and girls is a significant problem. There are reports that some local officials are involved in trafficking.

The criminal code imposes firm penalties for trafficking in human beings, including for sexual exploitation and pornography. Article 149 mandates three to eight years in prison for trafficking. Under some circumstances—for example, trafficking of minors or groups of victims—traffickers may be sentenced to five to twelve years in prison, and traffickers of minors or members of organized trafficking groups may be sentenced to terms from eight to fifteen years.

According to the Ministry of Interior, 289 cases were filed against traffickers during 2003, up from 169 in

2002. Since 1998 a total of 604 criminal trafficking cases have been filed; these did not include cases opened under other applicable laws, such as brothel keeping, organized crime, and fraud. During the first six months of 2003, 33 cases were prosecuted, with 15 cases fully concluded. Of these cases, 13 resulted in convictions and 20 defendants were sentenced.

Trafficking is a national priority for law enforcement agencies, but these agencies often lack the financial and personnel resources to combat well-established criminal organizations that run trafficking operations. The MIA established special antitrafficking units at the national and oblast levels. These units became operational in 2000 and have had a growing impact, although they have suffered from lack of adequate resources and often are tasked to work on cases involving other crimes.

Police efforts have been hampered by a number of factors, including insufficient investigative resources, the reluctance of victims to give evidence against traffickers, and, in some cases, a lack of cooperation from officials in destination countries. The law permits the extradition of foreign nationals charged with trafficking when appropriate bilateral agreements with the country in question have been signed, when the crime was committed within the jurisdiction of another country, and when trafficking is a crime under the laws of the requesting country; however, there have been no cases of extradition of trafficking suspects. The constitution prohibits the extradition of citizens.

Ukraine is a major country of origin and transit for women and girls trafficked abroad for sexual exploitation. There are reports of men and boys being trafficked abroad primarily for labor purposes; however, the overwhelming majority of trafficking victims are women. No reliable figures are available on the extent of the problem, and estimates vary widely. There are reports that individual government employees (both law enforcement and other personnel such as orphanage employees) facilitate trafficking in people. It has been estimated that 420,000 women had been trafficked abroad between 1991 and 1998. Another estimate says that in 2003 between 8,000 and 10,000 individuals were trafficked abroad during the year.

Women and girls are trafficked to central and western Europe (including the Balkans, Austria, Italy, France, Germany, Switzerland, the Czech Republic, Hungary, Portugal, Spain, Poland, Greece, and Turkey), the United States, and the Middle East (including Israel, Lebanon, and the United Arab Emirates) for sexual exploitation. There are also reports that women and girls are trafficked to Australia, Japan, and South Africa.

Women who are trafficked out of the country are often recruited by firms operating abroad and subsequently

are taken out of the country with legal documentation. They are solicited with promises of work as waitresses, dancers, or housemaids, or are invited by marriage agencies allegedly to make the acquaintance of a potential bridegroom. Once abroad, the women find the work to be different from what was represented to them initially. There are credible reports of widespread involvement of organized crime in trafficking.

Men are trafficked for agricultural labor and factory work. The main destination countries are Hungary, Poland, the Czech Republic, Slovenia, Russia, and western Europe. Men are promised reasonable wages, but are not paid and are frequently turned over to the police in the destination countries as illegal aliens if they complain. The Ministry of the Interior opens criminal cases against the employment agencies who organize the trafficking when it has a specific complaint from a victim.

There are unconfirmed reports that local officials abet or assist organized crime groups involved in trafficking. Nongovernmental organizations report that local militia and border guards receive bribes in return for ignoring trafficking. Some reports allege that local public officials abet or assist organized criminal groups in trafficking women abroad. In a 1999 report the United Nations Development Program identified graft of officials and political corruption as two of the factors causing the spread of trafficking and prostitution; however, data on the possible disciplining or prosecution of law enforcement and border control authorities for their involvement in trafficking was unavailable.

Although 278 victims testified against traffickers during 2003, victims were often reluctant to seek legal action against traffickers out of fear of reprisals or unwillingness to tell their stories publicly. Societal attitudes toward trafficking victims are often harsh, deterring women from pursuing legal action against traffickers. In addition, law enforcement officials do not provide sufficient protection to witnesses to encourage them to testify against traffickers, and traffickers are able to intimidate victims to withdraw or change their testimony. A witness protection law existed but was not fully effective because of shortages of funding. Under the law, names and addresses of victims of crimes may be kept confidential if they request protection because of fear for their lives.

### CORRECTIONAL SYSTEM

Prisons fall under the direction of the Ministry of Justice.

**Prison Conditions.** Prison conditions in Ukraine remain harsh. Men and women are held in separate facilities, and juveniles are held separately from adults. Additionally, pretrial detainees are always held separately from convicted prisoners. In theory, regulations require more space

and some special accommodations, such as bathtubs, for women; however, in practice conditions are equally poor for men and women in both pretrial detention centers and regular prisons. The average space provided is just over 21 square feet per man and nearly 27 square feet per woman or juvenile. The law does not recognize political prisoners as a separate category of detainee.

Although information on the physical state of prison walls and fences as well as on pretrial detention blocks is officially considered to be a government secret, the press reports freely about harsh prison conditions. Due in part to severe economic conditions, prisons and detention centers are overcrowded and lack adequate sanitation and medical facilities. In 2003 almost 25,000 individuals were reportedly held in prison cells with neither windows nor toilets. In the Zhytomyr region funds earmarked to improve food standards for prisoners were misallocated. This is but a small example in a correctional system that is rife with corruption, misuse of positions by officials, and human rights abuses. As little as one hryvnia (approximately 20 U.S. cents) per day is spent to feed a single prisoner in some pretrial detention centers.

In one case it was reported that the European Court of Human Rights (ECHR) requested that the government pay from 5,300 to 15,900 hryvnia (US\$1,000 to US\$3,000) to six citizens who had been in inhumane conditions in prisons before their death sentences were commuted to life imprisonment. Additionally, the ECHR found that some inmates were denied the right to worship in some prisons.

Prisoners are permitted to file complaints with the ombudsman about the conditions of detention, but human rights groups report that they are punished for doing so. A member of the legislature told the human rights ombudsman that when he was an inmate, prison guards beat him with clubs and harassed him and other prisoners in the facility where he was detained in 2002. He stated that guards deprived complaining prisoners of correspondence and food packages. Conditions in pretrial detention facilities are also harsh. Inmates are sometimes held in investigative isolation for extended periods and are subjected to intimidation and mistreatment by jail guards and other inmates.

Overcrowding is common in these centers. The total capacity of these facilities is 36,000, but approximately 40,633 detainees were held in them as of November 2003. In April 2003 officials announced that the State Security Service had closed its pretrial detention centers. Prison officials confirmed that all pretrial detainees were subsequently transferred to its facilities.

Conditions in the Corrective Labor and Treatment Centers for Alcoholics (LTPs), operated by the State Penal Department, where violent alcoholics are confined forcibly by court decision, differ little from those in prisons. The government does not meet its earlier

commitment to transfer all the LTPs to the Ministry of Health. Virtually no treatment for alcoholism is available in these centers. Despite a government decree directing the closure of LTPs by the end of 2000, as of 2003 two such centers continued to operate under the auspices of the State Department for Execution of Punishments.

According to official statistics from the Penal Department, there were 696 deaths in prisons during 2003, and 130 deaths in pretrial facilities. Poor sanitary conditions resulted in 300 deaths from diseases such as tuberculosis and 13 from dysentery. On June 19, 2003, the Rada passed a resolution that expressed concern about the serious problem of tuberculosis in prisons. In 2003 it was reported that as many as 14,000 inmates were infected with an active form of tuberculosis. In addition, 1,000 prisoners die from tuberculosis annually, and approximately 3,000 fatally ill patients are granted early release and sent home to die.

According to human rights groups, a reorganization of the Penal Department to ensure greater independence of the penal system has not affected the department's practices, and there is little civilian oversight of its activities. Although the government has implemented some programs for the retraining of prison and police officials, it has punished only a small minority of those who committed or condoned violence against detainees and prisoners. According to prison authorities, no criminal proceedings involving torture or mistreatment of prisoners were opened during 2003 and no employee of the penitentiary system was disciplined for improper treatment of detainees. However, 15 criminal cases were opened against employees and 6,318 employees were disciplined for other, unspecified, reasons. The human rights ombudsman continues to draw attention to the state of the penitentiary system by visiting prisons and raising prison-related issues in public. Following a visit to a detention facility in Crimea, officials built a courtyard to provide inmates, who previously were unable to exercise out of doors, with an area where they could engage in physical activity. A new Criminal Penal Code was signed into law and is intended to regulate prison life and provide safeguards against the mistreatment of prisoners. The government continues to allow prison visits from human rights observers; however, some of them report that at times it is difficult to obtain access to prisons to visit specific prisoners and that they are not allowed full access to prison facilities.

#### Prison Statistics.

- Total Prison Population: 198,900
- Prison Population Rate per 100,000: 417 (based on an estimated national population of 3.21 million in 2003)

- Pretrial Detainees: 21.4%
- Female Prisoners: 5.9%
- Juveniles Prisoners: 2%
- Foreign Prisoners: 1.6%
- Number of Establishments: 180
- Official Capacity of Prison System: 223,140
- Occupancy Level: 89.2%

Recent prison population trend (year, prison population total, prison population rate per 100,000 of national population):

1993	129,500	(248)
1996	202,590	(395)
1999	206,000	(413)
2001	198,885	(406)

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*Volodymyr Smelik*  
*Joseph D. Serio*



# United Arab Emirates

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**Official country name:** United Arab Emirates

**Capital:** Abu Dhabi

**Geographic description:** Southeastern corner of the Arabian Peninsula, where it juts into the Strait of Hormuz, between the Gulf of Oman and the Persian Gulf

**Population:** 2,563,212, including 1,606,079 non-nationals (est. 2005)

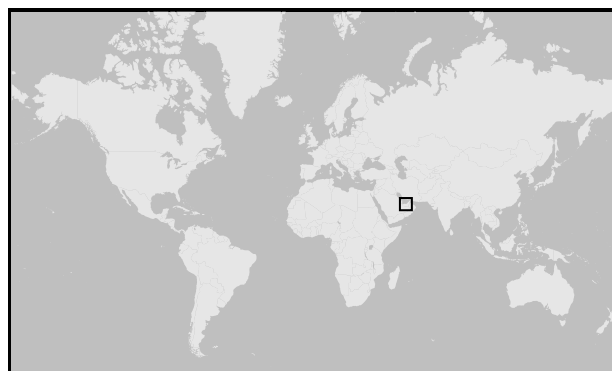


## LAW ENFORCEMENT

**History.** Before 1971 the United Arab Emirates was a British protectorate known as the Trucial States. The police force was British in character, with a number of expatriate personnel. The Federal Police and security forces were authorized under the 1971 constitution and established by decree in 1974.

**Structure and Organization.** Each emirate has its own local police force. There is a Federal Police under the Ministry of the Interior, headed by a commissioner. The Federal Police is responsible for national security, administration, and nationwide and interemirate law enforcement, and addresses issues such as smuggling, terrorism, and counterfeiting. Local police forces are responsible for criminal investigation, traffic, and protection of public property. Law enforcement is essentially urban. In the hinterland, which is mostly desert, there is only limited police presence and then only periodically.

The Federal Police headquarters is in Abu Dhabi. It has a number of sections including administration,



criminal investigation, public security, and traffic. There is also an air wing with a number of helicopters.

## Police Statistics.

- Total Police Personnel: 27,271
- Population per Police Officer: 94

## HUMAN RIGHTS

Human rights are observed to a greater degree in the United Arab Emirates than in most Arab countries. However, there are serious problems because of the application of the repressive Sharia laws, the lack of democratic institutions and processes, and the absence of political parties and labor unions. In 2002 the Dubai Police established a Human Rights Department that conducts training courses for its members.

## *United Arab Emirates*

### CRIME STATISTICS

Offenses reported to the police per 100,000 population: 2,604. Of which:

- Murder: 3
- Assault: 10.1
- Burglary: 5.1
- Automobile Theft: 23

### CORRECTIONAL SYSTEM

Prisons are administered by a director of prisons under the Ministry of Interior. There are prisons in each emirate and a central prison in Abu Dhabi.

**Prison Conditions.** Prison conditions generally meet international standards, although conditions vary widely from emirate to emirate. Human rights observers are

permitted to visit prisons. However, all of Abu Dhabi's prisons are overcrowded. Men and women, pretrial detainees and hardened criminals, and juveniles and adults are housed separately. Political and security prisoners face harsher conditions when they are transferred to the State Security Agency. At times, bureaucratic delays in processing and releasing prisoners result in detainees serving time beyond their original sentences.

**Prison Statistics.** The total prison population is 6,000, with an incarceration rate of 250 per 100,000 population. Of the inmates, 42 percent are pretrial detainees. The prison population is also heavily foreign, reflecting the preponderance of foreigners in the population.

*George Thomas Kurian*

# United Kingdom

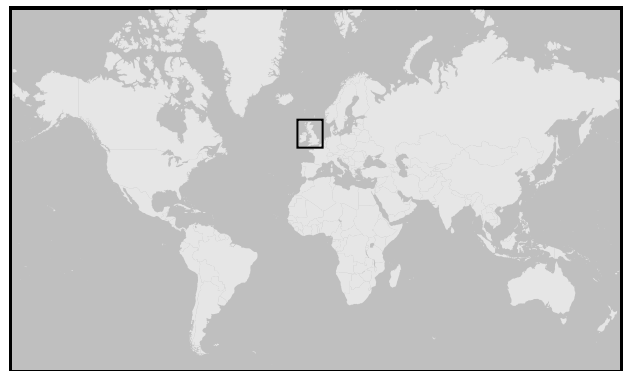
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**Official country name:** United Kingdom of Great Britain and Northern Ireland

**Capital:** London

**Geographic description:** Located in western Europe, islands include the northern one-sixth of the island of Ireland between the North Atlantic Ocean and the North Sea, northwest of France

**Population:** 60,441,457 (est. 2005)



## LAW ENFORCEMENT

**History.** It was between 600 to 1400 in England that Anglo-Saxon laws were written down. Laws were described as “the aggressive weapon of a new state” and remedy for wrongdoing was recognized as legitimately a matter of enforcement by the victim and his or her kin. Formal justice therefore took over from the previous system of private revenge or blood feud. Laws laid down the requirement that local communities must pursue criminals and offenders and deliver them to the royal courts; this was their public duty, in fact, harboring criminals was a serious offense punishable by death. This is the first true example of community policing. After the successful invasion of England in 1066, the king began to raise revenues from administering the criminal justice system by the imposition of fines and compensation. The mission statement of the Crown was to “promote the spiritual welfare of the people through the use of force against evil-doers,” which was an early form of “to serve and protect.”

In the twelfth century greater emphasis was placed on the role of the community and its accountability to

the king through the system of “frankpledge,” the local “watch,” the “hue and cry,” and the judgment of outlawry. Frankpledge, an oath of loyalty to the king, was the obligation of all citizens to pursue offenders and ensure the good behavior of other members of the community. Subsequently, sheriffs were appointed in counties as the first law officers to coordinate criminal cases and arrest suspects; they could also call out the *posse comitatus*, which consisted of all adult males, against “vagabonds and malefactors.” The powers of sheriffs were then superseded by the appointment of other law officers such as coroners and sergeants of the peace. Laws of 1233 to 1285 obliged every town, borough, and city to set up a watch each night during the summer to arrest strangers and pursue those who sought to flee. “Constables of castle” were appointed by the Crown, but “constables” in towns were elected annually by the community they served. Constables had a range of military, policing, and revenue functions; these were the first

police patrols. Other legal entities within towns and cities were the bailiffs and beadles, who had duties to exact fines, execute warrants, and deal with orphaned or foundling children.

Because of the social, health, and political problems of the thirteenth and fourteenth centuries, communal policing began to be replaced by a substantial body of appointed legal officers. In the mid-fourteenth century the justice of the peace role was created to deal with civil and criminal disputes and offenses; from this time until 1600 the roles of constable and justice of the peace evolved into the role they perform today. From 1600 many criminal law statutes were passed by the legislature, but it was not until the 1750s that the police first had real investigatory and crime prevention functions. At that time in London, Henry Fielding started the Bow Street runners that gained the reputation of expert thief takers.

In 1822 Robert Peel was appointed home secretary and the celebrated “general instructions” were written for the Metropolitan Police Service formed by the Metropolitan Police Act 1829. This period is recognized as the equivalent of the “industrial revolution” in the police service; it signaled the start of policing in the United Kingdom as we know it today.

Borough police forces commenced in 1835 and started rural policing in 1839. Policing from that time went on unchanged to the 1960s, when changes in society required a fundamental rethinking in operational policing. A Royal Commission was completed in 1960 that resulted in the Police Act of 1964. Transportation, organization, command, and control of the police service was changed forever and the fond image of the “bobby on the beat” was erased from reality.

Policing became more scientific and managed, leading to the temporarily popular “managing objectives” to the “managerialism” or increased focus on outputs and outcomes that are experienced today in policing and other public service organizations in the United Kingdom.

From the 1980s to the present day the police in the United Kingdom have become increasingly politicized. One can identify this through the approach taken to dealing with major incidents of public disorder (e.g., the miners’ strikes through the 1980s) and attempts to articulate police professional standards and ethical principles, such as the Metropolitan Police Principles and the Association of Chief Police Officers’ Statement of Common Purpose and Values of 1985 and 1992, respectively.

During the 1990s there were several high-profile examples of corruption and police incompetence. This led to a new focus and need for examination of policing principles and ethics. Several books were published to

open up debate on the subject, which questioned why ethics are important and identified the ideal ethical police service.

In Europe several models of policing have emerged over the last two centuries. Most are described as democratic policing systems, but they move from the extreme of locally appointed, locally accountable systems such as those introduced in Belgium, to the locally appointed but centrally accountable in the United Kingdom, to the quasi military, centralized system in France and other European States.

There is a continuum between the cohesion of society and the model of policing that is appropriate for that society. To achieve greater accessibility of the police and interaction in the community, it is necessary to have readiness and understanding from the community that it will have to participate in its policing. The “best practice” model to establish a system of democratic policing in any country is thought to be the “tripartite” system, whereby accountability is separated by having the three pillars of governance: legislature, executive, and judiciary. This formula has been found to establish the necessary checks and balances in civil society to ensure that crime is punished and that the rights of individuals are respected.

Policing in the United Kingdom has been furthered by the introduction of rights-based law in the shape of the Human Rights Act of 1998 and other developments such as the new Oath of Office for police officers that incorporates a statement on human rights. The deployment and description of local and special police services in the United Kingdom are described in other sections of this entry, along with the impact of human rights law.

**Structure and Organization.** Administered centrally by the Home Department (or Home Office) of the UK government, the police service is organized on a local basis; thus, there are forty-four separate police forces in England, Wales, and Northern Ireland and eight in Scotland. There are also non-Home Office police forces with a national remit, focusing on specific areas of responsibility such as British Transport Police and Ministry of Defense Police. The total police strength is approximately 150,000 with additional support staff of 64,000. Each police force is divided into basic command units (BCUs), with about 200 to 300 police officers in each. There are approximately 400 BCUs in England and Wales.

There is a debate about changes brought about in the police service and the “police reform agenda,” as it has been called, by the Labour government of Prime Minister Tony Blair. Following a general decline in confidence in the police, their overall effectiveness in dealing with

incidents, and the emphasis of the Blair government on “new public management” and improving the quality of public services, changes have been brought in to make policing more effective and better “value for money.”

Add to this a general dissatisfaction with police and the suspicion that internal discipline investigations are not being carried out to the satisfaction of complainants, the police reform agenda was carried through by the government by the provisions on the Police Reform Act 2002.

Various studies have been completed to pinpoint the key issues and sources of dissatisfaction with the UK police service. The Police Reform Act requires police forces to compile action plans to address the key issues and demonstrate their ability to continuously improve their performance. An additional agency, the Policing Standards Unit, was formed to inspect forces and work with them to identify and disseminate best practice and good performance.

*Main Types of Policing in the United Kingdom.* The police service in the United Kingdom undertakes all types of policing within the areas described earlier; therefore, there is no National Guard or Compagnie Républicaine de Sécurité type of organization as in the United States and France, respectively. Thus, a police officer might one day be completing community policing type of duties dressed in traditional police uniform and the next dealing with public disorder and wearing riot gear. Typically, police forces will be organized into specialist police functions with a number of officers delegated to traffic patrol and others to criminal investigation duties.

It is general knowledge that all police officers start at the bottom and work their way up the organization; there is no “direct entry.” Therefore, the initial job description is the same for every entrant. Actually, the police service is probably the only job where the lowest level operative (constable) has more power and discretion than the person at the top of the organization (chief constable). As mentioned earlier, the office of constable is an ancient one in the United Kingdom.

*UK National and International Policing Bodies.* National policing organizations have been introduced to counter the global threat and reach of crime and to deal with organized and international crime. Such bodies as the National Crime Intelligence Service and the National Crime Squad dealing with cross-border, national, and international crime have been introduced. Also, other national functions such as the Police Information Technology Organization and the Police Standards and Skills Organization (PSSO) deal with information technology and continuous development. Centrex delivers police training on a national scale and the Police National Legal

Database assists forces to track legal issues. There are also international policing operations such as Interpol, Euro-pol, and other international interfaces.

**Local Police.** Most police forces in the United Kingdom base their approach toward some form of community policing. The deployment of police officers throughout the country is on a localized basis, roughly on a county level per police force, although there are several metropolitan forces not compliant with county boundaries and several amalgamated forces covering several counties. Therefore, every town and even village may have its complement of police officers that look after local problems and issues and liaise directly with the local populace.

How the local police forces operationalize their brand of community policing is a matter for each chief constable and a good example of this is that of the West Mercia Constabulary, which has the four tracks of policing: local policing; responsive policing; policing partnerships, and targeted policing. Responsive policing is responding to emergencies and incidents. Policing partnerships are where the police link to other agencies and organizations to effect policing solutions. Targeted policing is the intelligence-led and targeted policing described earlier.

During the last century various changes were made to the governance and accountability of the police service. The changes culminated in the provisions of the Police and Magistrates’ Courts Act 1994, which continued the principle of police authorities being a major part of the tripartite governance of the police service. This arrangement described the roles and responsibilities of the chief constable as the head of a local police force, the police authority, and its members, part appointed by government and part locally elected members, and the home secretary. The chief constable has sole operational command of the police force and no one can interfere with this operational independence. However, the police authority has political accountability and responsibility to the people of the area it serves and therefore holds the chief constable to account for performance and the quality of the police service. The home secretary sets national objectives and compiles a national policing plan that chief constables must take account of in their own Force Annual Policing plans. The chief constable has a statutory responsibility to report on the outcomes of the policing plan yearly. One aspect of the police reform agenda is that chief constables will be held to personal account on the performance of the police force under their command. In the worst case a chief constable could be replaced by the home secretary and interim managers placed in charge while the performance is improved to

acceptable levels. The police authority also have controls over certain aspects of the funding of police forces.

#### **Special Police.**

*Riot Police.* As mentioned in a previous section in this entry, the UK police service does not have a separate organization of police officers that deal with public disorder or riots. When such incidents occur, police officers who normally fulfill everyday policing duties and have received special training are brought together to deal with such incidents. The police officers wear special protective clothing and equipment.

*Emergency Services.* In the United Kingdom there is a system of “integrated emergency management,” which is fully covered by policies, practices, and procedures and is understood by all the emergency services: police; fire and rescue services; ambulance services and hospitals; and county/local council emergency planning units. The emergency services also have a responsibility to put into place plans for a response and contingencies in case of disasters of civil emergencies.

This system stems from the declaration of a major incident, which is a defined term. All the emergency services work together seamlessly and the overall efforts are coordinated by the police service.

In terms of the national picture there is the Civil Contingencies Secretariat that can coordinate efforts nationwide and link to government committees in crises.

The integrated emergency management system in the United Kingdom also governs the response to major and critical incidents through strategic, tactical, and operational levels. These are designated as gold, silver, and bronze levels, respectively, across all the emergency services. This methodology ensures common understanding, cohesion, coordination, and proper linkage and liaison between all emergency services and the three delivery levels. Therefore, there is a recognized and planned structure for the management of the incident and the incident command.

The integrated emergency management system has been used to good effect in many major and critical incidents that have occurred in the United Kingdom.

*Mutual Aid Arrangements.* The mutual aid arrangements between police forces in the United Kingdom exist for forces to support each other in times of emergency or need. The senior management in one police force, when planning for a major policing operation or during a major incident, will call on a neighboring police force to send reinforcements to assist. During times of national turmoil such as major industrial disputes the mutual aid requirement has covered the whole country. Also, in times of dire emergency the civil police

may call on the military to assist, although this contingency is as a last resort and is hedged with caveats.

#### **Education and Training.**

*Recruitment into the Police Service.* There have been national political moves in the United Kingdom, through the “police reform agenda,” to increase the number of police officers and police staff to address crime and disorder problems.

Despite national demographic data on the dwindling target population for police recruits, more people are applying to join the police service. However, the numbers of people applying from ethnic minority backgrounds is still not enough to truly reflect the makeup of society in general.

*Diversity Issues.* The police service has learned some hard lessons from the omission of recruitment and selection of ethnic minority police officers. Following the report by William Macpherson (1999) into the racist murder of Stephen Lawrence, the home secretary set up a task force to develop an action plan aimed at stamping out “institutional racism” in the UK police service. This included setting targets for individual police forces to achieve in the recruitment of ethnic minority recruits. In practice, the recruitment of police officers does not reflect the ethnic diversity that exists in the population of the country. There are also plans to retain, develop, progress, and promote ethnic minority officers. The Fourth Annual Report on Progress arising out of the Stephen Lawrence inquiry was published in March 2003; it said that community and race relations (CRR) training remains crucial in developing trust and confidence in ethnic minority communities. Proposals were put forward in the report for a future strategy for CRR training in the police sector.

*Educational Standards of Police Officers.* Society in general is changing and police officers must reflect their society; a society that is changing to an “information society”—one where citizens are literate in communication, reading, writing, and oral skills. Also, police officers must be able to understand information they receive and operate complex machinery such as computers and radios and drive automobiles in an exemplary fashion. This issue is demonstrated strongly in the detailed requirements stated in the PSSO Skills Foresight Report.

In setting exacting personal and professional standards for recruits into the police service, there is a question as to the educational standards required. The United Kingdom lags behind the United States in demanding high educational standards for law enforcement officers. The situation in the United Kingdom on education standards of police officers will be rectified by the

introduction of common minimum standards, a competency framework, and standards protected by a national training strategy.

**Police Service Practices on Assessment and Development Centers.** In the 1990s promotion and selection centers were introduced in the police service to the Bramshill model. This model assumes that all people administering and assessing in the assessment center have been trained to a minimum standard set by the police service itself. This has the benefit of standardizing procedures and maintaining acceptable standards; it has the disadvantage of perpetuating a system that may not be delivering a quality product—that is, the right quality recruit or manager. The other disadvantage it has is that it is a pass-fail system and applicant candidates only know if they are successful after the assessment center.

**Development Centers.** Development centers are similar in nature to the assessment centers in wide usage throughout the police service for the purposes of selection and promotion. Exercises and competency-based interviews must still be properly validated and assessed against the National Competency Framework (NCF) using trained assessors to ensure quality standards. Also, because sensitivity and openness are so important in the development process, only specially trained and selected individuals should give feedback to candidates.

**Extended Police Family.** In line with the police reform agenda it was recognized that policing was a community-based activity that should involve all sections of society. To be activated, an extended police family was recognized so that the community can truly be involved in its own policing through community-based projects and organizations. Also, a new type of patrol officer, the community support officer, was born. This type of officer has limited police powers and functions to patrol towns and cities on foot and to interact with communities and achieve public reassurance to lower the fear of crime.

**Code of Conduct.** The Code of Conduct introduced under the Police Act 1996 is aspirational in character as opposed to a punitive format. The headings of the code, which commenced operation on April 1, 1999, are as follows:

**Promotion.** Promotion in the UK police service is purely “through the ranks”; thus, all senior police officers have to start “at the bottom” of the organization and work their way up. There are promotion examinations to reach the ranks of sergeant and inspector and promotions are only ratified to these ranks after some form of interview. Increasingly, interviews are becoming competence-based interviews linking skills and abilities to the police

NCF. After the rank of inspector, some police forces require successful completion of an assessment center, again competence based, and others require an interview or both.

**Issues in Police Training.** Over the years there have been several examinations of police training in the United Kingdom, such as Her Majesty’s Inspectorate of Constabulary (1999a), the Stubbs Report, and the home secretary’s conclusions. Finally, there were the training needs identified by the police reform agenda that were linked to the work of the PSSO, the NCF, and the National Occupational Standards (NOS).

In the late twentieth century it was recognized that the existing police training system was not working effectively and that new models of delivery would be necessary. This led to many suggestions including a “virtual university” and a policing institute and forming a police national training organization (NTO), which would produce a competency framework and be the guardian of training standards. In fact, none of these suggestions was finally realized, although a fundamental review of police training was completed with the NTO, which achieved an agency status—Centrex—as a training provider and the formation of the PSSO as the organization to complete the work on the NOS and NCF.

The NTO did not materialize, but the police service joined with the criminal justice sector to form one NTO. The five strategic aims of an NTO are:

- Raising strategic capability
- Improving competitiveness
- Giving advice on training and education
- Qualifying the workforce
- Developing effective partnerships

The report *Managing Learning: A Study of Police Training* (Her Majesty’s Inspectorate of Constabulary 1999a) also proposed that it was good practice to foster partnership arrangements for training delivery between police forces, local colleges, and institutes of higher education. It was also suggested that the tripartite partners (the Association of Chief Police Officers [ACPO], the Home Office, and the Association of Public Authorities) join with Centrex to develop training programs that could include participants from nonpolice organizations. In addition, the report suggested that not all police forces were effectively linking training and development to training needs analyses and force performance plans. This led to a system of accreditation of local police training schools by Centrex in terms of the quality of training delivered and the quality and expertise of their trainers.

The Stubbs Report recommended that there should be a police NTO, that NOS and an NCF be developed, and that training should be subject to cost-benefit analysis. It also recommended links to local training delivery providers such as colleges and that police forces should deliver specialist training more regionally or in “clusters.” A training inspectorate was called for (now in place) and said that there should be changes to the funding arrangements, whereby the client police force could choose the training provider to deliver the training, either internally or externally.

Finally, the home secretary concluded the debate by summarizing all the recommendations into one strategy containing the following elements:

- A central police college
- Reorganized Police Training Council (strategic body)
- A police NTO
- A mandatory core curriculum for basic police courses
- A mandatory qualification framework (NCF)
- Greater regional collaboration
- Joint learning and community involvement
- Annual training plans and staff development plans
- Dedicated training units at local, regional, and national levels

Following on from this, and included in the police reform agenda of the early twenty-first century, the Police Reform Act added the following aspects to police training:

- Making high-quality lifelong learning opportunities to all staff at all stages of their career
- Raising professional standards
- Meeting the training needs of police officers and support staff efficiently and effectively and with increased flexibility of delivery
- Gaining the best value from the investment in police training

Clearly, police training had made some large steps forward in its development, but it was not finished. The PSSO was rapidly developing the NCF and the NOS and was seeking to “professionalize” the police through a system of continuous professional development. It stated, “It is clear from numerous reports on the subject of leadership and management in the Police Service that standards need to be raised... We cannot leave the emergence of skilled and effective police leaders and managers to chance, expecting them to evolve their own

style. The Police Service must make management and leadership a key development area.”

*Word from Her Majesty’s Inspectorate of Constabulary.* Her Majesty’s Inspectorate of Constabulary reports *Managing Learning* (1999a) and *Training Matters* laid down the following key elements of police sector training and development:

- There must be a clear link between policing plans and training
- Learning requirements must be articulated
- Training and learning must be based on competence and outcomes
- There must be a link to external qualifications and opportunities for progression
- Investment must be on the basis of plans, exploiting all available sources
- There should be a comprehensive and coherent police system across the United Kingdom
- Training and development must be customer focused and employer led

*Police National Competency Framework.* The United Kingdom has introduced a nationally accepted police national competency framework. The PSSO, operating as an agency of the Home Office, has put the framework together for every rank and role in the police service, plus desired competencies for police support staff. This has proved to be a massive task but as of 2003 it was coming to fruition. A whole framework for general police work has been published and work is continuing on competencies for specialist roles. Police support staff have not been forgotten and a competency framework is also being produced for all levels of civilian staff. The NCF is delivered at three different levels (A, B, and C) according to the rank structure, with more complex and “strategic” behaviors being required at the higher C-graded management levels. The NCF comprises:

- A Behavioral Competency Framework
- A library of activities that includes knowledge and skills
- Thirty-three role profiles
- Six rank profiles
- A professional development review (PDR) process that uses the previously mentioned elements

The purpose of the NCF is to enable performance to be measured against clear standards and thereby allow “performance management” and personal development to take place. The eventual aim is to further professionalize the police service in the United Kingdom. The



short-term aim of the NCF is to develop a generic framework to support an integrated human resource strategy for the purpose of improving operational performance by setting national standards for police officers and police staff. The PSSO is now working on the development of the NOS, which will build on the work of the NCF with occupational standards underpinning an activities library.

The Behavioral Competency Framework contains:

- Twelve behavioral competencies in three areas of leadership, working with others, and achieving results
- Each competency has a title, an overall definition, and two or three categories; research indicates the number of categories appropriate in each behavioral competency
- Each category represents a different complexity; for example, strategic perspective means something different to a constable and crime analyst than it does a chief constable, and the categories reflect this
- Each category has a definition and a number of positive behavioral indicators attached to it
- Each of the twelve behaviors has a set of negative indicators; these indicators remain the same at each category within the behavior

Research was conducted to ascertain the main tasks, responsibilities, functions, knowledge, and skills of police employees. This information was then used to build activity libraries—actual tasks carried out by the practitioners.

Each activity includes:

- An activity title with a qualitative statement that defines the professional standard required for effective performance
- A description of what effective performance looks like or what an individual actually does when performing effectively
- A description of the knowledge and skills required for effective performance of the activity, which could enhance the individual's effectiveness

Rank and role profiles can then be constructed for every member of the staff, such as for the dog handler constable.

**Professionalism.** Many times in the history of policing it has been said that police officers should become professionals. One definition suggests that a profession is a group that has the following characteristics:

- Possession of a body of systematic knowledge
- A commitment to the client

- An occupational association that grants rights to practice
- Exclusive entry based recognized credentials

As of 2003 the police service did not fit the criteria for a profession, but based on the stated intentions of the PSSO, it is working toward this status. In terms of a narrower view of professionalism, there is now a set of NOS and NCF in place; this is a start on the process. In addition, senior investigating officers have been appointed and accreditation of this role, along with the necessity to comply with continuous professional development, has been applied. There has also been the introduction of the National Crime Faculty and the Operations Faculty, located at Bramshill Police Staff College, building up the “body of knowledge” to advise police officers in the field on best practices of spontaneous policing operations.

**Long-Term View from the PSSO.** Clearly, in the long term it will be beneficial to the police service to have a well-trained and professional workforce. This should also lead to police officers having greater credibility and standing in the community.

**Self-Development of Staff.** Historically, police officers and support staff have not taken responsibility for their own self-development and have accepted training provided by the organization to assist their development. Critics believe this situation must change, whereby police staff take responsibility for their own self-development. The critics state that this is a necessity in any professional post, especially where the policies, practices, and procedures change at an ever-increasing speed. A number of publications have underlined other implications such as the increasing complexity and technological changes in policing.

Also a necessity in all professions, such as the medical and legal professions, is the requirement to complete continuous professional development (CPD) to maintain appropriate levels of knowledge and understanding within the context. Failure to complete CPD results in removal of the practitioner's name from the professional roll and results in the inability to practice. CPD programs should aid achievement of operational objectives and police force strategies and be in accordance with Investors in People requirements.

**Professional Development Review.** A wide range of views exist among police forces about appraisals and performance management systems, reflecting the difficulty in producing one agreed on approach. However, the following PDR system was agreed on in 1999 with the following parameters:

- The primary purpose is to improve performance
- It should use the NCF

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- It is preferable to assess actual performance in a specific role, not just capability or behaviors
- The “point in time” writing process must be time efficient and unbureaucratic as possible
- It should be development focused but based on performance

The PDR process is therefore the national approach in the police service to fulfill the roles of annual appraisals, the performance management delivery process, the starting point for decisions relating to selection for post and promotion, and the method of assessing the performance of individuals who qualify for enhanced performance payments.

**Delivery of Police Training.** Police training is now delivered in a variety of ways, through:

- Centrex, the national police training organization
- Regional and national police training schools for specialist skills
- Each police force training school for local and general police skills
- External training providers
- Alternative learning strategies, such as open learning, online learning, e-learning

## HUMAN RIGHTS

**Human Rights Act 1998.** One of the major commitments in the political manifesto of the Labour government, before they were voted into power in 1997, was that of the introduction of legislation to promote human rights and thus the Human Rights Act 1998 (HRA) was introduced. Previously, there had been no written “bill of rights” and, as a result, the rights and freedoms of individuals were not recognized or positively enforced. One of the objectives of the HRA was to introduce a written catalog of the minimum standards of human rights and freedoms in the nation. Once citizens knew and understood their fundamental rights and freedoms, they could be acknowledged and positively protected and enforced by regulatory agencies such as the police service. The HRA therefore merely adopted a number of articles and protocols from the European Convention on Human Rights (ECHR).

**Does Human Rights Legislation Affect Operational Policing?** Many people ask how human rights legislation affects operational policing and support functions. Every time a police officer or support staff member of the police service makes a decision, a person’s rights may be affected. Every time a police officer uses bodily force, a

power of arrest, search, seizure, surveillance, or interrogation methods another person’s rights are affected; therefore, the police officer has to consider the use of that power and might have to justify its use in any subsequent legal proceedings. Every time a support staff member responds to inquiries or requests for assistance by telephone at the front counter or by other means of communication, he or she might infringe on another person’s human rights; therefore, he or she needs to consider the provisions of the HRA.

**Decision Making.** When discretion is used in the operation of police powers, policies, or procedures or decisions are made to grant or not grant licenses and authorizations, where the rights of an individual or organization are affected, fairness in making decisions is paramount. There is now a greater emphasis on recording decisions, the rationale for making the decision, and the reasons other solutions and options were rejected. Police officers are asked by courts to justify their decision making and the use of discretion. In addition, there is an increased emphasis on audit and independent scrutiny of police actions; therefore, police officers need to scrupulously keep adequate and contemporaneous records of their decisions.

**Contents of the Articles.** The ECHR was written after World War II to establish peace and understanding in Europe. It covers all areas of civil liberties and freedom that could be expected to exist in democratic countries. A written bill of rights did not exist in the United Kingdom before the HRA. Legal practitioners did not see a need to formally document rights because they were implied in the English legal system.

**European Convention on Human Rights.** Human rights and freedoms are not foreign to jurisprudence in the United Kingdom; indeed, they are integral and a comfortable fit within the legal and law enforcement systems. It was British lawyers following World War II who, in fact, drew up the provisions of the ECHR and the text of the convention was adopted in 1950. The UK government formally ratified the convention in March 1951, but the articles were not assimilated into the English or Scottish legal system until the HRA. The first process on introduction was to test existing UK legislation for compliance against the European standard.

**Police Ethics.** This subject is examined in much greater depth in Peter Neyroud and Alan Beckley’s *Policing, Ethics, and Human Rights* (2001). There is no servicewide accepted comprehensive document that contains a statement on ethics in policing in England and Wales. However, there are several documents that are akin to

ethical codes, such as the Oath of Office of Constable, the Statement of Common Purpose and Values, and the “aspirational” Code of Conduct introduced on April 1, 1999, by the Police Act of 1996 contained in the Police Personnel Procedures. The Police Service of Northern Ireland have produced and published a Code of Police Ethics.

The oath of office has been updated in light of the recommendations of the Patten report (Patten 1999) on policing in Northern Ireland, which takes into account the renewed emphasis on human rights and the positive duty on police officers to uphold and protect the rights and freedoms of members of the public they serve.

#### **ACPO Statement of Common Purpose and Values.**

*Code of Conduct (Police Personnel Procedures).* The Code of Conduct introduced under the Police Act of 1996 is in a completely different form from the Police Regulations it replaces. The code is aspirational in character as opposed to the punitive format of the repealed police regulations.

*Police Service of Northern Ireland—Ethical Code.* The last word on the subject of police ethical codes is from Northern Ireland. Following the formation of the Police Service of Northern Ireland from the Royal Ulster Constabulary and as a result of the conclusions of the “Good Friday Agreement,” the Patten report (Patten 1999) recommended that there should be a code of ethics for police officers in Northern Ireland. This document was published in 2003.

**Complaints against Police.** The arbiter of police ethics and accountability for English and Welsh police forces, the Police Complaints Authority was criticized for lack of independence, before being superseded by the Independent Police Complaints Commission (IPCC). As a result of this perceived flaw, the Patten report (Patten 1999) on policing in Northern Ireland suggested that the police service should “take steps to improve its transparency” through the appointment of a new Policing Board and complaints would be subject to scrutiny by a Complaints Tribunal and a Police Ombudsman. Police staff associations in England and Wales have long been calling for an independent system for investigating complaints against police. It was reported that the Police Complaints Authority, operating in England and in Wales as the watchdog of complaints against police, could adopt the Northern Ireland model. As a result of these developments a new body, the IPCC was introduced.

**Police Inspectorates.** Policing in the United Kingdom is subject to scrutiny in terms of the provision of a

good-quality policing service by several organizations: Her Majesty’s Inspectorate of Constabulary, the Police Standards Unit, and the Audit Commission, which is a general government watchdog inspecting “value for money” in the public sector.

#### **CRIME**

After several years of reductions in crime, the United Kingdom appears to be suffering an increase in crime since the turn of the twenty-first century; this is exacerbated by the fact that violent crime, particularly, is on the increase and detection rates are decreasing. There could be several explanations for this regression; one could be the aging society, another could be the lower levels of the numbers of police officers. This latter point is now being addressed by a high-profile police recruitment campaign headed by the Home Office. The police reform agenda has high expectations of the performance of the police service once the recruits are in place, as their objectives show.

The police service has also combated crime through new techniques such as intelligence-led policing. In addition, the police service has had to address “new” crimes using new techniques and equipment to ensure an effective response. For example, DNA identification techniques have led to crimes being detected many years after their commission and as of 2003 there were over 2 million samples being maintained in the national DNA database.

The number of carjackings is increasing, where drivers of expensive cars are targeted by criminals who threaten the driver with violence and then steal their car to sell it or disguise (“ringing”) it. One of the biggest crime problems and one that has resulted in a large increase in street robberies is that of theft of mobile phones, particularly affecting young people. The government has tasked several police forces with the worst crime statistics in this area to target resources to respond to the problem. Identity theft is becoming a major crime problem, particularly through transactions with credit and debit cards. There are also examples of identity theft to obtain a new identity or passport. Major banks and credit card organizations are constantly trying to combat the losses caused by such crimes (much of which is hidden to maintain the credibility and confidence in banking) such as personal identification numbers and holograms to try to prevent cloning or counterfeiting credit cards. The government is also consulting the public on the possibility of issuing an identity card or “entitlement card” for all citizens. Such cards have not been a requirement in the United Kingdom since their abolition after World War II.

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Forced marriages are common among ethnic minority citizens. The victims are usually women who go through a form of arranged marriage, sometimes without their knowledge and consent. This problem has been exacerbated by the availability of cheap transportation to other countries such as India and Pakistan, where this approach to marriage is part of the culture. A major problem is that of encouraging victims to actually report the crime and after that has been achieved, to protect the victim from the violence of thwarted family members.

Soccer “hooliganism” has been rife in the United Kingdom for several decades, but has declined since firm police action was taken and sports stadiums were redesigned. At its height, police discovered that this crime was being organized usually by young businesspeople to feed their excitement during the violent fights and clashes with police.

**Organized Crime.** Organized crime is rife in the United Kingdom, particularly in the cities, where it has been identified for many years. Low-level and local organized crime such as “protection rackets,” prostitution, drugs, and property/tenant rackets exist and eventually lead to international crime. Gangs from southern and eastern Europe that specialize in prostitution and people trafficking have supplanted native criminal gangs in cities. Also, crime trends have been affected by the importation of violent and desperate criminals from various hotbeds of crime in foreign countries such as China, Africa, and the Caribbean.

During the 1990s there were examples of organized crime in single rights issues such as animal rights, football, and terrorism. Animal rights activists targeted laboratories and the homes of workers alleged to exploit animals, causing damage, harassment, and terror. There have also been violent crime incidents involving single issues such as homophobia and racism. The United Kingdom also suffered well-publicized terrorism incidents mainly resulting from the political situation in Northern Ireland.

### Cross-Border and International Crime.

**Drugs.** Clearly one of the worst crimes of today is that of the drug trade. There are several echelons of this trade from the backstreet manufacturer of designer drugs to the international drug routes importing drugs from the poppy fields of Asia, across southern and eastern Europe to the United Kingdom. There are vast fortunes to be made from the drug trade, which deals in human misery and degradation. Criminals and, indeed, innocent “mules” are bringing in vast quantities of unlawful substances and controlled drugs daily through the various points of entry into the United Kingdom.

**People Trafficking.** The latest version of international crime is that of people trafficking, either with the



*An officer observes two minutes of silence to pay honor to the victims of the July 7 London bombings, Aylesbury's northern road, England, July 14, 2005. The house in the background is being searched for evidence in connection with the bombings after police raided it the previous night. AP IMAGES.*

consent and connivance of the victim or without it. The people being transported are usually looking for a better life in a rich Western country where they become illegal immigrants. This sets them in a vulnerable situation as the traffickers can take advantage by charging high transportation rates and exploit the victims thereafter by using them as cheap labor or worse. Many women become victims of the international sex trade and are transported against their wishes into a life of prostitution and slavery.

**Terrorism.** The international crime of terrorism has been prevalent in recent decades, ranging from the local political troubles in Northern Ireland to the bombs on international flights such as the Lockerbie incident. Far and Middle Eastern terrorism is the latest manifestation, bringing with it the specter of suicide bombers and religious fanaticism.

**International Crime—General.** International crime has been called the victimless crime, as victims do

not have any power to complain because of their weak situation. The other aspects of international crime are that victims are actually involved in the criminality to a certain degree; for example, drug users actually buy the drugs.

#### New Types of Crime.

**Pedophile Crimes.** A new type of crime has been established where pedophiles contact and “groom” their victims by contact through Internet chat rooms. Children are naturally trusting and might not tell an adult family member or friend what is happening. While communicating, the criminals can pretend they are a child, insist on secrecy, and set up a meeting with their victim. At this point the contact is made and the crime is committed, usually a serious sexual assault or homicide or a precursor to these outcomes. New means of investigating and combating these crimes are called for, necessitating the acquisition of new skills and equipment for the police service. New methods of investigation lag crimes by months and years and courts also need to be advised because new crimes mean new types of evidence, some of it “virtual.” The police service in the United Kingdom has struggled to be abreast of trends in these types of crime and this has resulted in many young people becoming the victims of crimes. The crimes have been made possible by vast leaps in technological advances; the police service must strive to maintain progress at the same pace.

**Cybercrime.** In response to the new phenomena of cybercrime, the UK police service has introduced a high-tech crime unit. It is too early to judge the success of this initiative. However, judging from the long list and frequency of such crimes, further developments will be necessary to keep pace in this area of new crime.

#### CORRECTIONAL SYSTEM

The history of the Prison Service proper commences in the eighteenth century, when jailers made their living by charging for board and lodging. At that time no distinction was made between prisoners who were awaiting trial, debtors, or convicts awaiting transportation to the North American colonies. Conditions in prisons were described in 1777 by John Howard, a famous prison reformer, as “filthy, corrupt-ridden and unhealthy.” In 1779 the practice of placing prisoners on “hulk” ships was introduced, which was superseded by transportation to a new location: Australia. The use of hulk ships continued until 1859 and at one time, Australia contained 70,000 prisoners.

Following much legislation, in the nineteenth century prisons were vastly improved, with the appointment of an inspectorate of prisons and the building of many

new prisons. However, conditions in old prisons were still described as “appalling.” This resulted in centralization of the management of prisons to the home secretary and in 1878 there was a Prison Commission that was tasked with organizing an efficient and uniform prison system.

The commission introduced a system of “separate confinement”—solitary confinement—and penal servitude. The prison uniform with its broad arrows (of current-day cartoon fame) was intentionally demeaning; also, facilities for personal hygiene were described as minimal. Prisoners worked together on a crank or treadmill and were given a meager diet; they were forbidden to talk. Communication with the outside world was strictly limited; there was, however, a system of early release for good behavior.

A watershed in prison reform was achieved by the Gladstone report in 1895 that recommended “the principle of prison treatment should have as its primary and concurrent objects, deterrence and reformation.” The idea of rehabilitation was born and the isolation and forced unproductive labor of the previous era were abolished. Aftercare of prisoners following release and young offender institutes were introduced. The provisions of the Gladstone report were farsighted and were not repealed until 1948.

Further liberalization regimes ensued through the early twentieth century, when the broad arrow uniform was abolished along with the prison hair crop. Reasonable facilities were introduced for shaving and the silence rules were relaxed. Educational facilities were introduced besides rights relating to prison visits. The prison regime was also affected by the two world wars with an increase in conscientious objectors, aliens, and the call up of prison staff. As a result of overcrowding, new rules relating to remission were introduced.

In the postwar years the prison service suffered from chronic overcrowding that affected the expansion of training and facilities. Cells that were designed for one person were inhabited by two or even three inmates. Because of the shortage of staff, there was an increasing use of specialists such as psychologists and welfare officers. There followed a period of expansion of the prison estate by several new prisons, including open prisons and young offender institutes. In the late 1950s and 1960s there were several authoritative consultation documents and a commission on the role and responsibilities of prison staff. In 1963 the Prison Department of the Home Office was established with a regional management system. New security systems were also deployed in prisons such as closed-circuit television and other methods, including security classification of prisoners.

In 1971 boards of visitors to prisons were introduced to provide independent oversight of all establishments. Special attention was paid to the training, development, and rehabilitation of prisoners. The level of privileges and rights to visits were increased. However, this era was blighted by high tensions in prisons with several riots and demonstrations. Also, special problems were experienced with protests by convicted terrorist prisoners. A wide-ranging review of prisons reported in 1979 that changes were required on physical conditions for prisoners and staff, industrial relations, resources, staff pay, and conditions. The report praised the prison system for its positive and humanitarian traditions that it continues to this day.

**Types of Correction Systems Today—Private and Public Sector.** Her Majesty's Prison Service (HMP) in the United Kingdom comprises both public- and private-sector prisons. The Home Department (Ministry of the Interior) is the government department responsible for prisons. In England and Wales there are 157 establishments and in Scotland there are 3. Prison accommodation ranges from open prisons to high-security establishments to house convicted terrorists or dangerous criminals. When prisoners are sentenced, they are classified into different categories according to their security status; they are then allocated a place at an appropriate prison. Prisoners are also separated according to their gender and there are separate prisons for women or separate accommodation in mixed prisons. In 2003 the prison population in England and Wales was 72,853, an increase of 3 percent from the previous year; this is a worry as the trend of the number of incarcerations, in spite of efforts to reduce custodial sentences, has been heading upward.

An even more disturbing trend is that of the number of female prisoners convicted and given custodial sentences.

The long-term forecast of trends in the prison population shows that, in England and Wales, the prison population has increased from just over 60,000 in 2001 to 73,000 in 2003, and forecasts indicate the total will be over 90,000 by 2009.

These trends are a cause for concern in terms of the facilities and accommodations of the prison service estate. In 2003 the prison population was 11 percent higher (72,853) than the Certified Normal Accommodation of 65,571 and 2,999 lower than the Certified Operational Capacity. (For operational reasons, the maximum number of prisoners the estate can normally hold is up to 2,000 less than the certified operational capacity. This is because of constraints imposed by the need to provide separate accommodation for different classes of prisoners

[i.e., by sex, age, security category, and conviction status] and because of geographical distribution.)

**Ethnicity of the Prison Population.** Another cause for concern is that of the high proportion of ethnic minority prisoners that are a disproportionate percentage in comparison to the general population of the United Kingdom. This concern is linked to the high percentage of foreign nationals incarcerated compared to the overall UK population and the high percentage of black people within that group.

**Deployment of Correction Systems across the United Kingdom.** Prisons are located all around the country, and the policy is to attempt to sentence an offender to a prison near his or her home address to facilitate arrangements for family visits. The Prison Service is managed on a day-to-day basis by area managers located around the United Kingdom who have responsibility for a number of prison establishments in their geographical area. In England and Wales there are 11 area managers covering the 157 prisons; in Scotland there are 3 prisons, which are managed from Edinburgh. In Northern Ireland there are 3 establishments, which are managed from the head office in Belfast by an executive agency.

**Description of Management Arrangements of the Correctional System.** In the United Kingdom there have been increases in the prison population, which have led to an increase in the number of new prisons and refurbishment of old accommodations. Also, new measures have been introduced to use a wider range of sentencing options such as community sentences, prisoner "tagging," home detention curfew, and similar initiatives including early release of prisoners on license. Offenders serving short terms of imprisonment (4 years or less) are given automatic early release, those with longer terms must obtain Parole Board approval.

Prisoners in UK jails have certain privileges such as the right to write and receive mail, to be visited by friends and relatives, and to make telephone calls. These rights may be enhanced dependent on good behavior. Prisoners are also allowed to have radios, television, books, and other reading material. People who are "on remand," that is, in custody awaiting trial, have additional privileges to those available to convicted prisoners. There is a mandatory drug-testing regime in all prisons.

The HMP comes under the responsibility of the home secretary and is managed through the Home Office in London and the head office in that city. Day-to-day management of the HMP is devolved to areas around the United Kingdom. Each prison has a board of visitors that is appointed by the home secretary. The

board is an independent body appointed from the local community that monitors complaints from prisoners and investigates the concerns of prison staff. Reports are forwarded to the home secretary.

In addition, prisons are subjected to an inspection regime by Her Majesty's Inspector of Prisons. This is an organization that inspects all prisons every three years and submits annual reports to Parliament on the state of conditions and facilities in prisons and the treatment of prisoners. Where the arrangements fail to satisfy a prisoner's requests or complaints, there is a remedy via the independent Prison's Ombudsman.

**Sentencing Arrangements and Abolition of the Death Penalty.** Twenty-five percent of convicted people of an indictable offense received a custodial sentence in 2001. In the United Kingdom the mandatory sentence for murder and certain other serious offenses is life imprisonment. In practice this does not mean the convicted person's whole life; the average term for life imprisonment is fourteen years' incarceration. In 2003 there were 5,413 life-sentence prisoners (9% of all sentenced prisoners; 5,244 men and 169 women). Of these, 165 were young people.

Most prisoners are released through a parole system back into the community; the most severe offenders were traditionally awarded a "tariff" term of imprisonment by the home secretary, a system that has been replaced by a recommendation from trial judges. The death penalty, following the commencement of the HRA and previous legislation, is no longer available for any offense in the United Kingdom unless war is declared. In fact, the last person to be executed in the United Kingdom was in 1965.

**Prison Conditions.** Statutory regulations govern all aspects of prison life. In particular, guidance is available for all prisoners on the internal disciplinary procedures to ensure fairness to those deprived of their liberty.

The introduction to the Prison Discipline Manual adequately explains the checks and balances it contains and the importance to be awarded to it by heads of prison establishments:

Much misconduct in Prison Service establishments can be dealt with informally through good management or good staff-prisoner relations. However, the formal discipline system is central to the maintenance of good order and discipline. Discipline procedures are provided for by the Prison Rules 1999 and the Young Offender Institution Rules 2000, both as amended. The Rules set out all disciplinary offenses and punishments. They empower governors and controllers

of contracted out prisons to investigate all charges and they require prisoners to have a full opportunity to hear what is alleged against them and to present their case. Where alleged indiscipline amounts to a serious criminal offense the police will be asked to investigate and a prosecution may result.

This Manual contains both instructions and guidance on procedures related to the discipline system. Governors and controllers must comply with the instructions and must take account of the advice. The Manual should help all those involved—adjudicators, staff, prisoners and their representatives—in understanding the process. Its contents have been shaped by the decisions of the courts and by experience in the field. Adjudicators must manage hearings in accordance with the rules of natural justice and following the guidance in this Manual will offer the best prospect of that.

*HMP Inspectorate.* As discussed earlier, the role of Her Majesty's Inspectorate of Prisons (HMIP) was introduced in the late twentieth century. The HMIP's statement of purpose is "[t]o contribute to the reduction in crime, by inspecting the treatment and conditions of those in Prison Service custody, and Immigration Service detention, in a manner that informs Ministers, Parliament and others and influences advances in planning and operational delivery."

The most recent HMIP report stated that the most significant problem threatening the tests of a healthy prison—safety, respect, purposeful activity, and resettlement—was that of overcrowding. All prisons, both in the private and public sector, are subject to a rigorous inspection regime.

*State of HMP Buildings and Implementation of Minimum Conditions Criteria.* The trends discussed earlier are a cause for concern in terms of the facilities and accommodations of the prison service estate. In 2003 the HMP decided to keep prisoners in police cells. Keeping prisoners in such accommodations is far from ideal; although all prisoners' rights are respected, there are problems for relatives and visitors making visits to the prisoners who may be in situ for short periods only.

HMIP reports highlight several problems related to overcrowding:

- Vulnerable prisoners may not be identified
- Prisoners are not known to each other or to staff
- Prisoners are more likely to be locked in their cells for long periods

## United Kingdom

- Provides “fertile grounds for disturbance” as well as self-harm
- Basics of decency are curtailed

**Recidivism Rates and Commentary on Crime in Prisons.** The prison population is growing. Also, there is a tendency toward longer terms of imprisonment for comparable offenses. The implications of this are that more prisoners are spending more time in prison, thereby increasing the prison population.

**Recidivism.** There have been few research studies on recidivism in the United Kingdom, and those that have been completed have had uneven measures of success. In fact, one study of recidivism of sexual offenders recommended that official reconviction rates were not sufficiently accurate to establish the true picture. By using unofficial sources of data the study found that actual reconviction rates were 5.3 times the official statistics.

Outcomes from a £73 million project mounted by the Probation Service in England and Wales were reported to have failed to reform criminals. The project was intended to reform criminals by encouraging them to think about their victims; however, early results found that 70 percent were reconvicted after nine months. As there appeared to be no merit in the “think first” cognitive skills training, the program was cut from a target of 30,000 prisoners per year to 15,000.

**Self-Harm and Suicide Statistics of Prisoners—Juvenile and Adult.** In a recent HMIP report it was established that over 40 percent of respondents in male prisons said they felt unsafe at some time. In one prison 77 percent of women prisoners reported feeling unsafe. There were a total of seventy-two self-inflicted deaths in the first nine months of 2002, many of which were attributed to overcrowding.

**Prison Conditions for Female Prisoners and Mother/Baby Provision.** As a result of the alarming rise in women offenders, the UK government undertook a consultation exercise in 2001 to establish a strategy for women offenders. The report established that women offenders have many associated social problems relating to disadvantage and social exclusion. Therefore, a major cross-government initiative “Women’s Offending Reduction Program 2002–2005” was launched. Factors such as health, economic stability, level of education, employment and training opportunities, family and community ties, and experience of abuse were widely accepted as criminogenic factors for women offenders.

The UK government introduced an action plan in 1999 relating to principles, policies, and procedures on mothers and babies/children in prison:

**Table 1. Prison Statistics, United Kingdom**

	England	Wales	Scotland/ Northern Ireland
Total Prison Population	76,070	6,721	1,307
Prison Population per 100,000	143	133	76
Pretrial Detainees	16.3%	16.8%	34.6%
Female Prisoners	5.9%	5.0%	3.0%
Juvenile Prisoners Under 18	3.0%	2.8%	5.7%
Number of Prisons	141	16	3
Official Capacity of Prison System	68,880	6,384	1,362
Occupancy Level	10.4%	104.6%	96.0%

**The Main Principle:** The purpose of a mother and baby unit in a prison is to enable the mother/baby relationship to develop while safeguarding and promoting the child’s welfare.

**Overarching Principles:** The best interest of the child is the primary consideration at every level of policy making as well as when considering individual situations.

Prison Service policy will reflect the ECHR article 8, save where it is necessary to restrict the prisoner’s rights for a legitimate reason, such as good order and discipline, or the safety of other prisoners or babies.

When making decisions about the best interest of the child, the long-term developmental needs of the child are given attention as well as the immediate situation.

**Principles for Parents:** Parents are enabled to exercise parental responsibility for their children whether the child is with them in prison or outside with other caregivers. Parental responsibility “means all the rights, duties, powers, responsibilities and authority which by law a parent of a child has in relation to the child and his property.”

Parents and other significant caregivers are involved in decision making about their children.

**Prison Statistics.** Prison statistics are listed in Table 1.

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Alan Beckley

# United States

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**Official country name:** United States of America

**Capital:** Washington, D.C.

**Geographic description:** North America, north of Mexico and south of Canada, forms the coterminous United States; Alaska is to the west of Canada and Hawaii is in the North Pacific

**Population:** 295,734,134 (est. 2005)



## LAW ENFORCEMENT

**History.** The United States of America considers July 4, 1776, as the founding of the nation with the Declaration of Independence from Great Britain. The original thirteen states were considered colonies of Britain. They joined together to fight for independence during the Revolutionary War (1775–1782). The second Treaty of Paris in 1783 officially ended the war for independence. During the early years of the country, much effort was placed on establishing a federal government that would work in conjunction with the various states. It was 1791 when the U.S. Constitution and its Bill of Rights were adopted and put into action.

Prior to independence, social control and policing efforts throughout the colonies consisted of practices that were common in the colonists' homelands—local constables, sheriffs, and night watchmen. Night watchmen and constables, appointed or elected in villages and cities, were assigned a number of duties. For example, the constable in Plymouth, Massachusetts, in 1634, was the sealer of weights and measures, surveyor of land, jailer, and an announcer of marriages. County governments



copied the English precedent of appointing sheriffs as their primary law enforcement officials. These sheriffs, like their British counterparts, were appointed through the political system (usually the colonial governor's office) and were not elected. Service as a night watchman or constable was an obligation of the adult males of the community. Although some communities experimented with paid constables, most colonists relied on volunteers to staff their law enforcement offices well into the 1700s. Some variations existed, however. For example, in New Amsterdam (later named New York when the British took over the city), a group of citizens equipped with rattles to warn of their watchful presence was referred to as the "rattlewatch." In 1658 New Amsterdam appointed eight paid watchmen to replace the volunteers, but it was not until 1693 that the first uniformed police officer was appointed by the mayor (Conser and Russell 2000). During the 1700s, policing in most colonial cities changed little, although historians note that the reliance

on volunteer watchmen was becoming strained. The towns were becoming large enough to need reliable police but their best citizens habitually refused their turn and obligation to serve on the night watch. Some cities did pay their watchmen, but not enough to allow someone to earn his living by law enforcement. The idea of citizen participation in policing was breaking down, and something was needed to replace it. In 1749 the city of Philadelphia was permitted to levy a tax and appoint wardens with the authority to hire watchmen as needed. Only those interested in working on the watch for pay applied to the wardens (Johnson 1981).

The military presence of the British became an increasing factor as massive social and political discontent grew stronger toward the latter part of the 1700s. This military presence extended to the frontier in the Ohio Valley and Lake Erie during the French and Indian War (1756–1763). From 1765 through the end of the Revolutionary War (1783), the colonies faced several riots and disturbances, economic depression, and an ever-increasing imperial policy of Britain. The duties of public safety were given to military forces. Following the Revolutionary War, policing was turned back over to civilian authority (local government).

Some parts of the colonies had their own unique forms of policing. For example, southern governments enacted slave patrol legislation in the 1740s. These laws protected people from runaway slaves, inhibited insurrection, and authorized recapture of slaves. The slave patrols had the right to visit every plantation and to search houses for offensive weapons and ammunition. The infliction of corporal punishment was also permitted if any slave was found to have left his owner's property without permission. Some maintain that the slave patrols of the south were America's first modern-style police forces (Williams and Murphy 1990). By 1837 the Charleston (South Carolina) slave patrol, about 100 officers, was possibly the country's largest single police force at that time (Wintersmith 1974).

On the national level, the first U.S. Marshals were appointed following authorization by the Judiciary Act of 1789. They were to support the federal courts and to carry out all lawful orders issued by judges, Congress, or the president. Throughout their early years, they were assigned to enforce unpopular federal laws, which included collection of taxes on whiskey. A marshal served papers on distillers in western Pennsylvania in 1794, but before the incident ended, 13,000 state militiamen had to be summoned to put down what is known as the Whiskey Rebellion. U.S. Marshals' enforced the law banning the African slave trade following its passage in 1819 and later carried out the Fugitive Slave Law of 1850 (which required the return of runaway slaves to their

owners). Marshals often met with local resistance, and sometimes their efforts were less than successful. Also, before the Civil War, Marshals tracked down counterfeits (since the Secret Service did not exist until 1865). The U.S. Marshals may be best remembered for their efforts to bring some justice to the "wild west." Marshals pursued notorious train robbers, "gunfighters" and other outlaws (Conser and Russell 2000).

Major conflicts in the early 1800s and again in 1812 found the U.S. growing in strength and recognition as a major world government. In 1803, through the Louisiana Purchase, the country acquired the vast territory from Louisiana through the heartland and into the northwestern parts of the country. New territories were open for settlements and the country began to see great growth. War with Britain (1812–1814) reduced European attempts to maintain land in the country; and Florida was purchased from Spain in 1819 and became a state in 1845. In 1836 Texas won its independence from Mexico and became a state in 1845. In 1846, the United States declared war on Mexico because of territorial disputes over New Mexico. In 1848 the war with Mexico ended with the United States acquiring the area consisting of California, Nevada, New Mexico, Utah, Arizona, and parts of Colorado and Wyoming. During the expansion of the settlements to the western and southwestern parts of the country, there were periodic skirmishes and battles with the Native American tribes that inhabited the lands. Eventually, most Native Americans were assigned to specific territories referred to today as "reservations." These reservations have their own governing bodies or tribal councils and are coordinated through the Bureau of Indian Affairs.

During the 1830s to 1860s, most larger cities in the United States established paid police forces. Many of these departments were structured, in part, after the Metropolitan Police of London that had been formed in 1829. Major cities such as Philadelphia, Boston, and New York have interesting histories as to the emergence of a unified, 24-hour, police operation. Each had a social, economic, or political situation that caused reorganization and reform in the police department. During the 1850s, over 1.3 million people emigrated from Britain and Ireland to the United States. As the country grew and developed, by the mid-1800s, the issue of slavery became internally divisive and eventually led to the Civil War (1861–1865). The Union military forces ultimately defeated the Confederate military, but not until a total of approximately 373,000 soldiers had been killed or died during the war and another 412,000 had been wounded. Following the Civil War, the country experienced growth in the metropolitan areas of the northern, eastern and western parts of the country. The area between the Mississippi River and the Rocky Mountains

also experienced growth because of migration and settlements in the frontier. The United States declared war on Spain, over Cuba, in 1898 and later that year acquired Cuba, Puerto Rico, Guam, and the Philippines.

Local policing from the 1870s through the early 1900s was quite diverse throughout the United States and was dominated by local politics. The cities of the northern part of the country experienced growth from migrating minorities from the south (many were former slaves), foreign immigration and an expanding industrial base. In some communities, the primary problems were racial discord, segregation and discrimination. During this time period, whites victimized blacks with nearly total immunity. When whites were prosecuted, their sentences were less harsh than those for blacks committing the same offense. After the Civil War, the federal government reacted by passing the Civil Rights Act of 1866, which specified the rights of citizens regardless of race. It also allowed for lawsuits against persons who deprived a citizen of a civil right. This law led Congress to adopt the Fourteenth Amendment to the Constitution, which provided "equal protection" under the law. The Fifteenth Amendment, enacted shortly thereafter, addressed the voting rights of blacks. The Civil Rights Act of 1875 outlawed the exclusion of blacks from hotels, theaters, railroads, and other public accommodations (Williams and Murphy 1990). The police were often in the middle of many of the social problems of this time period and they were not yet known (nor trained) for professionalism and objectivity.

From 1905 to 1914, approximately 10.5 million immigrants from southern and eastern Europe entered the United States and settled mostly in the metropolitan areas. World events curtailed immigration to the United States when it entered World War I in 1917. The country's heavy industrial base grew and became more efficient during the war years and when the war ended in 1918, the country was again growing and prospering; by this time, it had a population of 103.5 million. During this time period, the policing field experienced its first major wave of modern reform efforts toward improved standardized training, better personnel qualifications and selection techniques, the application of science and technology to policing (such as telephone systems, two-way radios and fingerprint classification systems) and less political influence on police operations. Also, professional associations for managers and officers emerged. Women were also granted their first appointments with full police powers during the early 1900s. All of these events and trends influenced the development of more effective, better-managed police departments in many parts of the country. During the period from 1905 through the 1930s, over 40 states established state police or state highway patrols and 24 established bureaus of

investigation. In 1924 the Federal Bureau of Investigation (FBI) was reorganized to become a major investigative agency for the U.S. government.

The developing economic and industrial growth of the war years slowed after the war ended. The government cut back on spending during the early 1920s and great changes occurred throughout the country. Many companies began merging; labor unions lost membership and influence; a small portion of people amassed wealth; and about 80 percent of the wage earners were so poor, they were dropped from the tax rolls. By the end of the decade, the stock market collapsed and there were two runs on banks during the early 1930s. Unemployment reached nearly 25 percent by 1934. The time period from 1929 to 1939 was known as the Great Depression. The reform of the policing community continued during these years, in fact, the depression years attracted highly educated persons to the police field because it offered greater job security than the private sector. Policing efforts in larger cities were influenced by the era of Prohibition (1919–1933) in the United States when alcoholic beverages could not be manufactured, sold, transported or imported. Coupled with cultural movements like the granting to women of the right to vote, and the expansion of organized crime, prostitution, and drugs, the social order was becoming much more complex and crime was increasing. The Commission on Law Enforcement and Observance (also called the Wickersham Commission) was appointed in 1929 to investigate the entire field of criminal justice and lawlessness. Its report in 1931 called for additional reforms across the system.

The industrial and economic base of the country was emerging from the depression years in the late 1930s as much of Europe and other parts of the world were embroiled in war or preparing for hostilities. Many countries were ordering arms and war material from the United States. The United States entered World War II following the December 7, 1941, attack on Pearl Harbor, Hawaii, by Japan. War was declared on Japan and later on Germany and Italy. The war continued through 1945 until VE Day in May and the surrender of Japan in August. During World War II, the United States lost over 417,000 military personnel and 670,000 were wounded. Millions of service personnel subsequently returned to the United States and found employment in business and industry; over a million attended college on the GI Bill. During the war years, immigration to the United States was minimal. By 1950 the U.S. population was 150 million and growing because of the baby boom. From 1951 to 1953, the United States committed troops to the Korean Conflict and suffered 33,600 killed and over 103,000 wounded.

The 1960s brought great change to the United States on the social front. The population was about 180 million.

There was considerable racial conflict throughout the country. Major events occurred: the Cuban Crisis with the Soviet Union (USSR) raised fears of a nuclear war, the assassination of President John F. Kennedy occurred in 1963, and in 1968 Senator Robert Kennedy and Martin Luther King Jr. were assassinated. Social control mechanisms and governmental authority was questioned by a large segment of society. Economically, there was significant prosperity, and yet at the same time, significant poverty and increasing crime rates. Many social programs were instituted in the United States during the 1960s to improve social conditions of minorities and the poor. The Civil Rights Act in 1964 (CRA) prohibited discrimination in employment on grounds of race, color, religion, national origin, or sex. (Originally, the CRA of 1964 only applied to the private sector; it was expanded to the public sector and modified in 1972.) From the mid-1950s through the 1960s, racial unrest and the accompanying civil rights movement sparked racial riots and incidents across the United States, with the most violent in the South. The police who attempted to control these incidents were often untrained to handle crowds, especially racially diverse ones, and they often did not respond professionally. Nationally televised examples included the school desegregation incidents in the state of Alabama, civil rights marches in several cities, and the riots of the Democratic National Convention in 1968 in Chicago. Social unrest and crime conditions were so severe by 1965 that President Lyndon Johnson declared a “war-on-crime” and appointed the President’s Commission on Law Enforcement and Administration of Justice. Officially charged to investigate the causes of crime, the commission was quite broad in its analysis. The summary report, *The Challenge of Crime in a Free Society*, was issued in 1967. Nine supplemental reports also were published: *The Police*, *The Courts*, *Corrections*, *Juvenile Delinquency and Youth Crime*, *Organized Crime*, *Assessment of Crime*, *Narcotics and Drug Abuse*, *Drunkenness*, and *Science and Technology*. These reports provided interesting reading, since each elaborated on the conditions found in the criminal justice system during the mid-1960s. All of the reports contained numerous recommendations for improvement of the policing system.

At the end of the 1960s, the country was embroiled in another military conflict—the Vietnam War. By the end of the conflict in early 1973, the United States had suffered 58,000 casualties and 153,000 wounded. The political scandal known as Watergate caused President Richard Nixon to resign in 1974. During the 1970s, the United States also experienced an energy crisis/gasoline shortages, wage and salary freezes, high inflation rates, high unemployment rates, high crime rates and tension in international relations with Russia, Iran, and the Middle East. On the policing front, a second wave of reform was

sweeping the country. Billions of dollars were allocated to improve the criminal justice system through better training and education of personnel; improved equipment, technology and computer information systems; and expansion of agencies in terms of personnel and programs. Improving the professionalism of policing agencies was the focus of the efforts of the 1970s.

By 1980, the population of the United States had risen to 226 million. During the decade, the country experienced relative economic prosperity and technological prominence in the telecommunications and personal computing arenas. The cold war with the USSR, tensions in the Middle East and civil strife in Central America dominated the international scene. Crime rates and the ever-expanding drug culture were primary social concerns. By 1989 diplomatic relations with the USSR had improved, crime rates had leveled-off in the mid-1980s, but were starting to rise again and the government had declared “war” on illegal drugs.

During the 1980s, policing in the United States had continued to undergo reform and scrutiny. According to police historian Samuel Walker (1992), the police were “caught between old problems and new ideas.” Old problems included the crime rates (down in the 1980s, then rising until the early 1990s when it started to decline) and varying types of crime (drug offenses, drive-by shootings, domestic violence, and juvenile crime) that upset the community. New ideas included problem-oriented policing, community policing, neighborhood crime prevention programming, and other enhanced community efforts. However, added to this puzzle are problems associated with police corruption and misconduct, rising fear of international and domestic terrorism, the application of military technology to civilian public safety and law enforcement, school violence, hate crime, and economic resources.

The 1990s opened with the country sending troops to the Gulf of Iraq following Iraq’s invasion of Kuwait in 1991. As a whole, the country experienced considerable economic growth, low unemployment, stable and decreasing crime rates and a reduction in military spending during the decade. Immigration to the United States during the 1990s averaged about 6 million persons each year. However, the decade also brought renewed tensions from terrorist attacks as evidenced by the first bombing of the World Trade Center in New York City in 1993 and several major bombings overseas directed at American embassies or interests. In 1995 the bombing of the Murrah Federal building in Oklahoma City, Oklahoma, that killed 168 people indicated that disgruntled Americans could commit such acts. In 1999 the FBI placed the name of Osama bin Laden on its “Ten Most Wanted List” following an indictment related to the

1993 World Trade Center bombing. Also of concern was the rising number of undocumented (illegal) persons entering and residing in the United States.

On the policing front, the 1990s again brought national attention to police operations and tactics with the Rodney King incident in Los Angeles in 1991. In 1992 all the officers but one charged in the incident were found not guilty of all charges. Riots erupted and lasted for five days in the city resulting in more than 40 deaths, 2,382 injuries, over 5,000 buildings damaged or destroyed, an estimated 40,000 jobs lost and over \$1 billion in property damage; 5,633 people were arrested. The riots spread to other cities across the country. Also in 1992, following a 51-day standoff near Waco, Texas, at the compound of the Branch Davidians, headed by David Koresh, federal agents assaulted the compound. A devastating fire, believed set by the occupants, resulted in the deaths of 80 people, including women and children in the compound. During 1998 to 1999, several fatal shooting incidents at schools throughout the United States also raised questions about the safety at those facilities and the law enforcement response to such incidents.

Since 2000 the defining events affecting the United States included the terrorist attacks of September 11, 2001, the military incursion into Afghanistan (October 2001) to strike al Qaeda terrorist training camps, and the invasion of Iraq (March 2003). The September 11 attacks on the World Trade Towers (New York City) and the Pentagon (Washington, D.C.) and the fourth airliner that crashed in western Pennsylvania killed a total of 2,995, injured 6,291 persons, and caused an estimated \$33 billion in property damages. The government of the United States focused considerable effort and resources on the pursuit of terrorist groups responsible for the September 11 attacks or against governments believed to be sponsors of international terrorism. By the end of November 2002, a new Department of Homeland Security had been created in the executive branch of the government for the primary purpose of improving the country's ability to prevent, prepare for and respond to terrorist threats or attacks. In March 2003, a U.S.-led coalition of forces invaded Iraq to overthrow the regime of Saddam Hussein. Following September 11, 2001, law enforcement departments suffered personnel shortages (many officers who were in the National Guard and military reserves were called to active duty), reductions in budgets and increased demand for homeland security services. Reports in early 2004 indicated that terror alerts and homeland security efforts were costing major cities an additional \$1 million to \$7 million a week.

**Structure and Organization.** As of the end of 2003, the executive branch of the federal government of the United

States consisted of 15 departments and 62 independent agencies. The executive branch is primarily responsible for public safety, internal and national security, and the delivery of all major services to the people of the country. It also contains the primary administrative and regulatory agencies of the country. The executive departments include the following:

- Department of Agriculture (USDA)
- Department of Commerce (DOC)
- Department of Defense (DOD)
- Department of Education (ED)
- Department of Energy (DOE)
- Department of Health and Human Services (HHS)
- Department of Homeland Security (DHS)
- Department of Housing and Urban Development (HUD)
- Department of the Interior (DOI)
- Department of Justice (DOJ)
- Department of Labor (DOL)
- Department of State (DOS)
- Department of Transportation (DOT)
- Department of the Treasury
- Department of Veterans Affairs (VA)

The independent agencies include:

- Amtrak (National Railroad Passenger Corporation)
- Broadcasting Board of Governors (Voice of America, Radio/TV Marti, and more)
- Central Intelligence Agency (CIA)
- Commission on Civil Rights
- Commodity Futures Trading Commission
- Consumer Product Safety Commission (CPSC)
- Corporation for National and Community Service
- Defense Nuclear Facilities Safety Board
- Environmental Protection Agency (EPA)
- Equal Employment Opportunity Commission (EEOC)
- Export-Import Bank of the United States
- Farm Credit Administration
- Federal Communications Commission (FCC)
- Federal Deposit Insurance Corporation (FDIC)
- Federal Election Commission (FEC)

- Federal Emergency Management Agency (FEMA)
- Federal Housing Finance Board
- Federal Labor Relations Authority
- Federal Maritime Commission
- Federal Mediation and Conciliation Service
- Federal Mine Safety and Health Review Commission
- Federal Reserve System
- Federal Retirement Thrift Investment Board
- Federal Trade Commission (FTC)
- General Services Administration (GSA)
- Institute of Museum and Library Services
- Inter-American Foundation
- International Broadcasting Bureau (IBB)
- Merit Systems Protection Board
- National Aeronautics and Space Administration (NASA)
- National Archives and Records Administration (NARA)
- National Capital Planning Commission
- National Council on Disability
- National Credit Union Administration (NCUA)
- National Endowment for the Arts
- National Endowment for the Humanities
- National Labor Relations Board (NLRB)
- National Mediation Board
- National Science Foundation (NSF)
- National Transportation Safety Board
- Nuclear Regulatory Commission (NRC)
- Occupational Safety and Health Review Commission
- Office of Compliance
- Office of Government Ethics
- Office of Personnel Management
- Office of Special Counsel
- Overseas Private Investment Corporation
- Panama Canal Commission
- Peace Corps
- Pension Benefit Guaranty Corporation
- Postal Rate Commission
- Railroad Retirement Board
- Securities and Exchange Commission (SEC)
- Selective Service System
- Small Business Administration (SBA)
- Social Security Administration (SSA)
- Tennessee Valley Authority
- Trade and Development Agency
- United States Agency for International Development
- United States International Trade Commission
- United States Postal Service (USPS)

The executive branch departments and agencies employ approximately 2,673,100 persons (excluding military personnel). The executive branch employs 97.6% of all federal civilian personnel. Additionally, there are approximately 1,475,125 persons (as of October 31, 2003) serving in the military branches (including the Coast Guard). Service in the military of the United States is voluntary.

*Federal Law Enforcement Personnel and Agencies.* The executive branch of the United States employs the vast majority of the federal law enforcement personnel. As of June 2002, there were 93,000 full-time federal personnel authorized to make arrests and carry firearms according to the Bureau of Justice Statistics. Compared with June 2000, employment of such personnel increased by about 6 percent. An additional 1,300 officers were employed in the U.S. territories. The data gathered by the Bureau of Justice Statistics represented 67 agencies and the numbers do not reflect the changes brought about by the creation of the Department of Homeland Security (Reaves and Bauer 2003).

The federal law enforcement community is very fragmented in terms of jurisdictional authority. Each agency has specific authority by statute. The primary duties for federal officers included criminal investigation (40%), police response and patrol (22%), corrections (18%), noncriminal investigation and inspection (14%), court operations (4%), and security and protection (1%). In terms of gender and racial composition, women accounted for 14.8% of federal officers in 2002. Minority representation was 32.4% in 2002, up from 30.5% in 1998. Hispanic or Latino officers comprised 16.8% of officers in 2002, and African American or black officers, 11.7%. Prior to the creation of the Department of Homeland Security in November of 2002, the Department of Justice employed 58% of all federal law enforcement personnel and the Treasury Department employed 23%. Currently, the Department of Homeland Security employs 38% and the Justice Department 37% (Reaves and Bauer 2003). Each of the federal agencies

employing more than 500 full-time personnel is described briefly in the following pages. The agencies are arranged by size, from larger to smaller. The numbers reported here may not reflect the changes that took place in some of the agencies because of the creation of the Department of Homeland Security (special notations are included if the data were available). Agencies with 500 or more officers employed about 87,000, or 93%, of the federal officers covered by the Bureau of Justice Statistic's 2002 survey. Twelve federal agencies employed at least 100 personnel with arrest and firearm authority (Reaves and Bauer 2003). The number of officers, special agents, or investigators that is reported here is probably less than the current strength because most agencies have increased the number of personnel since September 11, 2001. Several hundred more law enforcement personnel were authorized in the 2003 and 2004 budget allocations of the federal government.

*Immigration and Naturalization Service (INS):* (Department of Homeland Security as of 2003, formerly part of the Department of Justice)—19,101 officers perform duties in three general areas: U.S. Border Patrol, consisting of about 9,830 officers detect and prevent smuggling and illegal entry of nondocumented persons into the United States at the ports of entry and along/nearby the 8,000 miles of U.S. boundaries; immigration inspectors, numbering about 4,529; and criminal investigators and immigration agents, numbering about 2,139 are responsible for investigating crimes under INS jurisdiction and 2,603 officers with detention and deportation duties. In March 2003, services formerly provided by the INS transitioned into the Department of Homeland Security (DHS) under U.S. Citizenship & Immigration Services (USCIS). The immediate priorities of the new USCIS are to promote national security, continue to eliminate immigration adjudications backlogs, and implement solutions for improving immigration customer services. The newly restructured Customs and Border Protection Agency within the Department of Homeland Security will include the Border Patrol, as well as INS, Customs and Agricultural Quarantine Inspectors. The U.S. Immigration and Customs Enforcement will include the enforcement and investigation components of INS, Customs, and the Federal Protective Services.

*Federal Bureau of Prisons:* (Department of Justice)—14,305 correctional officers maintaining the security of federal institutions. Their duties include supervising inmates, searching for contraband and responding to emergencies and disturbances. All of these officers are trained to use and carry firearms when necessary.

*U.S. Customs Service:* (Department of Homeland Security as of 2003, formerly part of the Department of

the Treasury)—11,634 officers, 8,167 inspectors and 3,467 criminal investigators, interdict and seize contraband, process persons, vehicles, and items at more than 300 ports of entry, and administer certain navigational laws. The Customs Service has an extensive air, land, and marine interdiction force as well as an investigations component supported by its own intelligence branch. The Customs Service investigates violations of more than 400 laws related to customs, drugs, export control, and revenue fraud. It is the second oldest enforcement agency of the country, founded on July 31, 1789. For nearly 125 years, it funded virtually the entire U.S. government, and paid for the nation's early growth and infrastructure.

*Federal Bureau of Investigation:* (Department of Justice)—11,248 special agents are responsible for criminal investigation and enforcement related to more than 200 categories of federal crimes including bank fraud, embezzlement, kidnapping, and civil rights violations. It also has concurrent jurisdiction with the Drug Enforcement Administration (DEA) over drug offenses under the Controlled Substances Act. Since the September 11, 2001, terrorist attacks on the United States, the FBI has undergone major reorganization, internally, which modified the priorities of the agency to the following:

1. Protect the United States from terrorist attack.
2. Protect the United States against foreign intelligence operations and espionage.
3. Protect the United States against cyber-based attacks and high-technology crimes.
4. Combat public corruption at all levels.
5. Protect civil rights.
6. Combat transnational and national criminal organizations and enterprises.
7. Combat major white-collar crime.
8. Combat significant violent crime.
9. Support federal, state, county, municipal, and international partners.
10. Upgrade technology to successfully perform the FBI's mission.

The mission of the FBI is to protect and defend the United States against terrorist and foreign intelligence threats, to uphold and enforce the criminal laws of the United States, and to provide leadership and criminal justice services to federal, state, municipal, and international agencies and partners. To accomplish this mission, in fiscal year 2003, the FBI received a total of \$4.298 billion, including \$540.281 million in net program increases to enhance counterterrorism, counterintelligence, cybercrime, information technology, security,



forensics, training, and criminal programs. Besides the more than 11,000 special agents, the FBI also employs over 15,900 support personnel in its 56 field offices and 400 satellite offices in the United States and its 45 legal attaché offices around the world.

*U.S. Secret Service:* (Department of Homeland Security as of 2003, formerly part of the Department of the Treasury)—4,256 special agents and officers have investigation and enforcement duties primarily related to counterfeiting, financial crimes, computer fraud and threats against dignitaries. It is well known for protecting the president and vice president and their immediate families. The Uniformed Division provides protection for the White House complex and other Presidential offices, the Main Treasury Building and Annex and foreign diplomatic missions. It was created originally in 1865 to combat counterfeiting, but it became the general investigative and law enforcement arm of the federal government until 1908 when Congress restricted its authority.

*Administrative Office of the U.S. Courts:* (Federal Corrections and Supervision Division)—4,090 probation officers (and another 410 were employed in districts where the court does not authorize officers to carry firearms while on duty) supervise federal offenders on probation and supervised release. They also conduct presentence investigations to assess the offender's risk to the community, the harm done by the offender, the need for and ability to pay restitution and the offender's general background.

*Drug Enforcement Agency:* (Department of Justice)—4,020 special agents investigate major narcotics violators, enforce regulations governing the manufacture and dispensing of controlled substances and perform other functions to prevent and control drug trafficking. Other responsibilities include the management of a national drug intelligence program and the coordination and cooperation with federal, state, and local agencies and with foreign governments in programs designed to reduce the availability of illicit abuse-type drugs. The DEA's budget for fiscal year 2003 was about \$1.9 billion.

*U.S. Postal Inspection Service:* 3,135 postal inspectors and police officers are responsible for criminal investigations covering more than 200 federal statutes related to the postal system. They also provide security for postal facilities, employees and assets, and escort high-value mail shipments.

*Internal Revenue Service (IRS):* (Department of the Treasury)—2,855 special agents within its Criminal Investigation Division are charged with enforcing the nation's tax laws. The IRS is the only federal agency that can investigate potential criminal violations of the Internal Revenue Code. IRS special agents lend their

financial investigative expertise to money laundering and narcotics investigations conducted in conjunction with other law enforcement agencies at the local, state and federal levels. Operations and investigations are carried out through 6 regional offices, 35 field offices and 10 fraud detection centers.

*U.S. Marshals Service:* (Department of Justice)—2,646 marshals and deputy marshals' responsibilities include the receiving, custody, and transporting of all persons arrested by federal agencies; fugitive matters concerning escaped federal prisoners, probation and parole violators, persons under DEA warrants and defendants released on bond; managing the Federal Witness Security and Federal Asset Seizure and Forfeiture Programs; and security for federal judicial facilities and personnel. The Marshals Service is the oldest federal law enforcement agency; its authority established in 1789. For nearly 75 years, it was the primary enforcement agency of the federal government.

The director, deputy director and 94 U.S. marshals—appointed by the president or the attorney general—direct the activities of 95 district offices and personnel stationed at more than 350 locations throughout the 50 states, Guam, Northern Mariana Islands, Puerto Rico, and the Virgin Islands. The Marshals Service is involved in virtually every federal law enforcement initiative because of its responsibilities. The Service operates the Justice Prisoner and Alien Transportation System (JPATS) for transporting prisoners and criminal aliens. JPATS is one of the largest transporters of prisoners in the world, handling hundreds of requests every day to move prisoners between judicial districts, correctional institutions and foreign countries. On average, more than 270,000 prisoner and alien movements a year are completed by JPATS via coordinated air and ground systems. Since 1983 the Marshals Service has maintained the "15 Most Wanted" fugitives list that is a high-profile list of the most dangerous career criminals in the United States. Of the 167 individuals who have appeared on the list, 159 have been captured. Each year approximately 34,000 federal felons are apprehended because of investigations carried out by deputy marshals. The Marshals Service arrests more federal fugitives than all other law enforcement agencies combined. During fiscal year 2002, Marshals Service-sponsored task forces' arrested more than 27,000 state and local fugitives wanted on felony charges and the service successfully completed 334 extraditions from around the globe.

*Bureau of Alcohol, Tobacco, Firearms & Explosives:* (ATF)—2,335 officers enforces federal laws related to alcohol, tobacco, firearms, explosives, and arson. In 2003 ATF became a Justice Department agency and its name was changed to include the word *explosives*.

Although established in 1972 as a separate agency within the Treasury Department, many of its tax-related enforcement responsibilities have been carried out since 1789. ATF provides investigative support to the nation's state and local partners through the National Integrated Ballistic Information Network (NIBIN) that provides for the nationwide installation and networking of automated ballistic imaging equipment in partnership. The Comprehensive Crime Gun Tracing Initiative began in 2001 and provides nationwide firearms tracing capability. In fiscal year 2002, the ATF's National Tracing Center conducted over 240,000 trace requests of crime guns. ATF maintains four National Response Teams (NRT) comprised of highly trained and well-equipped special agents, forensic chemists and professional support staff that can be deployed within 24 hours to major explosion and fire scenes anywhere in the United States. The ATF International Response Team participates with the Diplomatic Security Service of the U.S. Department of State to provide technical and investigative assistance at international explosive and fire incidents. There are 36 ATF-trained explosives detection canine teams deployed with state, local, and other federal law enforcement agencies and 48 ATF-trained and certified accelerant detection canine teams deployed with state and local fire and police department. To date, ATF has trained over 310 international law enforcement organizations' explosives detection canine teams worldwide. ATF maintains three national laboratory facilities, in Maryland, Georgia, and California. ATF provides funding and instructor training for a key prevention program called Gang Resistance Education and Training (GREAT). GREAT is a life-skills competency program designed to provide middle-school children the ability to avoid gangs, resist conflict, make responsible decisions, and develop a positive relationship with the law enforcement community. In fiscal year 2002, ATF provided funding to 228 law enforcement agencies and 1,163 officers were certified to instruct in the GREAT program, providing GREAT instruction to 364,701 students.

*National Park Service:* (Interior Department)—2,139 officers (1,549 park rangers and 590 park police officers) provide police services for the entire National Park System. Additional rangers serve seasonally, but are considered part-time employees. The history of the Park Police predates both the Department of the Interior and the National Park Service. Created in 1791 by President George Washington, the U.S. Park Police have been on duty in U.S. federal parks for more than 200 years. The U.S. Park Police have responsibilities for providing law enforcement services within the District of Columbia as well as other federal reservations, in the Washington metropolitan area, New York, and San Francisco. They are also frequently requested to provide protection for

dignitaries, such as the president of the United States and visiting foreign heads of state, and assistance to other areas of the National Park Service and other law enforcement agencies during law enforcement emergencies.

*Veterans Health Administration:* (VHA)—1,605 officers provide law enforcement protection at 173 medical centers throughout the country. About 2,400 police officers have arrest authority in the VHA, but many do not have firearms authority. Begun in 1930 as a protective force, it was reorganized in 1972 into the Veterans Administration Police by an act of Congress. Today the Police and Security Service is the component of the Office of Security and Law Enforcement that is responsible for the protection of life and property and the maintenance of order on Veterans Administration facilities. The office conducts criminal investigations of offenses that occur on property owned or used by the department; it works regularly with several federal law enforcement agencies in areas such as information sharing, training, planning and policy development; its field inspectors visit each Veterans Administration Medical Center to conduct a careful review of the security and law enforcement posture of each facility; and it provides executive protection to the secretary of Veterans Affairs.

*U.S. Capitol Police:* 1,225 officers provide police services for the U.S. Capitol grounds and buildings. The Capitol Police have full law enforcement authority in an extended jurisdiction zone covering the area immediately surrounding the Capitol complex. Its mission is to protect and support the U.S. Congress in meeting its constitutional responsibilities. Congress created the U.S. Capitol Police in 1828 for the sole purpose of providing security for the U.S. Capitol Building. Over the years, its authority was extended to protecting life and property; preventing, detecting, and investigating criminal acts; and enforcing traffic regulations throughout a large complex of congressional buildings, parks, and thoroughfares. Additionally, the Capitol Police are responsible for protecting Members of Congress, Officers of the U.S. Senate, U.S. House of Representatives, and their families. Officers serve these individuals throughout the entire United States, its territories and possessions, and throughout the District of Columbia.

*U.S. Fish and Wildlife Service:* (Interior Department)—772 full-time personnel have duties related to patrol and enforcement of federal wildlife conservation and environmental laws in the National Wildlife Refuge system and of violations of federal wildlife protection laws and treaties. Federal wildlife law enforcement celebrated its centennial in 2000 with the 100th anniversary of the Lacey Act—the nation's first federal wildlife

protection law. The Division of Law Enforcement focuses on combating international wildlife trafficking, unlawful commercial exploitation of native species, environmental contamination, and habitat destruction. Partnerships with states, tribes, and foreign countries make service special agents, wildlife inspectors, and forensic scientists part of a national and global network committed to protecting wildlife resources. The U.S. Fish and Wildlife Service manages the 95-million-acre National Wildlife Refuge System, which encompasses 542 national wildlife refuges, thousands of small wetlands and other special management areas. It also operates 69 national fish hatcheries, 64 fishery resources offices, and 81 ecological services field stations.

*General Services Administration: (GSA)*—744 officers of the Federal Protective Service (FPS) perform security, patrol and investigative duties related to federal buildings and property, and the employees and visitors using them. In 2003 the FPS was transferred to the Bureau of Immigration and Customs Enforcement, Border and Transportation Security Directorate of the Department of Homeland Security. The mission of FPS is to provide law enforcement and security services to over one million tenants and daily visitors to federally owned and leased facilities nationwide. The services' protection functions focus directly on the interior security of the nation, and require close coordination and intelligence sharing with the investigative functions within the Bureau. FPS is a full service agency with a comprehensive HAZMAT, WMD, Canine, and emergency response program as well as state-of-the-art communication and dispatch centers.

*Forest Service: (Department of Agriculture)*—658 officers provide police response, patrol and criminal investigation services for the National Forest System lands, facilities and users. Law enforcement personnel operate as full partners within the Forest Service organization in carrying out the agency's three primary objectives: protect the public, employees, natural resources, and other property under the jurisdiction of the Forest Service; investigate and enforce applicable laws and regulations that affect the National Forest System; and prevent criminal violations through informing and educating visitors and users of applicable laws and regulations.

*State Department's Bureau of Diplomatic Security:* 592 officers and special agents have the primary function of protecting visiting dignitaries. In the United States, the Bureau of Diplomatic Security investigates passport and visa fraud, conducts personnel security investigations, and protects the secretary of state and high-ranking foreign dignitaries and officials visiting the United States. Every diplomatic mission in the world operates under a security program designed and maintained by

this bureau. It trains foreign civilian law enforcement officers in disciplines designed to reduce the threat and repercussions of terrorism throughout the world. Through close cooperation and interaction with other State Department offices, the bureau manages reciprocity and immunity issues for foreign diplomats in the United States. The bureau also provides protection to foreign missions through agreements with federal, state, and local law enforcement authorities. The Protective Liaison Division works closely with the Secret Service to provide foreign missions with protective security.

*U.S. Mint: (Treasury Department)*—375 officers provide police and patrol services for U.S. Mint facilities, including safeguarding the nation's coinage and gold bullion reserves. Established in 1792, the U.S. Mint Police are responsible for protecting over \$100 billion in Treasury and other government assets stored in facilities located at Philadelphia; San Francisco; West Point, New York; Denver; Fort Knox, Kentucky; and the mint's headquarters in Washington, D.C. Officers have the primary responsibility for protecting life and property, preventing, detecting, and investigating criminal acts, collecting and preserving evidence, making arrests and enforcing federal and local laws.

*Bureau of Indian Affairs: (Interior Department)*—334 officers provide police services to Native American populations, through 37 agencies. Additionally, American Indian tribes operated 171 law enforcement agencies that employed at least 1 full-time sworn officer with general arrest powers. Tribally operated agencies employed about 2,303 full-time officers as of 2000. A major difference between tribally operated agencies and their state and local counterparts is jurisdiction over criminal offenses. Jurisdiction in Indian country may lie with federal, state, or tribal agencies depending upon the particular offense, the offender, the victim, and the offense location.

*Amtrak: (National Railroad Passenger Corporation)*—327 officers within its Police Division provide police response and patrol, and investigative services for the national railroad system.

*Pentagon Force Protection Agency (PFPA):* 327 officers of the Department of Defense was formerly known as the Defense Protective Service (DPS). The PFPA was established in May 2002 to expand the DPS mission of basic law enforcement and security to provide force protection against the full spectrum of potential threats through prevention, preparedness, detection, and response measures. The PFPA provides services to the 280-acre "Pentagon Reservation" and numerous other DOD activities and facilities in the national capital region.

*Bureau of Land Management: (Interior Department)*—235 officers provide police response, patrol, and criminal

investigative services on 264 million acres of surface lands and 300 million acres of below-ground mineral estate managed by the department. Law enforcement personnel perform a wide variety of tasks, including: protecting cultural and historical sites from vandalism; locating and eradicating drug-manufacturing laboratories and marijuana fields; ensuring the humane treatment of wild horses and burros; guarding against the dumping of hazardous wastes and other pollutants; and preventing theft and damage of timber, rare cactus plants, minerals, and other valuable publicly owned resources.

*Environmental Protection Agency:* 220 special agents in its Criminal Investigation Division investigate violations of the nation's environmental laws.

*Department of Energy:* 212 officers (nuclear materials couriers) in its Transportation Safeguards Division protect nuclear weapon shipments from the manufacturer to designated locations.

*Tennessee Valley Authority (TVA):* 197 officers provide patrol and investigative services for TVA employees and properties, and the users of TVA recreational facilities.

*Bureau of Engraving and Printing:* 195 officers provide police services for the bureau's facilities including those where currency, stamps, securities, and other official U.S. documents are made.

*Food and Drug Administration:* 162 officers investigate violations of the federal Food, Drug, and Cosmetic Act and other public health laws.

*National Marine Fisheries Service:* (National Oceanic and Atmospheric Administration)—137 officers enforce federal laws and regulations that protect the nation's living marine resources.

*Library of Congress:* 127 officers provide law enforcement services in the library's buildings, protect staff and patrons, and assist in the protection of the library's property and collections.

Additionally, the Office of Inspector General exists in 57 federal offices, however, only 28 employed criminal investigators with arrest and firearm authority as of June 2002. Their primary responsibilities are to investigate violations and prevent and detect fraud, waste, and abuse within their respective agencies and programs. The largest inspector general office is found in the Department of Health and Human Services, with 436 investigative officers; the smallest is the Government Printing Office with eight (Reaves and Bauer 2003).

**Police Statistics.** At the state and local levels of government, it is very difficult to report exact statistics on how many law enforcement agencies operate in the United States. Because of the fragmented nature of the governmental system, no one agency or office is responsible for

maintaining accurate lists of information about the policing community in the United States. In some of the states, a central agency may collect and maintain statistics, however, the accuracy of such data varies. Because of local control over policing matters, agencies can be created or disbanded based on the will of the local governing officials. An agency can be formed in one community and abolished in another during the same week. Central registries of this activity are rare, although some reliable data is maintained by state offices responsible for the training and certification of officers. Thus, any count of the number of law enforcement agencies is an estimate and not an exact figure.

Since 1987 the Bureau of Justice Statistics in the Office of Justice Programs within the U.S. Department of Justice has been collecting data from law enforcement agencies under the Law Enforcement Management and Administrative Statistics (LEMAS) program. This program conducts surveys of the law enforcement community every three years. Because the survey consists of several thousand questionnaires and considerable data, there always is some time delay in reporting the results. The data reported in this chapter were the most recent available when the text was prepared, but the Bureau of Justice Statistics, Office of Justice Programs, in the U.S. Department of Justice continues to update these publications periodically.

**State Agencies.** There are 49 states that have at least one state-level policing agency with uniformed officers. Usually, this major agency is known as the "state police," "state patrol," or "department of public safety." Other state agencies may exist, however, that have responsibilities for specific areas of enforcement such as major criminal investigation, alcoholic beverage control, fish and wildlife protection, parks protection, health-care fraud, and environmental crimes. As with other governmental levels, the jurisdiction and authority of state agencies depend on legislative mandate. In general, those states with the title "state police" have broad policing authority throughout the state and have enforcement responsibilities over all types of offenses. Many states restrict the authority of their state-level policing agencies to specified areas of offenses, and if multiple agencies exist, they may be spread among several executive agencies within the state.

Of the state policing agencies, 37 (75%) have 500 or more full-time officers; 19 (38.7%) have 1,000 or more officers. The percentage of full-time employees that are sworn officers ranged from a low of 40.5 (Texas), to a high of 93.2 (Utah). The ratio of full-time officers to 10,000 population ranged from 1 (Florida) to 8.1 (Vermont), with 29 states falling in the 1.6 to 2.5 range.

The major functions performed by state policing agencies (from most prevalent to least) included the following:

- Accident investigation and traffic enforcement
- Patrol and first response
- Communications and dispatch
- Special Weapons and Tactics (SWAT)
- Search/rescue operations
- Narcotics/vice enforcement and training academy operations
- Fingerprint processing
- Major crime investigation (violent and property crime)
- Ballistics/laboratory testing

**Special Jurisdiction/Purpose Police Agencies.** A survey conducted in 2000 by the U.S. Department of Justice's Bureau of Justice Statistics, identified 1,376 special police agencies at both the state and local agency levels. Such agencies employed 69,650 full-time personnel, of which over 43,413 were sworn officers. These special police agencies constitute about 7.7% of all local and state agencies in the United States. This category of agency is very difficult to describe because it contains a variety of agencies. Such agencies usually have names that describe their uniqueness, such as mass transit, park district, gaming/racing, alcohol beverage control, metropolitan housing authority, campus/college, port authority, or airport police. Officers working in such special police agencies may possess general police authority only within the geographical limitations of their jurisdiction. Some of these agencies possess specific police authority over a large geographical area (for example, a state liquor control agent has authority throughout a state, but only over liquor-related offenses and regulations). Of all the special police agencies, about 50% are campus law enforcement agencies. Generally, with regard to campus law enforcement agencies, sworn and armed officers were more likely to be found at institutions under public rather than private control. Overall, about 93% of the agencies serving public institutions used sworn officers, and 81% used armed patrol officers, compared to 43% and 34% respectively among private institutions.

**Local Agencies.** Based on the 2000 survey conducted by the U.S. Department of Justice's Bureau of Justice Statistics, there are at least 17,700 local law enforcement agencies in the United States. Although there are many small agencies in the United States employing small numbers of officers, 72.5% percent of the sworn officers at the local level are employed in agencies of 50

or more sworn officers. These sworn officers are employed in only 2,209 agencies, or 12.4% percent of all local agencies. In the United States, there are about 9,214 agencies that employ fewer than 10 officers each; that is 51.8% of all local agencies in the country. Geographically, most of the country is policed by small local agencies.

There are some discrepancies between federal offices that collect information related to the strength of law enforcement agencies in the United States. In addition to the data collected and published by the Bureau of Justice Statistics, the FBI also publishes personnel data in their annual *Crime in the United States*. In 2002 the FBI estimated that there were 665,555 full-time sworn officers and 291,947 civilians providing law enforcement services in the United States. The average number of officers per 1,000 inhabitants would be 2.46. Of course, the ratio of officers to 1,000 inhabitants varies from jurisdiction to jurisdiction. In cities, the average was 2.3 officers per 1,000 population; in suburban counties, it was 2.7; and in rural counties it was 2.5. When cities were grouped by size, the range of officers per 1,000 was 1.8 for cities with 25,000–99,999 population to 3.2 for cities with fewer than 10,000 inhabitants (FBI 2002).

Local policing, the uniformed officer on the beat, is the most noticeable to the public on a daily basis. It is the local police who respond to general street crime and most traffic accidents. Local police authority is general in scope; they can enforce the general criminal code of the state plus appropriate county or city ordinances. They may be responsible for initiating federal charges in many jurisdictions; however, such situations are usually referred to federal authorities or investigated jointly. Nearly all local police departments have primary responsibility for initially investigating most types of crimes occurring in their jurisdiction. In some jurisdictions, the most violent or serious criminal offenses may be referred to other policing agencies, such as a county or state investigatory agency. The size of agencies does have some relationship to their primary function and responsibilities. The major functions carried out by local agencies are responding to calls for service, general patrol, criminal investigation, crime prevention, and homeland security. The larger agencies have specialized operations units to investigate sex crimes, drug, organized crime, terrorist activity, financial fraud and computer crime, and juvenile offenses. Specialized assignments to task forces, school resource functions, special weapons and tactics, squads, and criminal intelligence functions usually only occur in larger agencies also.

The concept of task forces has become very effective in recent years in the United States. A task force may utilize officers from many agencies in a region, including federal and state personnel. If smaller jurisdictions are

involved, officers may be assigned to the task force for one or several days each week. By sharing human resources a task force can address crime issues over a larger geographical region. The types of task forces that function in the United States address issues such as violent crime, computer crime, narcotics, fraud, corruption and terrorism.

In the United States at the local level, not all police personnel are full-time employees. Throughout the country, various options exist within agencies for part-time officers who work limited hours weekly or only when needed to replace full-time officers. Part-time officers usually are paid an hourly wage. In many agencies, especially smaller ones, "reserve officers" or "auxiliary officers" may exist. They may be paid when on-duty, but they may be volunteering their time to the community. Terminology varies among the states, and what is deemed a reserve officer in one state may be called an auxiliary officer in another. Regardless of title, the key to their policing status is whether they are authorized to make arrests and carry a firearm. As indicated above, there were at least 43,000 part-time officers in the country in 2000 (and that figure may not include all the auxiliary and/or reserve officers).

**Special Police.** Another type of police officer that may appear in the protection of the public in the United States is referred to as special police. This is not to be confused with the public special purpose policing agencies discussed above. Some officers in uniform wear patches that may say Special Police, but they may not possess full arrest authority, and their authority to carry firearms may be limited to a very small geographical area, such as their place of employment. Many of the special police officers in the United States are actually private police who may be regulated by a public agency at the state level. Such private police may possess special police authority if a state legislature or city council has authorized it (such as the right to detain shoplifters, or the right to protect museums, libraries, art galleries, and so on). In many jurisdictions, these special police officers are considered private security personnel and possess no arrest authority at all, other than that possessed by the private citizen. It should be mentioned that in the United States, the right of a citizen to apprehend or arrest another person committing a criminal offense exists in most jurisdictions. The right is usually limited to serious offenses, such as felonies, and usually is regulated by statutory law of the state.

**Education and Training.** The education and training requirements for law enforcement personnel are not standardized across agencies because of the fragmented nature of policing in the United States. Federal agencies usually require a baccalaureate degree as the minimum education requirement; however, some agencies accept

candidates who have some college education if they have several years of law enforcement experience. State and local agencies vary in the education requirement. The majority of state and local agencies require a minimum of a high school diploma or equivalent as the minimum for applying to their agency. Statistics are difficult to report on this issue since there is no central government agency that maintains such data nor are agencies required to report it. In at least two states, a state regulatory agency for certification and training has established two years of college as the minimum education requirement for peace officers. At the local level in the United States, an estimated 12% require two years of college as the minimum, while about 1% requires a baccalaureate degree. Since 1968 there have been several national commission reports that advocated increased education requirements for the nation's peace officers. Agencies have been hesitant to raise the educational entrance requirements because it may limit the pool of applicants for rural and small agencies and because it may reduce the number of minority applicants. In the United States, it is a violation of discrimination in employment law if requirements are not job-related or necessary. Research on the relationship between education and officer performance has been supportive for increased education; however, it also has been sporadic.

Training requirements also vary across the country and by level of government. Federal agencies often require 12–26 weeks of training for their new hires. A majority of federal officers receive some or all of their training through the Federal Law Enforcement Training Center (FLETC), headquartered in Glynco, Georgia. FLETC operates two satellite facilities (Artesia, New Mexico, and Charleston, South Carolina) and a third one is under development in Cheltenham, Maryland. The New Mexico facility trains federal officers in the western part of the country and focuses on Immigration and Border Patrol, Bureau of Prison officers and federal air marshals. In fiscal year 2002, more than 32,000 students graduated from FLETC facilities, including about 2,600 state and local officers. In 2003 the Training Center was transferred from the Treasury Department to the Department of Homeland Security. FLETC serves more than 70 federal agencies, as well as state, local, and international law enforcement communities. It has an annual budget of nearly \$200 million. Classroom training for criminal investigators ranged from about 8 weeks to 22 weeks. For patrol officers, classroom training ranged from 4 weeks to 26 weeks. Field training requirements ranged from 2 weeks to 6 months for patrol officers, and as long as 2 years for investigators (Reaves and Bauer 2003).

Federal agents assigned to the FBI and DEA are trained at facilities located at Quantico, Virginia, on the

U.S. Marine Corps Base. The facility opened in 1972 and is situated on 385 wooded acres of land. The main training complex has three dormitory buildings, a dining hall, library, a classroom building, a Forensic Science Research and Training Center, a 1,000-seat auditorium, a chapel, administrative offices, a large gymnasium and outside track, along with a fully equipped garage. In addition to the main complex, there is a mock city known as Hogans Alley, which consists of facades replicating a typical small town. Just beyond Hogans Alley is a 1.1-mile pursuit/defensive driving training track. The extensive firearms training provided to all FBI/DEA and other law enforcement officers is conducted at the indoor firing range, the eight outdoor firing ranges, four skeet ranges, or the 200-yard rifle range.

The FBI New Agents' Training Unit (NATU) coordinates 16 weeks of instruction at the academy. New agent trainees are exposed to three components of curriculum: investigative/tactical, noninvestigative, and administrative. These three components total 643.5 hours of instruction, which are spread over four major concentrations: academics, firearms, operational skills and the integrated case scenario. New agents must pass 11 academic examinations, with a score of 85% or better, in the following disciplines: Legal (2 exams), Behavioral Science, Interviewing, Ethics, White Collar Crime, Organized Crime/Drugs/Violent Crime, Informants/Cooperating Witnesses, Interrogation, Forensic Science and National Foreign Intelligence Program. Additionally, FBI trainees must pass a physical training test involving (1) pull-ups, (2) sit-ups, (3) push-ups, (4) 120-yard shuttle run, and (5) two-mile run and a defensive tactics test. The defensive tactics test focuses on grappling and boxing, handcuffing, control holds, searching subjects, weapon retention, and disarming techniques. In terms of firearms training, each trainee must qualify twice with the bureau-issued handgun, and once with the shotgun; and must demonstrate familiarity with the submachine gun. During their 16 weeks of training trainees will fire between 3,000 and 5,000 rounds of ammunition.

The DEA and FBI use shared facilities at Quantico for physical fitness training, firearms, and tactical vehicle training, however, since 1999 the DEA has enjoyed its own training academy consisting of 185,000 square feet of space. The building includes a 250-bed dormitory; tiered classrooms; management, computer and breakout classrooms; an international translation-capable classroom; practical areas for fingerprinting, interviewing and wiretap training; and student support services, including a gift shop, nurse's station, mail room, laundry, dry cleaners, banking facilities, and a 250-seat cafeteria. Classrooms are equipped with rear screen, state-of-the-art audiovisual technologies. Each classroom has a camera mounted in the room so presentations in that classroom

can be recorded or broadcast to every other classroom, and even to the dormitory if a student is ill and unable to attend class. The DEA Training Academy is used for Basic Agent training, Basic Diversion Investigator training, Basic Intelligence Research Specialist training, Basic Forensic Science training, professional and executive development training, certification training, and specialized training. The academy is also used to conduct drug law enforcement seminars for state and local law enforcement personnel, and through the use of specially equipped classrooms, international drug training seminars for foreign law enforcement officials. The academy's international classroom has the capacity to simultaneously translate an instructor's course of instruction into three different languages.

The typical DEA basic agent class sizes range from 40 to 50 trainees. The average age of trainees is 30 years. Approximately 60 percent of all trainees arrive with prior law enforcement experience, while 30 percent come from a military background. Every student must possess a bachelor's degree and nearly 20 percent have some post-graduate educational experience. The curriculum is a 16-week resident program that places strong emphasis upon leadership, ethics, and human dignity. Academic instruction provides the basics of report writing, law, automated information systems, and drug recognition, as well as leadership and ethics. Underpinning the instruction is a rigorous 84-hour physical fitness and defensive tactics regimen designed to prepare new special agents to prevail in compliant and noncompliant arrest scenarios. The firearms training program consists of 120 hours in basic marksmanship, weapons safety, tactical shooting, and deadly force decision training. In order to graduate, students must maintain an academic average of 80 percent on academic examinations, pass the firearms qualification test, successfully demonstrate leadership and sound decision making in practical scenarios, and pass rigorous physical task tests.

Most training facilities for state and local officers throughout the United States do not compare in size and complexity to the federal facilities. There is considerable variation in training facilities from state to state and within states; no general statement accurately describes the training facilities throughout the country. Across the United States, there is no standard curriculum or length of training for basic trainees. Again, differences are considerable because of the fragmented nature of the political jurisdictions, the variation in financial resources and philosophical differences. The main state agencies with uniformed officers average about 20 weeks of basic training. At the local level, the minimum hours of training for new officers is usually regulated by the state and the number of minimum hours varies from about 400 to 800 hours; the average is about 550. Regardless of the

state mandated minimum hours, many large jurisdictions, especially large municipalities, average between 600 to 900 hours of initial or basic training. Almost all agencies require newly acquired officers to complete several weeks of orientation and field training following their basic training.

**Salaries and Benefits.** Annual salaries for law enforcement personnel vary considerably from the large cities to the rural sheriff's department; from the federal special agent to a local township constable. The typical salary is based on a 40-hour workweek. Entry-level salaries in large urban police departments serving populations over 250,000 average about \$35,000. Rural sheriffs' departments offer an average starting salary in the low \$20,000-range. Federal agents' starting salary is around \$34,000-\$41,000, depending on the agency and the locale of initial assignment. Small rural agencies may have starting salaries below \$20,000. In addition to the stated salary, full-time employment normally includes paid (or mostly paid) health insurance, possibly dental and eye care, employer contributions to Medicare, Social Security or a pension plan, life insurance, and other insurances. Included in the typical benefit package for officers are the following: paid holiday, sick and vacation leave; paid overtime or compensatory leave (in lieu of overtime payment, hours may be accrued to be taken as paid leave); paid personal days; and paid military leave if in the National Guard or a military reserve unit. Other factors may increase an officer's pay; these include clothing/uniform allowances, hazardous duty pay, education incentives, court time, and shift differential.

**Police Officers Killed in the Line of Duty.** During the 1990s, an average of 166 officers died on duty each year. Preliminary figures for 2003 indicated that 148 law enforcement officers were killed in the line of duty in the United States, which was the same as for 2002. Of the 148 officers, 142 were male and 6 were female. Those officers worked in 38 of the 50 states, as well as Puerto Rico and one federal agency. According to the National Law Enforcement Officers Memorial Fund and the Concerns of Police Survivors, the states with the highest number of officer fatalities were: California (18); Georgia (10); Texas (10); Virginia (8); and Florida, Louisiana, and Tennessee (7). Of the 148 officers killed during 2003, preliminary data show that 53 died in automobile accidents; 52 were shot to death; 13 were struck by automobiles while on duty outside their vehicles; 11 died in motorcycle accidents; 6 succumbed to job-related illnesses; 4 drowned; 2 suffered fatal beatings; 2 fell to their deaths; 1 was stabbed to death; 1 died

in an aircraft accident; 1 was electrocuted; 1 was strangled; and 1 was hit by a train.

Dating back to the first known law enforcement fatality in 1792, there have been more than 16,000 federal, state, and local officers killed in the United States. All of those names are inscribed on the National Law Enforcement Officers Memorial, which is located in Washington, D.C.

**Retirement Age.** The retirement age for officers in the United States varies. Some departments have mandatory retirement at specific ages, such as 55, but most departments do not have mandatory retirement provisions. Most officers work 20 to 35 years before retiring and there have examples of officers working up to 50 years. Most departments have a retirement system; many are managed through statutory systems established at the state level. Normally, there is a minimum number of years of service required before an officer can retire. Usually, the amount of an officer's pension is determined by the combination of years of service and age and an average of the officer's highest three years of earnings. Each year of service is granted a certain percent, such as 2.2%; which is then multiplied by the number of years of service, such as 25; which is then multiplied by the average of the officer's highest three years of earnings, for example \$45,000. The resulting annual pension would be:  $.022 (2.2\%) \times 25 \text{ years} \times \$45,000 = \$24,750$ . If this same officer had worked 30 years, the pension would be: \$29,700. If the officer had worked 30 years with the highest average earnings of \$50,000, the resulting annual pension would be \$33,000. Pension systems often include medical insurance and death insurance benefits at various costs to the retired officer.

## CRIME

There are two primary sources of data on the amount of crime in the United States. The most commonly known source is taken from offenses reported to police and is counted at the level of the local law enforcement agency. Collected and presented in the Uniform Crime Report or UCR, it is published annually by the FBI under the title *Crime in the United States*. The second method is known as the National Crime Victimization Survey (NCVS), initiated in 1973. It measures major crime through interviewing a sample of about 100,000 people in about 50,000 households. The NCVS is conducted for the Bureau of Justice Statistics (U.S. Department of Justice) by the federal Bureau of the Census. Each method has advantages and disadvantages.

The UCR data are compiled from participating law enforcement agencies that report monthly records of



offenses reported to or discovered by police. Monthly reports have two parts. Part 1 Offenses are called Index Crimes and are those from which the FBI tracks the "Crime Index" that it reports to the nation through the media. The Crime Index includes the offenses of: arson, assault, burglary, forcible rape, larceny-theft, motor vehicle theft, robbery, and murder and non-negligent manslaughter. Most news reports published in the United States regarding the crime rates are based on this data. These offenses are used to gauge the crime "index," or its rate of decrease or increase. There are some problems with this method of counting, however. First, it covers only crime reported to law enforcement, and much of the crime committed in the United States is not reported. If victims do not trust police or the criminal justice system, or fear retaliation or humiliation, they may never report victimization. Hence, if victims change their behavior and report more crimes, the result may leave the impression that crime is increasing which may not be true. This is a significant problem. Second, if law enforcement agencies become more effective in discovering crimes, the rate will seem to increase because more crime was discovered. Third, the definitions of crimes are not the same from state to state and, in some cases, from year to year. For example, an offense such as entering an outbuilding (storage shed) might be a criminal trespass in Ohio, but a burglary in Georgia. One is a minor offense, while the other is serious. A fourth problem with the UCR is that it does not account for victimless crime, which is behavior defined as criminal, but engaged in by many who think it should not be. Generally, this includes prostitution, gambling, drug abuse, pornography, and others. For all of these reasons, the UCR alone is not sufficient for some researchers and criminologists to grasp the true rate of crime.

The second means to measure crime, the NCVS, essentially measures crimes that were committed against households, residents, and businesses. In conducting the survey, people are asked if they have been the victim of a crime in the past year and, if so, to describe it. Detailed information is acquired for victimizations. On the basis of this broad survey, estimates are generated for the nation as a whole. The NCVS provides interesting information. First, the rate of victimization is generally going down, not up. However, it is also clear that a significant amount of crime is not reported. The 2002 NCVS report, for example, indicated that the rate of reporting crime varied considerably across types of crime. Approximately 67% of thefts are not reported to the police, but only 37% of robberies are not reported. Victimization surveys also have their limitation because self-reported recollections are not reliable and each respondent is going to interpret events from his or her own perspective. She or he may see a situation as an

assault when it was not. Another limitation of the NCVS, like that of the UCR, is its inability to capture information regarding white-collar crime and fraud, or information about crimes in which the respondent may have been involved. Respondents must be relied upon to report offender characteristics, and frequently the victim does not know this information. Information from the NCVS is important, but it is limited as well, and that must be kept in mind while interpreting the data.

**Major Crime Rates.** Nationally, the 2002 Crime Index for the United States included an estimated 11,877,218 offenses, which was a rise of less than one-tenth of a percent over 2001 figures. The Crime Index for 2002 was comprised of 12 percent violent crime and 88 percent property crime. Most violent crime rates remained about the same as 2001, however murder rose about one percent and forcible rape increased 4.7%. The percentage distribution of the major index offenses were: larceny-theft, 59.4%; burglary, 18.1%; motor vehicle theft, 10.5%; aggravated assault, 7.5%; robbery 3.5%; forcible rape, 0.8%; and murder, 0.1 percent.

The UCR (FBI) historically publishes a crime clock each year. The numbers at first glance appear quite serious, but it must be remembered that the United States is a very large nation. It should be interpreted as "somewhere in the United States, one crime index offense is committed every 2.7 seconds." Some local jurisdictions also calculate crime clocks to give their citizens a more realistic view of criminal activity in their jurisdictions; and the time element is significantly different when reduced to the local level.

Statistics can be very deceiving when one focuses on only one year. Both the UCR and the NCVS reports contain comparative data and statistics from previous years. UCR data, for example, when plotted over time, indicate that the crime rate in the United States has dropped since 1991 and some crimes are at a 30-year low. Even the 2002 NCVS report indicates that overall violent victimization and property crime rates were the lowest recorded since the inception of the NCVS in 1973.

The 2002 UCR also reported arrests and clearance rates for index crimes. An estimated 2,234,464 arrests for crime index offenses occurred which accounted for 16.3% of the total 13,741,438 arrests made in 2002. In other words, about 83.7% of all arrests in the United States are for nonindex offenses. The UCR also tabulates the "clearance rates" of offenses. An offense is cleared when an arrest is made and charges have been brought against the arrestee. An offense also is considered cleared by exceptional means if the offender has been identified

and located and sufficient evidence for an arrest exists but circumstance beyond the control of law enforcement precludes making an arrest or charging the offender. In the United States in 2002, 20% of all crime index offenses were cleared by arrest or exceptional means. The rates vary according to offense. For 2002 the crime index offenses had the following clearance rates, nationally:

Murder	64%
Aggravated Assault	56.5%
Forcible Rape	44.5%
Robbery	25.7%
Larceny-Theft	18%
Motor Vehicle Theft	13.8%
Burglary	13%

There are also regional and jurisdictional differences in clearance rates because of the fragmented nature of the law enforcement system in the United States.

#### STATE PROFILES

The following sections provide an overview of the demographics, government, law enforcement community and corrections community in each state of the United States. Basic statistical data generally is from governmental sources such as the U.S. Bureau of the Census, the U.S. Department of Justice's offices, and other selected sources. Additional and more detailed information about each state can be accessed through various Web sites, many of which are listed in the reference section at the end of this article. The reader is reminded that statistical profiles of the law enforcement and corrections community will vary over time. Most of the data reported are for 2002 or 2003. These basic data do not vary greatly from year to year but the source of the data also has some limitations. For example, the data on crime statistics are based on officially reported crime; it is understood that not all crime is reported to the police. The data on the number of law enforcement agencies and full-time personnel in the various states are based on data reported to the FBI, except for a few states. However, again, not all agencies report their data, therefore, the data are not complete. For that reason it is understood that there are more agencies and more personnel than are reported for each state. Also, the data do not include part-time or reserve/auxiliary personnel.

**The State of Alabama.** Alabama is located in the southeastern part of the United States. It is bordered by Tennessee on the north, Georgia on the east, Florida and the Gulf of Mexico on the south, and Mississippi on the west. The state occupies a total area of 52,423 square miles including 1,673 square miles of water and it has a coastline

of 53 miles and a shoreline of 607 miles. It is the 30th largest state in terms of area. Based on 2000 census figures, it ranks 23rd among the states in population. The capital of the state is the city of Montgomery with a population of 201,568. Other major cities and their populations include Birmingham, 242,820; Mobile, 198,915; Huntsville, 158,216; Tuscaloosa, 77,906; Hoover, 62,742; Dothan, 57,737; Decatur, 53,929; Auburn, 42,987; and Gadsden, 38,978. The state is divided into 67 counties.

The territory was organized in March 1817, and became the 22nd state on December 14, 1819. Alabama's constitution was adopted in 1901, which provided for an elected governor and a bicameral legislature. Today the legislature is made up of 35 members in a senate and 105 members in a house of representatives. As with all states in the United States, it elects two senators to the U.S. Congress, but the number of elected representatives to the House of Representatives is based on population; for Alabama it is seven.

The economy of the state primarily consists of agricultural and farming products of poultry and eggs, cattle, nursery stock, peanuts, cotton, vegetables, milk and soybeans. Its industrial base consists of paper, lumber and wood products, mining, rubber and plastic products, transportation equipment, and clothing apparel. The estimated 2002 population was 4,486,508. The percentage breakdown of the 2000 census was 71.1% White, 26.0 % Black or African American, 0.5% American Indian and 0.7% Asian. Persons reporting some other race were 0.7% and those reporting two or more races were 1.0%. Hispanics, who may be of any race, were 1.7% of the people. The 2000 census indicated that the population age 18 and over was 74.7%, 65 and over was 13.0% and the median age was 35.8.

The law enforcement community in Alabama consists of at least 380 agencies with a combined total of about 10,311 full-time officers and over 5,156 civilians. A breakdown of the agencies by governmental level and personnel strength based on 2002 data is listed in Table 1-1. There were 394 law enforcement officers assaulted in 2002. Officers in the state must complete at least 480 hours of basic training and 12 hours of continuing education annually. There were 370 officers assaulted in 2002. Two officers were killed feloniously in the line of duty and two died accidentally during 2002.

Crime Index offenses for 2002 for the state of Alabama totaled 200,331, which was a rate of 4,465.2 per 100,000 inhabitants. The numbers of major index offenses by category are listed in Table 1-2. At least 195,820 arrests were made in 2002 for all categories of crimes, with 25,619 being for index offenses. Of the index offense arrests, 3,912 arrests (15.3%) were persons under the age of 18.

**Table 1-1. LAW ENFORCEMENT EMPLOYEE DATA, ALABAMA, 2002**

Type of Agency	Number of Agencies	Total Personnel	Sworn	Civilian
All Agencies	380	15,467	10,311	5,156
State Agencies	6	1,406	759	647
County Sheriff's Offices	67	4,399	2,329	2,070
City Police	290	9,210	6,941	2,269
University Police Departments	17	452	282	170

SOURCE: <http://acjic.state.al.us/SAC/cia02/02f-LawEnforcementEmployeeData.htm>

**Table 1-2. Crime Index Offenses, Alabama, 2002**

Index Offense Category	Number of Offenses
Murder	303
Rape	1,664
Robbery	5,962
Assault	12,002
Burglary	42,578
Larceny	123,932
Auto Theft	13,890
Total Violent	19,931
Total Property	180,400
Total Crime Index	200,331

SOURCE: FBI, *Crime in the United States, 2002*.

**The State of Alaska.** Alaska is located in the northwestern part of the North American continent. It is bordered by Canada on the east and south. Also on the south is the Gulf of Alaska and the Pacific Ocean. The Bering Sea is to the west and the Arctic Ocean is to the north. The state is approximately 1,480 miles long and 810 miles wide and is not contiguous to any other states of the country. Alaska encompasses about 658,002 square miles, of which 86,051 square miles are water. It has about 6,640 miles of coastline. It is the largest of the 50 states and more than twice the size of Texas, the second-largest state; but in terms of population, it ranks 48th. The capital of Alaska is Juneau with a population of about 31,262. Other major cities and their 2001 estimated populations include Anchorage, 261,446; Juneau, 31,262; Sitka, 8,788; Ketchikan, 8,295; Kenai, 7,039; Kodiak, 6,836; Wasilla, 5,568; Bethel, 5,449; and Barrow, 4,541. The state is divided into 16 boroughs. Alaska has 149 incorporated cities, including 12 home rule cities, 21 first-class cities and 116 second-class cities. There are 246 federally recognized tribal governments and one federal Indian reservation in the state.

On August 1, 1868, the United States purchased Alaska from Russia for \$7.2 million, about two cents an acre; "Seward's Folly" many called it, after Secretary of State William H. Seward who negotiated the purchase. It was a territory until January 3, 1959, when it became the 49th state of the United States. Alaska's constitution was ratified in 1956 and became fully operational upon statehood. Today the legislature is made up of 20 members in a senate and 40 members in a house of representatives. As with all states in the United States, it elects two senators to the U.S. Congress, but the number of elected representatives to the House of Representatives is based on population; for Alaska it is one.

The oil and gas industry is the largest component of Alaska's economy. Oil revenues supply nearly 85 percent of the state budget. Gold and other mining, food processing, lumber and wood products, and tourism are other major industries. Alaska contains half the nation's coal reserves, and its largest silver and zinc mines. The tourism industry is Alaska's second-largest primary employer. In terms of agriculture, the major products include seafood, nursery stock, dairy products, vegetables and livestock. The estimated 2002 population was 642,955. Nearly half of the state's residents live in Anchorage, and most of the people live along the coasts and the river valleys. Some sections of the Interior and Arctic Slope regions remain uninhabited. In 2000 some 66 percent of all Alaskans lived in areas classified as urban. The percentage breakdown of the 2000 census was 69.3% White, 3.5% Black or African American, 15.6% American Indian and Alaska Native (Eskimo), 4.0% Asian and 0.5% Native Hawaiian and Other Pacific Islander. Persons reporting two or more races on the 2000 census were 5.4%. Hispanics, who may be of any race, were 4.1 percent of the people. Persons age 18 or older was 69.6% and persons 65 years old and over was 5.7%. The median age was 34.2.

The law enforcement community of Alaska is quite diverse and a statistical summary is presented in Table 2-1. The Alaska State Police functions as the primary agency across the state. Most municipalities have their own police department and there are another 90–100 villages that have officers. The jurisdiction of many of the agencies is quite large. For example, the North Slope Borough Police Department (NSBPD) is the fourth-largest municipal law enforcement agency in Alaska; it provides law enforcement services to the predominately Inupiat Eskimo communities of Barrow (the borough seat), Kaktovik, Nuiqsut, Anaktuvuk Pass, Atkasuk, Wainwright, Point Lay, Point Hope and the oil industrial complex at Prudhoe Bay. In total, the NSBPD serves a population of about 12,600 over an area of 88,281 square miles—a region larger than all but ten of the fifty states of the United States.

**Table 2-1. LAW ENFORCEMENT EMPLOYEE DATA, ALASKA, 2002**

Type of Agency	Number of Agencies	Total Personnel	Sworn	Civilian
All Agencies	41	1,857	1,161	696
State Agency	1	585	341	244
Borough	2	70	39	31
City Police	34	1,075	668	407
University Police Departments	2	35	24	11
Airport Safety Departments	2	92	89	3

SOURCE: FBI, *Crime in the United States, 2002*.

Police officers are required to complete 400 hours of basic training and 40 hours of supervised field training. Village police officers must complete a minimum of 48 hours. There were 115 officers assaulted in 2002. No officers were killed feloniously in the line of duty but two died accidentally during 2002.

Crime Index offenses for 2002 for the state of Alaska totaled 27,745 which was a rate of 4,309.7 per 100,000 inhabitants. The numbers of index offenses by category are listed in Table 2-2. At least 31,730 persons were arrested in Alaska for all categories of crimes, with 5,626 being for index offenses. Of the index offense arrests, 2,212 arrests (39%) were persons under the age of 18.

**Table 2-2. Crime Index Offenses, Alaska, 2002**

<i>Index Offense Category</i>	<i>Number of Offenses</i>
Murder	33
Rape	511
Robbery	489
Aggravated Assault	2,594
Burglary	3,908
Larceny-Theft	17,739
Auto Theft	2,471
Total Violent	3,627
Total Property	24,118
Total Crime Index	27,745

SOURCE: FBI, *Crime in the United States, 2002*.

**The State of Arizona.** Arizona is located in the southwestern part of the continental United States. It is bordered by Utah to the north, New Mexico to the east, Nevada and California to the west, and the country of Mexico to the south. Arizona encompasses about 114,006 square miles of area including 364 square miles of water. It has no coastline. It is the sixth-largest of the

**Table 3-1. LAW ENFORCEMENT EMPLOYEE DATA, ARIZONA, 2002**

Type of Agency	Number of Agencies	Total Personnel	Sworn	Civilian
All Agencies	101	18,731	10,964	7,767
State Agencies	2	1,964	1,119	845
County	1	5,509	1,863	3,646
City Police	76	11,016	7,820	3,196
University Police Departments	8	242	162	80

SOURCE: FBI, *Crime in the United States, 2002*.

50 states. The capital of Arizona is Phoenix with a 2000 population of 1,321,045. Based on 2000 census figures, it ranks 20th among the states in population, but its growth rate from 1990 was 40%; and the growth from 1980 to 1990 was 35%. In addition to Phoenix, the other major cities and their 2000 populations are Tucson, 486,699; Mesa, 396,375; Glendale, 218,812; Scottsdale, 202,705; Chandler, 176,581; Tempe, 158,625; Gilbert, 109,697; Peoria, 108,364; Yuma, 77,515; and Flagstaff, 52,894. The state is divided into 15 counties.

Arizona was admitted to statehood on February 14, 1912, as the 48th state. The state legislature is made up of 30 senators and 60 representatives. As with all states in the United States, it elects two senators to the U.S. Congress, but the number of elected representatives to the House of Representatives is based on population; for Arizona it is six. Additionally, in the state, there are 12 tribal governments.

The major industries of the state are copper and other mining, electric equipment, transportation equipment, machinery, printing and publishing, food processing, electronics and tourism. The primary agricultural products are cattle, cotton, dairy products, lettuce, nursery stock and hay. The estimated population for 2002 was 5,164,982. The percentage breakdown of the 2000 census was 75.5% White, 3.1% Black or African American, 5.0% American Indian, 1.8% Asian and 0.1% Native Hawaiian and Other Pacific Islander. Persons reporting some other race were 11.6% and those reporting two or more races on the 2000 census were 2.9%. Hispanics, who may be of any race, were 25.3% of the population in 2000. Persons age 18 or older was 73.4% and persons 65 years old and over was 13.0%. The median age was 34.2.

All police officers must complete 585 hours of mandatory training. There were 2,201 officers assaulted in 2002, with personal injuries sustained in 17.1% of the

assaults. Three officers were killed in the line of duty during 2002 (Department of Public Safety, 2003).

Crime Index offenses for 2002 for the state of Arizona totaled 348,467, which was a rate of 6,386.3 per 100,000 inhabitants. The numbers of index offenses by category are listed in Table 3-2. At least 298,631 arrests were made in Arizona in 2002 for all categories of crimes, with 48,900 being for index offenses. Of the index offense arrests, 13,508 arrests (27.6%) were persons under the age of 18.

**Table 3-2. Crime Index Offenses, Arizona, 2002**

<i>Index Offense Category</i>	<i>Number of Offenses</i>
Murder	387
Forcible Rape	1,608
Robbery	8,000
Aggravated Assault	20,176
Burglary	59,087
Larceny-Theft	201,541
Auto Theft	57,668
Total Violent	30,171
Total Property	318,296
Total Crime Index	348,467

SOURCE: FBI, *Crime in the United States, 2002*.

**The State of Arkansas.** Arkansas is located in the south-central part of the continental United States. It is bordered by Missouri to the north, Tennessee and Mississippi to the east, Louisiana to the south, and Oklahoma and Texas to the west. Arkansas encompasses about 53,182 square miles including 1,107 square miles of water. The Mississippi River flows the entire length of its eastern border. It is the 28th largest of the 50 states. The capital of Arkansas is Little Rock with a 2000 population of 183,133. Based on 2000 census figures, it ranks 33rd among the states in population. In addition to Little Rock, the other major cities and their 2000 populations are Fort Smith, 80,268; North Little Rock, 60,433; Fayetteville, 58,047; Jonesboro, 55,515; Pine Bluff, 55,085; Springdale, 45,798; Conway, 43,167; Rogers, 38,829; and Hot Springs, 35,750. The state is divided into 75 counties.

Arkansas was admitted to statehood on June 15, 1836, as the 25th state. It was organized as a territory in March 1819. The state legislature, the General Assembly, is made up of 35 senators and 100 representatives. Its present constitution was adopted in 1874. As with all states in the United States, it elects two senators to the U.S. Congress, but the number of elected representatives to the House of Representatives is based on population; for Arkansas it is four.

**Table 4-1. LAW ENFORCEMENT EMPLOYEE DATA, ARKANSAS, 2002**

Type of Agency	Number of Agencies	Total Personnel	Sworn	Civilian
All Agencies	207	8,373	5,569	2,804
State Agencies	1	735	505	230
County Sheriff's Offices	75	3,105	1,606	1,499
City Police	121	4,332	3,296	1,036
University Police Departments	10	201	162	39

SOURCE: FBI, *Crime in the United States, 2002*, and correspondence with Arkansas State Police.

Until the 1950s, Arkansas was primarily an agricultural state, but since then the economy has been dominated by manufacturing, services, and tourism. The major industries of the state are food processing, electric equipment, fabricated metal products, machinery, paper products, bromine, and vanadium. The primary agricultural products are poultry and eggs, soybeans, sorghum, cattle, cotton, rice, hogs, and milk. The estimated population for 2002 was 2,673,400. The percentage breakdown of the 2000 census was 80% White, 15.7% Black or African American, 0.7% American Indian, 0.8% Asian and 0.1% Native Hawaiian and Other Pacific Islander. Persons reporting some other race were 1.5% and those reporting two or more races on the 2000 census were 1.2%. Hispanics, who may be of any race, were 3.2% of the population in 2000. Persons age 18 or older was 74.6% and persons 65 years old and over was 14.0%. The median age was 34.2.

The law enforcement community in Arkansas consists of over 207 agencies employing about 5,569 officers according to data reported to the FBI (see Table 4-1). All police officers must complete 432 hours of mandatory training. There were 295 officers assaulted in 2002. One officer was killed feloniously in the line of duty during 2002 and one died accidentally.

Crime Index offenses for 2002 for the state of Arkansas totaled 112,672 which was a rate of 4,157.5 per 100,000 inhabitants. The numbers of index offenses by category are listed in Table 4-2. At least 107,467 arrests were made in Arkansas for all categories of crimes, with 11,877 being for index offenses. Of the index offense arrests, 2,517 arrests (21.2%) were persons under the age of 18.

**Table 4-2. Crime Index Offenses, Arkansas, 2002**

<i>Index Offense Category</i>	<i>Number of Offenses</i>
Murder	142
Forcible Rape	754

*United States*

Robbery	2,524
Aggravated Assault	8,081
Burglary	23,229
Larceny-Theft	71,129
Auto Theft	6,813
Total Violent	11,501
Total Property	101,171
Total Crime Index	112,672

SOURCE: FBI, *Crime in the United States, 2002*.

**The State of California.** California is located in the western part of the continental United States. It is bordered by Oregon to the north, Nevada and Arizona to the east, the country of Mexico to the south, and the Pacific Ocean to the west. California encompasses about 163,707 square miles, including 7,734 square miles of water. Its coastline is about 840 miles and shoreline is about 3,427 miles. It is the third-largest of the 50 states. The capital of California is Sacramento with a 2000 population of 407,018. In addition to Sacramento, the other major cities and their 2000 populations are Los Angeles, 3,694,820; San Diego, 1,223,400; San Jose, 894,943; San Francisco, 776,733; Long Beach, 461,522; Fresno, 427,652; Oakland, 399,484; Santa Ana, 337,977; and Anaheim, 328,014. The state is divided into 58 counties.

California was admitted to statehood on September 9, 1850, as the 31st state. The state legislature is made up of 40 senators and 80 assembly members. Its present constitution was adopted in 1879. As with all states in the United States, it elects two senators to the U.S. Congress, but the number of elected representatives to the House of Representatives is based on population; for California it is 53.

The major industries of the state are electronic components and equipment, aerospace, film production, food processing, petroleum, computers and computer software and tourism. The primary agricultural products are vegetables, fruits and nuts, dairy products, cattle, nursery stock and grapes. The estimated population for 2002 was 35,116,033, making it the most populous state in the country. The percentage breakdown of the 2000 census was 59.5% White, 6.7% Black or African American, 1.0% American Indian, 10.9% Asian and 0.3% Native Hawaiian and Other Pacific Islander. Persons reporting some other race were 16.8% and those reporting two or more races on the 2000 census were 4.7%. Hispanics, who may be of any race, were 32.4% of the population in 2000. Persons age 18 or older was 72.7% and persons

**Table 5-1. LAW ENFORCEMENT EMPLOYEE DATA, CALIFORNIA, 2002**

Type of Agency	Number of Agencies	Total Personnel	Sworn	Civilian
All Agencies	462	113,827	74,174	39,653
State Agencies	10	11,468	7,868	3,600
County Sheriff's Offices	58	46,582	26,965	19,617
City Police	339	53,832	38,099	15,733
University Police Departments	47	1,332	806	526
Other Agencies	8	613	436	177

SOURCE: FBI, *Crime in the United States, 2002*.

65 years old and over was 10.6%. The median age was 33.3. Foreign-born persons were 26.2%.

The law enforcement community in California consists of at least 462 agencies employing about 74,174 officers according to data submitted to the FBI (see Table 5-1). Full-time peace officers must complete a minimum of 664 hours of mandatory basic training and an in-service requirement of 24 hours biannually. There were 6,893 officers assaulted in 2002 in California. Four officers were killed in the line of duty during 2002 and 6 were accidentally killed.

Crime Index offenses for 2002 for the state of California totaled 1,384,872, which was a rate of 3,943.7 per 100,000 inhabitants. The numbers of index offenses by category are listed in Table 5-2. At least 1,412,566 arrests were made in California for all categories of crimes, with 298,772 being for index offenses. Of the index offense arrests, 66,812 arrests (22.3%) were persons under the age of 18.

**Table 5-2. Crime Index Offenses, California, 2002**

<i>Index Offense Category</i>	<i>Number of Offenses</i>
Murder	2,395
Forcible Rape	10,198
Robbery	64,968
Aggravated Assault	130,827
Burglary	238,428
Larceny-Theft	715,692
Auto Theft	222,364
Total Violent	208,388
Total Property	1,176,484
Total Crime Index	1,384,872

SOURCE: FBI, *Crime in the United States, 2002*.

**The State of Colorado.** Colorado is located in the west-central part of the continental United States. It is

bordered by Wyoming to the north, Nebraska to the northeast, Kansas to the east, Oklahoma to the southeast, New Mexico to the south, and Utah to the west. Colorado encompasses about 104,100 square miles, including 371 square miles of water. It is the eighth largest of the 50 states. Based on 2000 census figures, it ranks 24th among the states in population. The capital of Colorado is Denver with a 2000 population of 554,636. The other major cities and their 2000 populations are Colorado Springs, 360,890; Aurora, 276,393; Lakewood, 144,126; Fort Collins, 118,652; Arvada, 102,153; Pueblo, 102,121; Westminster, 100,940; Boulder, 94,673; and Thornton, 82,384. The state is divided into 63 counties.

Colorado was admitted to statehood on August 1, 1876, as the 38th state. It was organized as a territory in February 1861. Its present constitution was adopted in 1876. The state legislature is called the General Assembly and is made up of 35 senators and 65 representatives. As with all states in the United States, it elects two senators to the U.S. Congress, but the number of elected representatives to the House of Representatives is based on population; for Colorado it is seven.

The major industries of the state are scientific instruments, food processing, transportation equipment, machinery, chemical products, gold and other mining, and tourism. The primary agricultural products are cattle, wheat, dairy products, corn, and hay. The estimated population for 2002 was 4,506,542 with about 84 percent of the people living in areas defined as urban. The percentage breakdown of the 2000 census was 82.8% White, 3.8% Black or African American, 1.0% American Indian, 2.2% Asian and 0.1% Native Hawaiian and Other Pacific Islander. Persons reporting some other race were 7.2% and those reporting two or more races on the 2000 census were 2.8%. Hispanics, who may be of any race, were 17.1% of the population in 2000. Persons age 18 or older was 74.4% and persons 65 years old and over was 9.7%. The median age was 34.3.

The law enforcement community in Colorado consists of at least 233 agencies employing about 10,704 officers according to data reported to the FBI (see Table 6-1). All full-time peace officers must complete 445 hours of mandatory training; reserve officers must complete a minimum of 164 hours. There were 845 officers assaulted in 2002. No officers were killed feloniously in the line of duty during 2002; one died accidentally.

Crime Index offenses for 2002 for the state of Colorado totaled 195,936, which was a rate of 4,347.8 per 100,000 inhabitants. The numbers of index offenses

**Table 6-1. LAW ENFORCEMENT EMPLOYEE DATA, COLORADO, 2002**

Type of Agency	Number of Agencies	Total Personnel	Sworn	Civilian
All Agencies	233	15,489	10,704	4,785
State Agencies	3	1,016	761	255
County Sheriff's Offices	63	5,809	3,632	2,177
City Police	154	8,370	6,130	2,240
University Police Departments	13	294	181	113

SOURCE: FBI, *Crime in the United States, 2002*.

by category are listed in Table 6-2. At least 222,108 arrests were made in 2002 for all categories of crimes, with 33,788 being for index offenses. Of the index offense arrests, 10,300 arrests (30.5%) were persons under the age of 18.

**Table 6-2. Crime Index Offenses, Colorado, 2002**

<i>Index Offense Category</i>	<i>Number of Offenses</i>
Murder	179
Forcible Rape	2,066
Robbery	3,579
Aggravated Assault	10,058
Burglary	31,678
Larceny-Theft	125,193
Auto Theft	23,183
Total Violent	15,882
Total Property	180,054
Total Crime Index	195,936

SOURCE: FBI, *Crime in the United States, 2002*.

**The State of Connecticut.** Connecticut is located in the northeastern part of the continental United States, commonly referred to as New England. It was one of the original thirteen colonies. It is bordered by Massachusetts to the north, Rhode Island to the east, the Atlantic Ocean to the south, and New York to the west. Connecticut encompasses about 5,544 square miles, including 698 square miles of inland and coastal water area. Its shoreline extends 618 miles. It is the 48th largest of the 50 states. Based on 2000 census figures, it ranks 29th among the states in population. The capital of Connecticut is Hartford with a 2000 population of 121,578. The other major cities and their 2000 populations are Bridgeport, 139,529; New Haven, 123,626; Stamford, 117,083; Waterbury, 107,271; Norwalk, 82,951; Danbury, 74,848; New Britain, 71,538; West Hartford, 63,589; and Greenwich, 61,101. The state historically

**Table 7-1. LAW ENFORCEMENT EMPLOYEE DATA, CONNECTICUT, 2002**

Type of Agency	Number of Agencies	Total Personnel	Sworn	Civilian
All Agencies	97	9,741	7,788	1,953
State Agencies	2	1,825	1,272	553
City Police	88	7,634	6,301	1,333
University Police Departments	7	282	215	67

SOURCE: FBI, *Crime in the United States, 2002*.

was divided into 8 counties; however, county government was officially abolished in 1960.

Connecticut was the fifth of the original 13 states ratifying the Constitution of the United States on January 9, 1788. Settlement in Connecticut dates from the 1630s. The state legislature, the General Assembly, is made up of 36 senators and 151 representatives. The present constitution was adopted on December 30, 1965. As with all states in the United States, it elects two senators to the U.S. Congress, but the number of elected representatives to the House of Representatives is based on population; for Connecticut it is five.

The major industries of the state are related to transportation equipment, machinery, electric equipment, aircraft engines, spacecraft equipment, fabricated metal products, chemical products, and scientific instruments. The primary agricultural products are nursery stock, eggs, dairy products, and cattle. The insurance industry is the primary revenue producer for the state's economy. The estimated 2002 population for Connecticut was 3,460,503. The percentage breakdown of the 2000 census was 81.6% White, 9.1% Black or African American, 0.3% American Indian and 2.4% Asian. Persons reporting some other race were 4.3% and those reporting two or more races on the 2000 census were 2.2%. Hispanics, who may be of any race, were 9.4% of the population in 2000. Persons age 18 or older was 75.3% and persons 65 years old and over was 13.8%. The median age was 37.4.

The law enforcement community in Connecticut consists of at least 97 agencies employing about 7,788 officers according to data reported to the FBI (see Table 7-1). All police officers must complete a minimum of 646 hours of training plus physical assessments and 400 hours of department field training. There were 507 officers assaulted in 2002. No officers were killed feloniously in the line of duty nor died accidentally during 2002.

Crime Index offenses for 2002 for the state of Connecticut totaled 103,719, which was a rate of 2,997.2 per 100,000 inhabitants. The numbers of index offenses by category are listed in Table 7-2. At least 99,005 arrests were made in 2002 for all categories of crimes, with 17,013 being for index offenses. Of the index offense arrests, 3,795 arrests (22.3%) were persons under the age of 18.

**Table 7-2. Crime Index Offenses, Connecticut, 2002**

Index Offense Category	Number of Offenses
Murder	80
Forcible Rape	730
Robbery	4,060
Aggravated Assault	5,897
Burglary	17,088
Larceny-Theft	64,292
Auto Theft	11,572
Total Violent	10,767
Total Property	92,952
Total Crime Index	103,719

SOURCE: FBI, *Crime in the United States, 2002*.

**The State of Delaware.** Delaware is located in the northeastern part of the continental United States, commonly referred to as New England. It was one of the original thirteen colonies. It is bordered by Pennsylvania to the north, the Delaware Bay and Atlantic Ocean to the east, and Maryland to the south and the west. The state of New Jersey is across the Delaware Bay to the east. Delaware encompasses only 2,489 square miles of area of which 535 square miles are water. It has 28 miles of coastline and 381 miles of shoreline. It is the 49th largest of the 50 states. Based on 2000 census figures, it ranks 45th among the states in population. The capital of Delaware is Dover with a 2000 population of 32,135. The other major cities and their 2000 populations are Wilmington, 72,664; Newark, 28,547; Milford, 6,732; Seaford, 6,699; Middletown, 6,161; Elsmere, 5,800; Smyrna, 5,679; New Castle, 4,862; and Georgetown, 4,643. The state is divided into three counties.

Delaware was the first of the original 13 states ratifying the Constitution of the United States on December 7, 1787. The state legislature, the General Assembly, is made up of 21 senators and 41 representatives. The present constitution was adopted in 1897. As with all states in the United States, it elects two senators to the U.S. Congress, but the number of elected representatives to the House of Representatives is based on population; for Delaware it is one because of its small size and population.



**Table 8-1. LAW ENFORCEMENT EMPLOYEE DATA, DELAWARE, 2002**

Type of Agency	Number of Agencies	Total Personnel	Sworn	Civilian
All Agencies	51	3,101	2,206	895
State Agencies	15	1,651	1,149	502
County Sheriff's Offices	1	532	335	197
City Police	34	842	676	166
University Police Departments	1	76	46	30

SOURCE: FBI, *Crime in the United States, 2002*.

The major industries of the state include chemical products, food processing, paper products, rubber and plastic products, scientific instruments, printing, and publishing. The primary agricultural products are poultry, nursery stock, soybeans, dairy products, and corn. The estimated population for 2002 was 807,385. The percentage breakdown of the 2000 census was 74.6% White, 19.2% Black or African American, 0.3% American Indian and 2.1% Asian. Persons reporting some other race were 2.0% and those reporting two or more races on the 2000 census were 1.7%. Hispanics, who may be of any race, were 4.8% of the population in 2000. Persons age 18 or older was 75.2% and persons 65 years old and over was 13.0%. The median age was 36.0.

The law enforcement community in Delaware consists of at least 51 agencies employing about 2,206 officers according to data reported to the FBI (see Table 8-1). All full-time peace officers must complete 22 weeks (about 880 hours) of basic training and they have a 16-hour in-service training requirement annually. There were 419 officers assaulted in 2002. No officers were killed feloniously in the line of duty nor died accidentally during 2002.

Crime Index offenses for 2002 for the state of Delaware totaled 31,803 which was a rate of 3,939.0 per 100,000 inhabitants. The numbers of index offenses by category are listed in Table 8-2. At least 25,217 arrests were made in 2002 for all categories of crimes, with 4,986 being for index offenses. Of the index offense arrests, 1,288 arrests (25.8%) were persons under the age of 18.

**Table 8-2. Crime Index Offenses, Delaware, 2002**

<i>Index Offense Category</i>	<i>Number of Offenses</i>
Murder	26
Forcible Rape	358
Robbery	1,154
Aggravated Assault	3,298

Burglary	5,355
Larceny-Theft	18,555
Auto Theft	3,057
Total Violent	4,836
Total Property	26,967
Total Crime Index	31,803

SOURCE: FBI, *Crime in the United States, 2002*.

**The State of Florida.** Florida is located in the southeastern part of the continental United States. The Florida peninsula is a sizable landmass that juts out into the Atlantic Ocean. Most of the state is surrounded by water that includes the Gulf of Mexico to the west. The states of Georgia and Alabama border Florida to the north. The state encompasses 65,758 square miles of area, including 11,761 square miles of water. It has 1,350 miles of coastline and 8,426 miles of shoreline. It is the 22nd largest of the 50 states. Based on 2000 census figures, it ranks fourth among the states in population. The capital of Florida is Tallahassee with a 2000 population of 150,624. The other major cities and their 2000 populations are Jacksonville, 735,617; Miami, 362,470; Tampa, 303,447; St. Petersburg, 248,232; Hialeah, 226,419; Orlando, 185,951; Fort Lauderdale, 152,397; Hollywood, 139,357; and Pembroke Pines, 137,427. The state is divided into 67 counties.

Florida became the 27th state on March 3, 1845. It was organized as a territory in March 1821. The state legislature is made up of 41 senators and 120 representatives. The present constitution was adopted in 1969. As with all states in the United States, it elects two senators to the U.S. Congress, but the number of elected representatives to the House of Representatives is based on population; for Florida it is 25.

The major industries of the state include tourism, electric equipment, food processing, printing and publishing, transportation equipment, and machinery. The primary agricultural products are citrus, vegetables, nursery stock, cattle, sugarcane, and dairy products. The estimated population for 2002 was 16,713,149. The percentage breakdown of the 2000 census was 78.0% White, 14.6% Black or African American, 0.3% American Indian, 0.1% Native Hawaiian and Other Pacific Islander and 1.7% Asian. Persons reporting some other race were 3.0% and those reporting two or more races on the 2000 census were 2.4%. Hispanics, who may be of any race, were 16.8% of the population in 2000. Persons age 18 or older was 77.2% and persons 65 years old and over was 17.6%. The median age was 38.7.

**Table 9-1. LAW ENFORCEMENT EMPLOYEE DATA, FLORIDA, 2002**

Type of Agency	Number of Agencies	Total Personnel	Sworn	Civilian
All Agencies	407	69,762	41,511	28,251
State Agencies	28	3,617	2,777	840
County Sheriff's Offices	66	38,571	19,060	19,511
City Police	284	25,850	18,480	7,370
University Police Departments	16	690	460	230
Other Agencies	13	1,034	734	300

SOURCE: FBI, *Crime in the United States, 2002*.

The law enforcement community in Florida consists of at least 407 agencies employing about 41,511 officers according to data submitted to the FBI (see Table 9-1). All full-time peace officers must complete 672 hours of mandatory basic training and 40 hours of in-service every four years. There were 8,628 officers assaulted in 2002. One officer was killed feloniously in the line of duty and two died accidentally during 2002.

Crime Index offenses for 2002 for the state of Florida totaled 905,957, which was a rate of 5,420.6 per 100,000 inhabitants. The numbers of index offenses by category are listed in Table 9-2. At least 912,998 arrests were made in 2002 for all categories of crimes, with 182,530 being for index offenses. Of the index offense arrests, 47,936 arrests (26.3%) were persons under the age of 18.

**Table 9-2. Crime Index Offenses, Florida, 2002**

Index Offense Category	Number of Offenses
Murder	911
Forcible Rape	6,753
Robbery	32,581
Aggravated Assault	88,476
Burglary	177,242
Larceny-Theft	511,478
Auto Theft	88,516
Total Violent	128,721
Total Property	777,236
Total Crime Index	905,957

SOURCE: FBI, *Crime in the United States, 2002*.

**The State of Georgia.** Georgia is located in the southeastern part of the continental United States. The state of Florida borders Georgia to the south, Alabama to the west, Tennessee and North Carolina to the north, South Carolina to the northeast, and the Atlantic Ocean on the east. The state

encompasses 59,441 square miles of area, including 1,522 square miles of water. It has 100 miles of coastline and 2,344 miles of shoreline. It is the 24th largest of the 50 states. Based on 2000 census figures, it ranks tenth among the states in population. The capital of Georgia is Atlanta with a 2000 population of 416,474. The other major cities and their 2000 populations are Augusta-Richmond County, 199,775; Columbus, 186,291; Savannah, 131,510; Athens-Clarke County, 101,489; Macon, 97,255; Roswell, 79,334; Albany, 76,939; Marietta, 58,748; and Warner Robins, 48,804. The state is divided into 159 counties.

Georgia was founded in 1733, and was the last of the 13 original English colonies to be established in the United States. Georgia became the fourth state on January 2, 1788. The state legislature, the General Assembly is made up of 56 senators and 180 representatives. The present constitution was adopted in 1982. As with all states in the United States, it elects two senators to the U.S. Congress, but the number of elected representatives to the House of Representatives is based on population; for Georgia it is 13.

The major industries of the state include textiles and apparel, transportation equipment, food processing, paper products, chemical products, electric equipment, and tourism; it is the center of the world carpet industry. The primary agricultural products are poultry and eggs, peanuts, cattle, hogs, dairy products, and vegetables. The estimated population for 2002 was 4,188,014. The percentage breakdown of the 2000 census was 65.1% White, 28.7% Black or African American, 0.3% American Indian, 0.1% Native Hawaiian and Other Pacific Islander and 2.1% Asian. Persons reporting some other race were 2.4% and those reporting two or more races on the 2000 census were 1.4%. Hispanics, who may be of any race, were 5.3% of the population in 2000. Persons age 18 or older was 73.5% and persons 65 years old and over was 9.6%. The median age was 33.2.

The law enforcement community in Georgia consists of at least 431 agencies employing about 18,753 officers according to data submitted to the FBI (see Table 10-1). All full-time peace officers must complete 404 hours of mandatory basic training and 20 hours of in-service training annually. There were 1,068 officers assaulted in 2002. One officer was killed feloniously in the line of duty and two died accidentally during 2002.

Crime Index offenses for 2002 for the state of Georgia totaled 385,830 which was a rate of 4,507.2 per 100,000 inhabitants. The numbers of index offenses by category are listed in Table 10-2. At least 232,233 arrests were made in 2002 for all categories of crimes, with 39,589 being for index offenses. Of the index

**Table 10-1. LAW ENFORCEMENT EMPLOYEE DATA, GEORGIA, 2002**

Type of Agency	Number of Agencies	Total Personnel	Sworn	Civilian
All Agencies	431	26,651	18,753	7,898
State Agencies	15	3,006	1,630	1,376
County Sheriff's Offices	118	13,215	8,888	4,327
City Police	253	9,322	7,201	2,121
University Police Departments	31	524	524	0
Other Agencies	14	584	510	74

SOURCE: FBI, *Crime in the United States, 2002*.

offense arrests, 7,792 arrests (19.73%) were persons under the age of 18.

**Table 10-2. Crime Index Offenses, Georgia, 2002**

<i>Index Offense Category</i>	<i>Number of Offenses</i>
Murder	606
Forcible Rape	2,108
Robbery	13,432
Aggravated Assault	23,125
Burglary	73,932
Larceny-Theft	234,591
Auto Theft	38,036
Total Violent	39,271
Total Property	346,559
Total Crime Index	385,830

SOURCE: FBI, *Crime in the United States, 2002*.

**The State of Hawaii.** Hawaii is located in the Pacific Ocean approximately 2,400 miles west-southwest of San Francisco, California. The state consists of a 1,523-mile chain of islets and eight main islands—Hawaii, Kahoolawe, Maui, Lanai, Molokai, Oahu, Kauai, and Niihau. The state encompasses 10,932 square miles of area, including 4508 square miles of water. It has 750 miles of coastline and 1,052 miles of shoreline. It is the 43rd largest of the 50 states. Based on 2000 census figures, it ranks 42nd among the states in population. The capital of Hawaii is Honolulu with a 2000 population of 371,657. The other major cities and their 2000 populations are Hilo, 40,759; Kailua, 36,513; Kaneohe, 34,970; Waipahu, 33,108; Pearl City, 30,976; Waimalu, 29,371; Mililani Town, 28,608; Kahului, 20,146; and Kihei, 16,749. The state is divided into five counties.

Hawaii became the 50th state on August 21, 1959. It was organized as a territory of the United States in 1900, one year after it was annexed. The state legislature is made up of 25 senators and 51 representatives. The present constitution was adopted in 1950 but did not

**Table 11-1. LAW ENFORCEMENT EMPLOYEE DATA, HAWAII, 2002**

Type of Agency	Number of Agencies	Total Personnel	Sworn	Civilian
All Agencies	4	3,553	2,799	754
County Offices	3	1,098	826	272
City & County of Honolulu	1	2,455	1,973	482

SOURCE: FBI, *Crime in the United States, 2002*.

become effective until statehood in 1959. As with all states in the United States, it elects two senators to the U.S. Congress, but the number of elected representatives to the House of Representatives is based on population; for Hawaii it is two.

The major industries of the state include tourism, food processing, apparel, fabricated metal products, stone, clay, and glass products. The primary agricultural products are sugarcane, pineapples, nursery stock, live-stock, and macadamia nuts. The estimated population for 2002 was 1,244,898. The percentage breakdown of the 2000 census was 24.3% White, 1.8% Black or African American, 0.3% American Indian, 9.4% Native Hawaiian and Other Pacific Islander and 41.6% Asian. Persons reporting some other race were 1.3% and those reporting two or more races on the 2000 census were 21.4%. Hispanics, who may be of any race, were 7.2% of the population in 2000. Persons age 18 or older was 75.6% and persons 65 years old and over was 13.3%. The median age was 36.2.

The law enforcement community in Hawaii consists of four agencies employing about 2,799 officers according date reported to the FBI (see Table 11-1). There were 223 officers assaulted in 2002. No officer was killed feloniously in the line of duty nor died accidentally during 2002.

Crime Index offenses for 2002 for the state of Hawaii totaled 75,238, which was a rate of 6,043.6 per 100,000 inhabitants. The numbers of index offenses by category are listed in Table 11-2. At least 45,929 arrests were made in 2002 for all categories of crimes, with 6,970 being for index offenses. Of the index offense arrests, 1,997 arrests (28.6%) were persons under the age of 18.

**Table 11-2. Crime Index Offenses, Hawaii, 2002**

<i>Index Offense Category</i>	<i>Number of Offenses</i>
Murder	24
Forcible Rape	372
Robbery	1,210
Aggravated Assault	1,656

*United States*

Burglary	12,722
Larceny-Theft	49,344
Auto Theft	9,910
Total Violent	3,262
Total Property	71,976
Total Crime Index	75,238

SOURCE: FBI, *Crime in the United States, 2002*.

**The State of Idaho.** Idaho is located in the northwestern part of the continental United States. It is bordered on the northeast by Montana, the east by Wyoming, the south by Utah and Nevada, the west by Oregon and Washington, and the north by the country of Canada. The state encompasses 83,574 square miles of area, including 823 square miles of water. It is the 14th largest of the 50 states. Based on 2000 census figures, it ranks 39th among the states in population. The capital of Idaho is Boise with a 2000 population of 185,787. The other major cities and their 2000 populations are Nampa, 51,867; Pocatello, 51,466; Idaho Falls, 50,730; Meridian, 34,919; Coeur d'Alene, 34,514; Twin Falls, 34,469; Lewiston, 30,904; Caldwell, 25,967; and Moscow, 21,291. The state is divided into 44 counties.

Idaho was organized as a territory in March 1863 and became the 43rd state on July 3, 1890. The state legislature is made up of 35 senators and 70 representatives. The present constitution was adopted in 1890. As with all states in the United States, it elects two senators to the U.S. Congress, but the number of elected representatives to the House of Representatives is based on population; for Idaho, it is two.

The major industries of the state include food processing, lumber and wood products, machinery, chemical products, paper products, silver and other mining, and tourism. The primary agricultural products are cattle, potatoes, dairy products, wheat, sugar beets, and barley. The estimated population for 2002 was 1,341,131. The percentage breakdown of the 2000 census was 91.0% White, 0.4% Black or African American, 1.4% American Indian and 0.9% Asian. Persons reporting some other race were 4.2% and those reporting two or more races on the 2000 census were 2.0%. Hispanics, who may be of any race, were 7.9% of the population in 2000. Persons age 18 or older was 71.5% and persons 65 years old and over was 11.3%. The median age was 33.2.

The law enforcement community in Idaho consists of at least 114 agencies employing about 2,358 officers according to data reported to the FBI (see Table 12-1). All full-time peace officers must complete 427 hours of mandatory basic academy training and

**Table 12-1. LAW ENFORCEMENT EMPLOYEE DATA, IDAHO, 2002**

Type of Agency	Number of Agencies	Total Personnel	Sworn	Civilian
All Agencies	114	3,502	2,358	1,144
State Agencies	13	330	250	80
County Sheriff's Offices	41	1,567	855	712
City Police	60	1,605	1,253	352

SOURCE: FBI, *Crime in the United States, 2002*.

40 hours of agency field training. There were 191 officers assaulted in 2002. No officer was killed feloniously in the line of duty or died accidentally during 2002.

Crime Index offenses for 2002 for the state of Idaho totaled 42,547, which was a rate of 3,172.5 per 100,000 inhabitants. The numbers of index offenses by category are listed in Table 12-2. At least 72,595 arrests were made in 2002 for all categories of crimes, with 9,121 being for index offenses. Of the index offense arrests, 4,004 (43.9%) were persons under the age of 18.

**Table 12-2. Crime Index Offenses, Idaho, 2002**

<i>Index Offense Category</i>	<i>Number of Offenses</i>
Murder	36
Forcible Rape	497
Robbery	240
Aggravated Assault	2,646
Burglary	7,441
Larceny-Theft	29,060
Auto Theft	2,627
Total Violent	3,419
Total Property	39,128
Total Crime Index	42,547

SOURCE: FBI, *Crime in the United States, 2002*.

**The State of Illinois.** Illinois is located in the north central portion of the continental United States. It is bordered to the north by the state of Wisconsin, to the northeast by Lake Michigan, to the east by Indiana, to the southeast across the Ohio River is Kentucky and to the southwest and west across the Mississippi River are Missouri and Iowa. The state encompasses 57,918 square miles of area, including 4,508 square miles of inland water. It is the 25th largest of the 50 states. Based on 2000 census figures, it ranks fifth among the states in population. The capital of Illinois is Springfield with a 2000 population of

**Table 13-1. LAW ENFORCEMENT EMPLOYEE DATA, ILLINOIS, 2002**

Type of Agency	Number of Agencies	Total Personnel	Sworn	Civilian
All Agencies	751	50,441	36,389	14,052
State Agencies	5	4,238	2,444	1,794
County Sheriff's Offices	102	12,257	5,589	6,668
City Police	610	33,043	27,680	5,363
University Police Departments	29	721	508	213
Forest Preserve/Park Agencies	5	182	168	14

SOURCE: FBI, *Crime in the United States, 2002*.

111,454. The other major cities and their 2000 populations are Chicago, 2,896,016; Rockford, 150,115; Aurora, 142,990; Naperville, 128,358; Peoria, 112,936; Joliet, 106,221; Elgin, 94,487; Waukegan, 87,901; and Cicero, 85,616. The state is divided into 102 counties.

Illinois became the 21st state on December 3, 1818. It was organized as a territory in February 1809. The state legislature, the General Assembly, is made up of 59 senators and 118 representatives. The present constitution was adopted in 1970. As with all states in the United States, it elects two senators to the U.S. Congress, but the number of elected representatives to the House of Representatives is based on population; for Illinois it is 19.

The major industries of the state include machinery, food processing, electric equipment, chemical products, printing and publishing, fabricated metal products, transportation equipment, petroleum, and coal. The primary agricultural products are corn, soybeans, hogs, cattle, dairy products, and wheat. The estimated population for 2002 was 12,600,620. The percentage breakdown of the 2000 census was 73.5% White, 15.1% Black or African American, 0.2% American Indian, and 3.4% Asian. Persons reporting some other race were 5.8% and those reporting two or more races on the 2000 census were 1.9%. Hispanics, who may be of any race, were 12.3% of the population in 2000. Persons age 18 or older was 73.9% and persons 65 years old and over was 12.1%. The median age was 34.7.

The law enforcement community in Illinois consists of at least 751 agencies employing about 36,389 officers according data reported to the FBI (see Table 13-1). All full-time peace officers must complete a minimum of 400 hours of mandatory training, although there is an optional 480-hour course. Two officers were killed feloniously in the line of duty and two died accidentally during 2002.

Crime Index offenses for 2002 for the state of Illinois totaled 506,086, which was a rate of 4,016.4 per 100,000 inhabitants. The numbers of index offenses by category are listed in Table 13-2. At least 199,430 arrests were made in 2002 for all categories of crimes, with 41,490 being for index offenses. Of the index offense arrests, 10,983 arrests (26.5%) were persons under the age of 18.

**Table 13-2. Crime Index Offenses, Illinois, 2002**

Index Offense Category	Number of Offenses
Murder	949
Forcible Rape	4,298
Robbery	25,272
Aggravated Assault	47,695
Burglary	81,123
Larceny-Theft	301,892
Auto Theft	44,857
Total Violent	78,214
Total Property	427,872
Total Crime Index	506,086

SOURCE: FBI, *Crime in the United States, 2002*.

**The State of Indiana.** Indiana is located in the north-central portion of the continental United States. It is bordered to the northeast by Lake Michigan, to the north by the state of Michigan, to the east by Ohio, to the southeast and south across the Ohio River by Kentucky, and to the west by Illinois. The state encompasses 36,420 square miles of area, including 550 square miles of inland water. It is the 38th largest of the 50 states. Based on 2000 census figures, it ranks 14th among the states in population. The capital of Indiana is Indianapolis with a 2000 population of 791,926. The other major cities and their 2000 populations are Fort Wayne, 205,727; Evansville, 121,582; South Bend, 107,789; Gary, 102,746; Hammond, 83,048; Bloomington, 69,291; Muncie, 67,430; Anderson, 59,734; and Terre Haute, 59,614. The state is divided into 92 counties.

Indiana became the 19th state on December 11, 1816. It was organized as a territory in May 1800. The state legislature, the General Assembly, is made up of 50 senators and 100 representatives. The present constitution was adopted in 1851. As with all states in the United States, it elects two senators to the U.S. Congress, but the number of elected representatives to the House of Representatives is based on population; for Indiana it is nine.

The major industries of the state include steel, electric equipment, transportation equipment, chemical products, petroleum and coal products, and machinery. The primary agricultural products are corn, soybeans,

**Table 14-1. LAW ENFORCEMENT EMPLOYEE DATA, INDIANA, 2002**

Type of Agency	Number of Agencies	Total Personnel	Sworn	Civilian
All Agencies	253	17,292	10,742	6,550
State Agencies	2	1,923	1,237	686
County Sheriff's Offices	85	5,592	2,257	3,335
City Police	157	9,510	7,043	2,467
University Police Departments	8	251	189	62
Airport Authority Police	1	16	16	0

SOURCE: FBI, *Crime in the United States, 2002*.

hogs, cattle, dairy products, and eggs. The estimated population for 2002 was 6,159,068. The percentage breakdown of the 2000 census was 87.5% White, 8.4% Black or African American, 0.3% American Indian and 1.0% Asian. Persons reporting some other race were 1.6% and those reporting two or more races on the 2000 census were 1.2%. Hispanics, who may be of any race, were 3.5% of the population in 2000. Persons age 18 or older was 74.1% and persons 65 years old and over was 12.4%. The median age was 35.2.

The law enforcement community in Indiana consists of at least 253 agencies employing about 10,742 officers according date reported to the FBI (see Table 14-1). All full-time peace officers must complete a minimum of 600 hours of mandatory training. There were 1,214 officers assaulted in 2002. No officer was killed feloniously in the line of duty but one died accidentally during 2002.

Crime Index offenses for 2002 for the state of Indiana totaled 230,966 which was a rate of 3,750.0 per 100,000 inhabitants. The numbers of index offenses by category are listed in Table 14-2. At least 196,964 persons were arrested in 2002 for all categories of crimes, with 32,336 being for index offenses. Of the index offense arrests, 8,426 arrests (26.1%) were persons under the age of 18.

**Table 14.2. Crime Index Offenses, Indiana, 2002**

Index Offense Category	Number of Offenses
Murder	362
Forcible Rape	1,843
Robbery	6,612
Aggravated Assault	13,184
Burglary	42,605
Larceny-Theft	146,073
Auto Theft	20,287

Total Violent	22,001
Total Property	208,965
Total Crime Index	230,966

SOURCE: FBI, *Crime in the United States, 2002*.

**The State of Iowa.** Iowa is located in the north-central portion of the continental United States. It is bordered to the north by the state of Minnesota, to the east across the Mississippi River by Wisconsin and Illinois, to the south by Missouri, and to the west by Nebraska and South Dakota. The state encompasses 56,276 square miles of area, including 401 square miles of inland water. It is the 26th largest of the 50 states. Based on 2000 census figures, it ranks 30th among the states in population. The capital of Iowa is Des Moines with a 2000 population of 198,682. The other major cities and their 2000 populations include Cedar Rapids, 120,758; Davenport, 98,359; Sioux City, 85,013; Waterloo, 68,747; Iowa City, 62,220; Council Bluffs, 58,268; Dubuque, 57,686; Ames, 50,731 and West Des Moines, 46,403. The state is divided into 99 counties.

Iowa became the 29th state on December 28, 1846. It was organized as a territory in June of 1838. The state legislature is made up of 50 senators and 100 representatives. The present constitution was adopted in 1857. As with all states in the United States, it elects two senators to the U.S. Congress, but the number of elected representatives to the House of Representatives is based on population; for Iowa it is five.

The major industries of the state include food-processing, machinery, electric equipment, chemical products, printing and publishing, and primary metals. The primary agricultural products are hogs, corn, soybeans, oats, and cattle and dairy products. The estimated population for 2002 was 2,936,760. The percentage breakdown of the 2000 census was 93.9% White, 2.1% Black or African American, 0.3% American Indian, and 1.3% Asian. Persons reporting some other race were 1.3% and those reporting two or more races on the 2000 census were 1.1%. Hispanics, who may be of any race, were 2.8% of the population in 2000. Persons age 18 or older was 74.9% and persons 65 years old and over was 14.9%. The median age was 36.6.

The law enforcement community in Iowa consists of at least 231 agencies employing about 5,053 officers according data reported to the FBI (see Table 15-1). All full-time peace officers must complete a minimum of approximately 480 hours of mandatory training. There were 561 officers assaulted in 2002. No officers were

**Table 15-1. LAW ENFORCEMENT EMPLOYEE DATA, IOWA, 2002**

Type of Agency	Number of Agencies	Total Personnel	Sworn	Civilian
All Agencies	231	7,529	5,053	2,476
State Agencies	1	894	619	275
County Sheriff's Offices	98	2,981	1,477	1,504
City Police	129	3,546	2,882	664
University Police Departments	3	108	75	33

SOURCE: FBI, *Crime in the United States, 2002*.

killed feloniously in the line of duty or accidentally during 2002.

Crime Index offenses for 2002 for the state of Iowa totaled 101,265, which was a rate of 3,448.2 per 100,000 inhabitants. The numbers of index offenses by category are listed in Table 15-2. At least 112,438 arrests were made in 2002 for all categories of crimes, with 18,840 being for index offenses. Of the index offense arrests, 6,587 arrests (35%) were persons under the age of 18.

**Table 15-2. Crime Index Offenses, Iowa, 2002**

<i>Index Offense Category</i>	<i>Number of Offenses</i>
Murder	44
Forcible Rape	797
Robbery	1,169
Aggravated Assault	6,378
Burglary	18,643
Larceny-Theft	68,411
Auto Theft	5,823
Total Violent	8,388
Total Property	92,877
Total Crime Index	101,265

SOURCE: FBI, *Crime in the United States, 2002*.

**The State of Kansas.** Kansas is located in the central portion of the continental United States. It is bordered to the north by the state of Nebraska, to the east across the Mississippi River by Iowa and Missouri, to the south by Oklahoma, and to the west by Colorado. The state encompasses 82,282 square miles of area, including 459 square miles of inland water. It is the 15th largest of the 50 states. Based on 2000 census figures, it ranks 32nd among the states in population. The capital of Kansas is Topeka with a 2000 population of 122,377. The other major cities and their 2000 populations include Wichita, 344,284; Overland Park, 149,080; Kansas

**Table 16-1. LAW ENFORCEMENT EMPLOYEE DATA, KANSAS, 2002**

Type of Agency	Number of Agencies	Total Personnel	Sworn	Civilian
All Agencies	343	9,980	6,787	3,193
State Agencies	5	1,265	802	463
County Sheriff's Offices	105	3,611	1,980	1,631
City Police	219	4,818	3,816	1,002
University Police Departments	7	217	129	88
Other Agencies	7	69	60	9

SOURCE: FBI, *Crime in the United States, 2002*.

City, 146,866; Olathe, 92,962; Lawrence, 80,098; Shawnee, 47,996; Salina, 45,679; Manhattan, 44,831; and Hutchinson, 40,787. The state is divided into 106 counties.

Kansas became the 34th state on January 29, 1861. It was organized as a territory in May 1854. The state legislature is made up of 40 senators and 125 representatives. The present constitution was adopted in 1859. As with all states in the United States, it elects two senators to the U.S. Congress, but the number of elected representatives to the House of Representatives is based on population; for Kansas it is four.

The major industries of the state include transportation equipment, food processing, printing and publishing, chemical products, machinery, apparel, petroleum, and mining. The primary agricultural products are cattle, wheat, sorghum, soybeans, hogs and corn. The estimated population for 2002 was 2,715,884. The percentage breakdown of the 2000 census was 86.1% White, 5.7% Black or African American, 0.9% American Indian, and 1.7% Asian. Persons reporting some other race were 3.4% and those reporting two or more races on the 2000 census were 2.1%. Hispanics, who may be of any race, were 7.0% of the population in 2000. Persons age 18 or older was 73.5% and persons 65 years old and over was 13.3%. The median age was 35.2.

The law enforcement community in Kansas consists of at least 343 agencies employing about 6,787 officers according to data reported to the FBI (see Table 16-1). All full-time peace officers must complete a minimum of 560 hours of mandatory basic training. There were 1,245 officers assaulted in 2002. No officers were killed feloniously in the line of duty or accidentally during 2002.

Crime Index offenses for 2002 for the state of Kansas totaled 110,997, which was a rate of 4,087.0 per 100,000 inhabitants. The numbers of index offenses by category are listed in Table 16-2. At least 54,136 arrests were made in 2002 for all categories of crimes, with 6,050 being for

index offenses. Of the index offense arrests, 2,154 arrests (35.6%) were persons under the age of 18.

**Table 16-2. Crime Index Offenses, Kansas, 2002**

<i>Index Offense Category</i>	<i>Number of Offenses</i>
Murder	78
Forcible Rape	1,035
Robbery	2,165
Aggravated Assault	6,951
Burglary	19,679
Larceny-Theft	73,877
Auto Theft	7,212
Total Violent	10,229
Total Property	100,768
Total Crime Index	110,997

SOURCE: FBI, *Crime in the United States, 2002*.

**The State of Kentucky.** Kentucky is located in the east-central portion of the continental United States. It is bordered to the north by the Ohio River across which are the Illinois, Indiana and Ohio; to the east is West Virginia and Virginia, to the south is Tennessee, and to the west across the Mississippi River is Missouri and Illinois. The state encompasses 40,411 square miles of area, including 679 square miles of inland water. It is the 37th largest of the 50 states. Based on 2000 census figures, it ranks 25th among the states in population. The capital of Kentucky is Frankfort with a 2000 population of 27,741. The other major cities and their 2000 populations include Lexington-Fayette (county), 260,512; Louisville, 256,231; Owensboro, 54,067; Bowling Green, 49,296; Covington, 43,370; Hopkinsville, 30,089; Henderson, 27,373; Richmond, 27,152; and Jeffersontown, 26,633. The state is divided into 120 counties.

Kentucky became the 15th state on June 1, 1792. The state legislature, the General Assembly, is made up of 38 senators and 100 representatives. The present constitution was adopted in 1891. As with all states in the United States, it elects two senators to the U.S. Congress, but the number of elected representatives to the House of Representatives is based on population; for Kentucky it is six.

The major industries of the state include transportation equipment, chemical products, electric equipment, machinery, food processing, tobacco products, coal, and tourism. The primary agricultural products are horses, cattle, tobacco, dairy products, hogs, soybeans, and corn. The estimated population for 2002 was 4,092,891. The percentage breakdown of the 2000 census was 90.1% White, 7.3% Black or African American,

**Table 17-1. LAW ENFORCEMENT EMPLOYEE DATA, KENTUCKY, 2002**

<i>Type of Agency</i>	<i>Number of Agencies</i>	<i>Total Personnel</i>	<i>Sworn</i>	<i>Civilian</i>
All Agencies	383	10,035	7,719	2,316
State Agencies	14	2,217	1,362	855
County Sheriff's Offices	128	2,602	2,136	466
City Police	233	5,001	4,077	924
University Police Departments	8	215	144	71

SOURCE: FBI, *Crime in the United States, 2002*.

0.2% American Indian, and 0.7% Asian. Persons reporting some other race were 0.6% and those reporting two or more races on the 2000 census were 1.1%. Hispanics, who may be of any race, were 1.5% of the population in 2000. Persons age 18 or older was 75.4% and persons 65 years old and over was 12.5%. The median age was 35.9.

The law enforcement community in Kentucky consists of at least 383 agencies employing about 7,719 officers according to data reported to the FBI (see Table 17-1). Most full-time peace officers must complete a minimum of 660 hours of mandatory basic training and 40 hours of annual in-service training. There were 327 officers assaulted in 2002. One officer was killed feloniously in the line of duty and two died accidentally during 2002.

Crime Index offenses for 2002 for the state of Kentucky totaled 118,799, which was a rate of 2,902.6 per 100,000 inhabitants. The numbers of index offenses by category are listed in Table 17-2. At least 61,176 arrests were made in 2002 for all categories of crimes, with 10,226 being for index offenses. Of the index offense arrests, 1,925 arrests (18.8%) were persons under the age of 18.

**Table 17-2. Crime Index Offenses, Kentucky, 2002**

<i>Index Offense Category</i>	<i>Number of Offenses</i>
Murder	184
Forcible Rape	1,088
Robbery	3,063
Aggravated Assault	7,083
Burglary	27,855
Larceny-Theft	70,776
Auto Theft	8,750
Total Violent	11,418
Total Property	107,381
Total Crime Index	118,799

SOURCE: FBI, *Crime in the United States, 2002*.



**The State of Louisiana.** Louisiana is located in the south-central portion of the continental United States. It is bordered to the north by the state of Arkansas, to the east across the Mississippi River by Mississippi, to the south by the Gulf of Mexico and to the west by Texas. The state encompasses 51,843 square miles of area, including 8,277 square miles of inland water; it has a coastline of 397 miles and a shoreline of 7,721 miles. It is the 31st largest of the 50 states. Based on 2000 census figures, it ranks 22nd among the states in population. The capital of Louisiana is Baton Rouge with a 2000 population of 227,818. The other major cities and their 2000 populations include New Orleans, 484,674; Shreveport, 200,145; Lafayette, 110,257; Lake Charles, 71,757; Kenner, 70,517; Bossier City, 56,461; Monroe, 53,107; Alexandria, 46,342; and New Iberia, 32,623. The state is divided into 64 parishes.

Louisiana became the 18th state on April 30, 1812. It was organized as a territory in March 1804. The state legislature is made up of 39 senators and 105 representatives. The present constitution was adopted in 1974. As with all states in the United States, it elects two senators to the U.S. Congress, but the number of elected representatives to the House of Representatives is based on population; for Louisiana it is seven.

The major industries of the state include chemical products, petroleum and coal products, food processing, transportation equipment, paper products, and tourism. The primary agricultural products are seafood, cotton, soybeans, cattle, sugarcane, poultry, and eggs, dairy products and rice. The estimated population for 2002 was 4,482,646. The percentage breakdown of the 2000 census was 63.9% White, 32.5% Black or African American, 0.6% American Indian, and 1.2% Asian. Persons reporting some other race were 0.7% and those reporting two or more races on the 2000 census were 1.1%. Hispanics, who may be of any race, were 2.4% of the population in 2000. Persons age 18 or older was 72.7% and persons 65 years old and over was 11.6%. The median age was 34.0.

The law enforcement community in Louisiana consists of at least 207 agencies employing about 16,822 officers according to data reported to the FBI (see Table 18-1). All full-time peace officers must complete a minimum of 320 hours of mandatory basic training. There were 1,884 officers assaulted in 2002. Two officers were killed feloniously in the line of duty and one died accidentally during 2002.

Crime Index offenses for 2002 for the state of Louisiana totaled 228,528, which was a rate of 5,098.1 per 100,000 inhabitants. The numbers of index offenses by category are listed in Table 18-2. At least 216,444 arrests were made in 2002 for all categories of crimes, with 39,138 being for index offenses. Of the index

**Table 18-1. LAW ENFORCEMENT EMPLOYEE DATA, LOUISIANA, 2002**

Type of Agency	Number of Agencies	Total Personnel	Sworn	Civilian
All Agencies	207	22,366	16,822	5,544
State Agencies	2	1,610	1,011	599
Parish Sheriff's Offices	61	13,105	9,599	3,506
City Police	126	7,135	5,790	1,345
University Police Departments	18	516	422	94

SOURCE: FBI, *Crime in the United States, 2002*.

offense arrests, 9,132 arrests (23.3%) were persons under the age of 18.

**Table 18-2. Crime Index Offenses, Louisiana, 2002**

<i>Index Offense Category</i>	<i>Number of Offenses</i>
Murder	593
Forcible Rape	1,529
Robbery	7,123
Aggravated Assault	20,445
Burglary	45,350
Larceny-Theft	133,302
Auto Theft	20,186
Total Violent	29,690
Total Property	198,838
Total Crime Index	228,528

SOURCE: FBI, *Crime in the United States, 2002*.

**The State of Maine.** Maine is located in the far northeastern portion of the continental United States; it is part of the New England region. It is bordered to the northwest, north and northeast by the country of Canada, to the southeast and south by the Atlantic Ocean, and to the west by the state of New Hampshire. The state encompasses 35,387 square miles of area, including 4,523 square miles of inland water with 228 miles of coastline and 3,478 miles of shoreline. It is the 39th largest of the 50 states. Based on 2000 census figures, it ranks 40th among the states in population. The capital of Maine is Augusta with a 2000 population of 18,560. The other major cities and their 2000 populations include Portland, 64,249; Lewiston, 35,690; Bangor, 31,473; South Portland, 23,324; Auburn, 23,203; Brunswick, 21,172; Biddeford, 20,942; Sanford, 20,806; and Scarborough, 16,970. The state is divided into 16 counties.

Maine became the 23rd state on March 15, 1820. The state legislature is made up of 35 senators and 151 representatives. The present constitution was adopted in 1820. As with all states in the United States, it elects

**Table 19-1. LAW ENFORCEMENT EMPLOYEE DATA, MAINE, 2002**

Type of Agency	Number of Agencies	Total Personnel	Sworn	Civilian
All Agencies	134	2,927	2,195	732
State Agencies	1	608	361	247
County Sheriff's Offices	16	395	287	108
City Police	113	1,846	1,497	349
University Police Departments	3	60	43	17
Other Agencies	1	18	7	11

SOURCE: FBI, *Crime in the United States, 2002*.

two senators to the U.S. Congress, but the number of elected representatives to the House of Representatives is based on population; for Maine it is two.

The major industries of the state include paper, lumber, and wood products, electric equipment, food processing, leather products, textiles, and tourism. The primary agricultural products are seafood, poultry and eggs, potatoes, dairy products, cattle, blueberries, and apples. The estimated population for 2002 was 1,294,464. The percentage breakdown of the 2000 census was 96.9% White, 0.5% Black or African American, 0.6% American Indian, and 0.7% Asian. Persons reporting some other race were 0.2% and those reporting two or more races on the 2000 census were 1.0%. Hispanics, who may be of any race, were 0.7% of the population in 2000. Persons age 18 or older was 76.4% and persons 65 years old and over was 14.4%. The median age was 38.6.

The law enforcement community in Maine consists of at least 134 agencies employing about 2,195 officers according to data reported to the FBI (see Table 19-1). All full-time peace officers must complete a minimum of 720 hours of mandatory basic training. There were 259 officers assaulted in 2002. No officers were killed feloniously in the line of duty or accidentally during 2002.

Crime Index offenses for 2002 for the state of Maine totaled 34,381, which was a rate of 2,656.0 per 100,000 inhabitants. The numbers of index offenses by category are listed in Table 19-2. At least 54,880 arrests were made in 2002 for all categories of crimes, with 8,171 being for index offenses. Of the index offense arrests, 2,968 arrests (36.2%) were persons under the age of 18.

**Table 19-2. Crime Index Offenses, Maine, 2002**

Index Offense Category	Number of Offenses
Murder	14
Forcible Rape	377
Robbery	270
Aggravated Assault	735

Burglary	6,965
Larceny-Theft	24,591
Auto Theft	1,429
Total Violent	1,396
Total Property	32,985
Total Crime Index	34,381

SOURCE: FBI, *Crime in the United States, 2002*.

**The State of Maryland.** Maryland is one of the Middle Atlantic States in the eastern portion of the continental United States. It is bordered to the north by the state of Pennsylvania; to the east by Delaware and the Atlantic Ocean; to the south by the District of Columbia, Virginia, and West Virginia; and to the west by West Virginia. The main part of Maryland is separated from Eastern Maryland by the Chesapeake Bay. The state encompasses 12,407 square miles of area, including 2,633 square miles of inland water and has a coastline of 31 miles and a shoreline of 3,190 miles. It is the 42nd largest of the 50 states. Based on 2000 census figures, it ranks 19th among the states in population. The capital of Maryland is Annapolis with a 2000 population of 35,838. The other major cities and their 2000 populations include Baltimore, 651,154; Frederick, 52,767; Gaithersburg, 52,613; Bowie, 50,269; Rockville, 47,388; Hagerstown, 36,687; College Park, 24,657; Salisbury, 23,743; and Cumberland, 21,518. The state is divided into 23 counties.

Maryland was one of the original 13 colonies and became the seventh to adopt the Constitution on April 28, 1788. The state legislature, the General Assembly, is made up of 47 senators and 141 delegates. The present constitution was adopted in 1867. As with all states in the United States, it elects two senators to the U.S. Congress, but the number of elected representatives to the House of Representatives is based on population; for Maryland it is eight.

The major industries of the state include electric equipment, food processing, chemical products, printing and publishing, transportation equipment, machinery, primary metals, coal, and tourism. The primary agricultural products are seafood, poultry and eggs, dairy products, nursery stock, cattle, soybeans, and corn. The estimated population for 2002 was 5,458,137. The percentage breakdown of the 2000 census was 64.0% White, 27.9% Black or African American, 0.3% American Indian, and 4.0% Asian. Persons reporting some other race were 1.8% and those reporting two or more races on the 2000 census were 2.0%. Hispanics, who may be of any race, were 4.3% of the population in 2000. Persons age 18 or older was 74.4% and persons 65 years old and over was 11.3%. The median age was 36.0.

The law enforcement community in Maryland consists of at least 123 agencies employing about 14,827

**Table 20-1. LAW ENFORCEMENT EMPLOYEE DATA, MARYLAND, 2002**

Type of Agency	Number of Agencies	Total Personnel	Sworn	Civilian
All Agencies	123	19,516	14,827	4,689
State Agencies	13	4,191	2,798	1,393
County Sheriff's Offices	28	9,056	6,907	2,149
City Police	70	5,760	4,810	950
University Police Departments	12	509	312	197

SOURCE: FBI, *Crime in the United States, 2002*.

officers according to data reported to the FBI (see Table 20-1). All full-time peace officers must complete a minimum of approximately 600 hours of mandatory basic training, plus firearms training and field training. Officers also have an annual in-service training requirement of 18 hours. There were 3,096 officers assaulted in 2002. Three officers were killed feloniously in the line of duty and three died accidentally during 2002.

Crime Index offenses for 2002 for the state of Maryland totaled 259,120, which was a rate of 4,747.4 per 100,000 inhabitants. The numbers of index offenses by category are listed in Table 20-2. At least 161,317 arrests were made in 2002 for all categories of crimes, with 24,028 being for index offenses. Of the index offense arrests, 7,229 arrests (30.1%) were persons under the age of 18.

**Table 20-2. Crime Index Offenses, Maryland, 2002**

<i>Index Offense Category</i>	<i>Number of Offenses</i>
Murder	513
Forcible Rape	1,370
Robbery	13,417
Aggravated Assault	26,715
Burglary	39,765
Larceny-Theft	143,320
Auto Theft	34,020
Total Violent	42,015
Total Property	217,105
Total Crime Index	259,120

SOURCE: FBI, *Crime in the United States, 2002*.

**The State of Massachusetts.** Massachusetts is located in the New England area (the northeastern portion) of the continental United States. It is bordered to the north by the states of Vermont and New Hampshire, to the east by the Atlantic Ocean, to the south by Rhode Island and Connecticut, and to the west by New York. The state encompasses 10,555 square miles of area, including 2,717 square miles of inland water and has a coastline of

**Table 21-1. LAW ENFORCEMENT EMPLOYEE DATA, MASSACHUSETTS, 2002**

Type of Agency	Number of Agencies	Total Personnel	Sworn	Civilian
All Agencies	329	19,749	16,425	3,324
State Agencies	1	2,742	2,354	388
City Police	299	16,090	13,406	2,684
University Police Departments	29	917	665	252

SOURCE: FBI, *Crime in the United States, 2002*.

192 miles and a shoreline of 1,519 miles. It is the 44th largest of the 50 states. Based on 2000 census figures, it ranks 13th among the states in population. The capital of Massachusetts is Boston with a 2000 population of 589,141. The other major cities and their 2000 populations include Worcester, 172,648; Springfield, 152,082; Lowell, 105,167; Cambridge, 101,355; Brockton, 94,304; New Bedford, 93,768; Fall River, 91,938; Lynn, 89,050; and Quincy, 88,025. The state is divided into 14 counties.

Massachusetts was one of the original 13 colonies and became the sixth state to ratify the U.S. Constitution on February 6, 1788. The state legislature, the General Court, is made up of 40 senators and 160 representatives. The present constitution was adopted in 1780. As with all states in the United States, it elects two senators to the U.S. Congress, but the number of elected representatives to the House of Representatives is based on population; for Massachusetts it is ten.

The major industries of the state include machinery, electric equipment, scientific instruments, printing and publishing, and tourism. The primary agricultural products are seafood, nursery stock, dairy products, cranberries, and vegetables. The estimated population for 2002 was 6,427,801. The percentage breakdown of the 2000 census was 84.5% White, 5.4% Black or African American, 0.2% American Indian, and 3.8% Asian. Persons reporting some other race were 3.7% and those reporting two or more races on the 2000 census were 2.3%. Hispanics, who may be of any race, were 6.8% of the population in 2000. Persons age 18 or older was 76.4% and persons 65 years old and over was 13.5%. The median age was 36.5.

The law enforcement community in Massachusetts consists of at least 329 agencies employing about 16,425 officers according to data reported to the FBI (see Table 21-1). All full-time peace officers must complete a minimum of approximately 800 hours of mandatory basic training. Officers have an annual in-service training requirement that varies from 20 hours to 5 days depending to their status and assignment. There were 337 officers assaulted in 2002. One officer was killed feloniously in the line of duty and no officers died accidentally during 2002.

Crime Index offenses for 2002 for the state of Massachusetts totaled 198,890, which was a rate of 3,094.2 per 100,000 inhabitants. The numbers of index offenses by category are listed in Table 21-2. At least 114,657 arrests were made in 2002 for all categories of crimes, with 26,930 being for index offenses. Of the index offense arrests, 5,576 arrests (20.7%) were persons under the age of 18.

**Table 21-2. Crime Index Offenses, Massachusetts, 2002**

<i>Index Offense Category</i>	<i>Number of Offenses</i>
Murder	173
Forcible Rape	1,777
Robbery	7,169
Aggravated Assault	22,018
Burglary	33,243
Larceny-Theft	107,922
Auto Theft	26,588
Total Violent	31,137
Total Property	167,753
Total Crime Index	198,890

SOURCE: FBI, *Crime in the United States, 2002*.

**The State of Michigan.** Michigan is located in the north-central portion of the continental United States. It is bordered to the north by the country of Canada, to the east is Lake Huron across which is Canada, to the south is Ohio and Indiana, and to the west is Lake Michigan across which is the state of Wisconsin. The state encompasses 96,810 square miles of area, including 40,001 square miles of water (including Lake Michigan). It is the 22nd largest of the 50 states in land area but 11th in total area. Based on 2000 census figures, it ranks eighth among the states in population. The capital of Michigan is Lansing with a 2000 population of 119,128. The other major cities and their 2000 populations include Detroit, 951,270; Grand Rapids, 197,800; Warren, 138,247; Flint, 124,943; Sterling Heights, 124,471; Ann Arbor, 114,024; Livonia, 100,545; Dearborn, 97,775; and Westland, 86,602. The state is divided into 83 counties.

Michigan became the 26th state on January 26, 1837. It was organized as a territory in January 1805. The state legislature is made up of 38 senators and 110 representatives. The present constitution was adopted in 1963. As with all states in the United States, it elects two senators to the U.S. Congress, but the number of elected representatives to the House of Representatives is based on population; for Michigan it is 16.

The major industries of the state include motor vehicles and parts, machinery, fabricated metal products, food processing, chemical products, mining, and tourism.

**Table 22-1. LAW ENFORCEMENT EMPLOYEE DATA, MICHIGAN, 2002**

<i>Type of Agency</i>	<i>Number of Agencies</i>	<i>Total Personnel</i>	<i>Sworn</i>	<i>Civilian</i>
All Agencies	546	28,080	21,006	7,074
State Agencies	2	2,976	2,055	921
County Sheriff's Offices	83	7,885	4,685	3,200
City Police	434	16,441	13,677	2,764
University Police Departments	19	530	351	179
Other Agencies	8	248	238	10

SOURCE: FBI, *Crime in the United States, 2002*.

The primary agricultural products are dairy products, apples, blueberries, cattle, vegetables, hogs, corn, nursery stock, and soybeans. The estimated population for 2002 was 10,050,446. The percentage breakdown of the 2000 census was 80.2% White, 14.2% Black or African American, 0.6% American Indian, and 1.8% Asian. Persons reporting some other race were 1.3% and those reporting two or more races on the 2000 census were 1.9%. Hispanics, who may be of any race, were 3.3% of the population in 2000. Persons age 18 or older was 73.9% and persons 65 years old and over was 12.3%. The median age was 35.5.

The law enforcement community in Michigan consists of at least 546 agencies employing about 21,006 officers according to data reported to the FBI (see Table 22-1). All full-time peace officers must complete a minimum of approximately 562 hours of mandatory basic training. There were 1,504 officers assaulted in 2002. Three officers were killed feloniously in the line of duty; none died accidentally during 2002.

Crime Index offenses for 2002 for the state of Michigan totaled 386,366, which was a rate of 3,874.1 per 100,000 inhabitants. The numbers of index offenses by category are listed in Table 22-2. At least 371,037 arrests were made in 2002 for all categories of crimes, with 51,794 being for index offenses. Of the index offense arrests, 13,115 arrests (25.3%) were persons under the age of 18.

**Table 22-2. Crime Index Offenses, Michigan, 2002**

<i>Index Offense Category</i>	<i>Number of Offenses</i>
Murder	678
Forcible Rape	5,364
Robbery	11,847
Aggravated Assault	36,417
Burglary	70,970
Larceny-Theft	214,367
Auto Theft	49,723
Total Violent	54,306

Total Property	335,060
Total Crime Index	386,366

SOURCE: FBI, *Crime in the United States, 2002*.

**The State of Minnesota.** Minnesota is located in the north-central portion of the continental United States. It is bordered to the north by Canada, to the east by Lake Superior and the state of Wisconsin, to the south by Iowa, and to the west by South Dakota and North Dakota. The state encompasses 86,943 square miles of area, including 7,326 square miles of inland water. It is the 12th largest of the 50 states in terms of area. Based on 2000 census figures, it ranks 21st among the states in population. The capital of Minnesota is St. Paul with a 2000 population of 287,151. The other major cities and their 2000 populations include Minneapolis, 382,618; Duluth, 86,918; Rochester, 85,806; Bloomington, 85,172; Brooklyn Park, 67,338; Plymouth, 65,894; Eagan, 63,557; Coon Rapids, 61,607; and Burnsville, 60,220. The state is divided into 87 counties.

Minnesota became the 32nd state on May 11, 1858. It was organized as a territory in March 1849. The state legislature is made up of 67 senators and 134 representatives. The present constitution was adopted in 1858. As with all states in the United States, it elects two senators to the U.S. Congress, but the number of elected representatives to the House of Representatives is based on population; for Minnesota it is eight.

The major industries of the state include machinery, food processing, printing and publishing, fabricated metal products, electric equipment, mining, and tourism. The primary agricultural products are dairy products, corn, cattle, soybeans, hogs, wheat, and turkeys. The estimated population for 2002 was 5,019,720. The percentage breakdown of the 2000 census was 89.4% White, 3.5% Black or African American, 1.1% American Indian, and 2.9% Asian. Persons reporting some other race were 1.3% and those reporting two or more races on the 2000 census were 1.7%. Hispanics, who may be of any race, were 2.9% of the population in 2000. Persons age 18 or older was 73.8% and persons 65 years old and over was 12.1%. The median age was 35.4.

The law enforcement community in Minnesota consists of at least 285 agencies employing about 8,104 officers according to data reported to the FBI (see Table 23-1). All full-time peace officers must complete a minimum of a two- or four-year degree from a certified program or possess a degree and complete the professional peace officer education program. The state requires 48 hours of in-service training every three years. There were 81 officers assaulted in 2002. One officer was killed feloniously in the line of duty and two died accidentally during 2002.

**Table 23-1. LAW ENFORCEMENT EMPLOYEE DATA, MINNESOTA, 2002**

Type of Agency	Number of Agencies	Total Personnel	Sworn	Civilian
All Agencies	285	12,583	8,104	4,479
State Agencies	1	796	525	271
County Sheriff's Offices	87	5,073	2,357	2,716
City Police	193	6,506	5,088	1,418
University Police Departments	2	66	45	21
Other Agencies	2	142	89	53

SOURCE: FBI, *Crime in the United States, 2002*.

Crime Index offenses for 2002 for the state of Minnesota totaled 177,454, which was a rate of 3,535.1 per 100,000 inhabitants. The numbers of index offenses by category are listed in Table 23-2. At least 164,144 arrests were made in 2002 for all categories of crimes, with 26,316 being for index offenses. Of the index offense arrests, 10,997 arrests (41.8%) were persons under the age of 18.

**Table 23-2. Crime Index Offenses, Minnesota, 2002**

Index Offense Category	Number of Offenses
Murder	112
Forcible Rape	2,273
Robbery	3,937
Aggravated Assault	7,106
Burglary	28,034
Larceny-Theft	122,150
Auto Theft	13,842
Total Violent	13,428
Total Property	164,026
Total Crime Index	177,454

SOURCE: FBI, *Crime in the United States, 2002*.

**The State of Mississippi.** Mississippi is located in the south-central portion of the continental United States. It is bordered to the north by Tennessee, to the east by Alabama, to the south by the Gulf of Mexico and Louisiana, and to the west by Louisiana and Arkansas. Most of its western border is formed by the Mississippi River. The state encompasses 48,434 square miles of area, including 1,520 square miles of inland water. It is the 32nd largest of the 50 states in terms of area. Based on 2000 census figures, it ranks 31st among the states in population. The capital of Mississippi is Jackson with a 2000 population of 184,256. The other major cities and their 2000 populations include Gulfport, 71,127; Biloxi, 50,644; Hattiesburg, 44,779; Greenville, 41,663; Meridian, 39,968; Tupelo, 34,211; Southaven, 28,977;

**Table 24-1. LAW ENFORCEMENT EMPLOYEE DATA, MISSISSIPPI, 2002**

Type of Agency	Number of Agencies	Total Personnel	Sworn	Civilian
All Agencies	170	8,381	5,277	3,104
State Agencies	1	1,016	530	486
County Sheriff's Offices	62	2,824	1,395	1,429
City Police	102	4,307	3,186	1,121
University Police Departments	5	234	166	68

SOURCE: FBI, *Crime in the United States, 2002*.

Vicksburg, 26,407; and Pascagoula, 26,200. The state is divided into 82 counties.

Mississippi became the 20th state on December 10, 1817. It was organized as a territory in April 7, 1798. The state legislature is made up of 52 senators and 122 representatives. The present constitution was adopted in 1890. As with all states in the United States, it elects two senators to the U.S. Congress, but the number of elected representatives to the House of Representatives is based on population; for Mississippi it is five.

The major industries of the state include apparel, furniture, lumber and wood products, food processing, electrical machinery, and transportation equipment. The primary agricultural products are cotton, poultry, cattle, catfish, soybeans, dairy products, and rice. The estimated population for 2002 was 2,871,782. The percentage breakdown of the 2000 census was 61.4% White, 36.3% Black or African American, 0.4% American Indian, and 0.7% Asian. Persons reporting some other race were 0.5% and those reporting two or more races on the 2000 census were 0.7%. Hispanics, who may be of any race, were 1.4% of the population in 2000. Persons age 18 or older was 72.7% and persons 65 years old and over was 12.1%. The median age was 33.8.

The law enforcement community in Mississippi consists of 170 agencies employing about 5,277 officers according to data reported to the FBI (see Table 24-1). All full-time peace officers must complete a minimum of approximately 400 hours of mandatory basic training. There were 290 officers assaulted in 2002. One officer was killed in the line of duty and one died accidentally during 2002.

Crime Index offenses for 2002 for the state of Mississippi totaled 119,442, which was a rate of 4,159.2 per 100,000 inhabitants. The numbers of index offenses by category are listed in Table 24-2. At least 116,670 arrests were made in 2002 for all categories of crimes, with 15,033 being for index offenses. Of the index offense arrests, 3,458 arrests (23%) were persons under the age of 18.

**Table 24-2. Crime Index Offenses, Mississippi, 2002**

Index Offense Category	Number of Offenses
Murder	264
Forcible Rape	1,127
Robbery	3,356
Aggravated Assault	5,111
Burglary	29,593
Larceny-Theft	70,468
Auto Theft	9,523
Total Violent	9,858
Total Property	109,584
Total Crime Index	119,442

SOURCE: FBI, *Crime in the United States, 2002*.

**The State of Missouri.** Missouri is located in the mid-west central portion of the continental United States. It is bordered to the north by Iowa; to the east by the Mississippi River across which are the states of Illinois, Kentucky and Tennessee; to the south by Arkansas; and to the west by Oklahoma, Kansas, and Nebraska. The state encompasses 69,709 square miles of area, including 811 square miles of inland water. It is the 21st largest of the 50 states in terms of area. Based on 2000 census figures, it ranks 17th among the states in population. The capital of Missouri is Jefferson City with a 2000 population of 39,636. The other major cities and their 2000 populations include Kansas City, 441,545; St. Louis, 348,189; Springfield, 151,580; Independence, 113,288; Columbia, 84,531; St. Joseph, 73,990; Lee's Summit, 70,700; St. Charles, 60,321; St. Peter's, 51,381; and Florissant, 50,497. The state is divided into 114 counties.

Missouri became the 24th state on August 10, 1821. It was organized as a territory in June 1812. The state legislature, the General Assembly, is made up of 34 senators and 163 representatives. The present constitution was adopted in 1945. As with all states in the United States, it elects two senators to the U.S. Congress, but the number of elected representatives to the House of Representatives is based on population; for Missouri it is nine.

The major industries of the state include transportation equipment, food processing, chemical products, electric equipment, and fabricated metal products. The primary agricultural products are cattle, soybeans, hogs, dairy products, corn, poultry, and eggs. The estimated population for 2002 was 5,672,579. The percentage breakdown of the 2000 census was 84.9% White, 11.2% Black or African American, 0.4% American Indian, and 1.1% Asian. Persons reporting some other race were 0.8% and those reporting two or more races on the 2000 census were 1.5%. Hispanics, who may be of any race, were 2.1% of the population in 2000. Persons age 18 or older was

**Table 25-1. LAW ENFORCEMENT EMPLOYEE DATA, MISSOURI, 2002**

Type of Agency	Number of Agencies	Total Personnel	Sworn	Civilian
All Agencies	536	18,838	13,202	5,636
State Agencies	2	2,686	1,521	1,165
County Sheriff's Offices	112	4,745	3,172	1,573
City Police	406	11,008	8,219	2,789
University Police Departments	12	250	171	79
Other Agencies	4	149	119	30

SOURCE: FBI, *Crime in the United States, 2002*.

74.5% and persons 65 years old and over was 13.5%. The median age was 36.1.

The law enforcement community in Missouri consists of at least 536 agencies employing about 13,202 officers according to data reported to the FBI (see Table 25-1). Full-time peace officers must complete a minimum of between 470 to 600 hours of mandatory basic training, depending on whether a class A or Class B license is obtained. There were 2,592 officers assaulted in 2002. One officer was killed feloniously in the line of duty and four died accidentally during 2002.

Crime Index offenses for 2002 for the state of Missouri totaled 261,077, which was a rate of 4,602.4 per 100,000 inhabitants. The numbers of index offenses by category are listed in Table 25-2. At least 304,921 arrests were made in 2002 for all categories of crimes, with 54,487 being for index offenses. Of the index offense arrests, 10,907 arrests (20.0%) were persons under the age of 18.

**Table 25-2. Crime Index Offenses, Missouri, 2002**

Index Offense Category	Number of Offenses
Murder	331
Forcible Rape	1,465
Robbery	7,024
Aggravated Assault	21,737
Burglary	42,721
Larceny-Theft	159,921
Auto Theft	27,878
Total Violent	30,557
Total Property	230,520
Total Crime Index	261,077

SOURCE: FBI, *Crime in the United States, 2002*.

**The State of Montana.** Montana is located in the north-western portion of the continental United States. It is bordered to the north by Canada, to the east by North Dakota and South Dakota, to the south by Wyoming

**Table 26-1. LAW ENFORCEMENT EMPLOYEE DATA, MONTANA, 2002**

Type of Agency	Number of Agencies	Total Personnel	Sworn	Civilian
All Agencies	106	2,707	1,581	1,126
State Agencies	2	285	217	68
County Sheriff's Offices	56	1,533	680	853
City Police	46	841	655	186
University Police Departments	2	48	29	19

SOURCE: FBI, *Crime in the United States, 2002*.

and Idaho, and to the west by Idaho. The state encompasses 147,046 square miles of area, including 1,490 square miles of inland water. It is the fourth largest of the 50 states in terms of area. Based on 2000 census figures, it ranks 44th among the states in population. The capital of Montana is Helena with a 2000 population of 25,780. The other major cities and their 2000 populations include Billings, 89,847; Missoula, 57,053; Great Falls, 56,690; Butte-Silver Bow, 34,606; Bozeman, 27,509; Kalispell, 14,223; Havre, 9,621; Anaconda-Deer Lodge County, 9,417; and Miles City, 8,487. The state is divided into 56 counties.

Montana became the 41st state on November 8, 1889. It was organized as a territory in May 1864. The state legislative assembly is made up of 50 senators and 100 representatives. The present constitution was adopted in 1972. As with all states in the United States, it elects two senators to the U.S. Congress, but the number of elected representatives to the House of Representatives is based on population; for Montana it is one.

The major industries of the state include mining, lumber and wood products, food processing, and tourism. The primary agricultural products are cattle, wheat, barley, sugar beets, hay, and hogs. The estimated population for 2002 was 909,453. The percentage breakdown of the 2000 census was 90.6% White, 0.3% Black or African American, 6.2% American Indian, and 0.5% Asian. Persons reporting some other race were 0.6% and those reporting two or more races on the 2000 census were 1.7%. Hispanics, who may be of any race, were 2.0% of the population in 2000. Persons age 18 or older was 74.5% and persons 65 years old and over was 13.4%. The median age was 37.5.

The law enforcement community in Montana consists of at least 106 agencies employing about 1,581 officers according to data reported to the FBI (see Table 26-1). All full-time peace officers must complete a minimum of 480 hours of mandatory basic training. After basic training, officers can progress through five

other levels based on additional training and schooling. No officer was killed feloniously in the line of duty and one died accidentally during 2002.

Crime Index offenses for 2002 for the state of Montana totaled 31,948, which was a rate of 3,512.9 per 100,000 inhabitants. The numbers of index offenses by category are listed in Table 26-2. At least 21,579 arrests were made in 2002 for all categories of crimes, with 4,440 being for index offenses. Of the index offense arrests, 1,656 arrests (37.3%) were persons under the age of 18.

**Table 26-2. Crime Index Offenses, Montana, 2002**

<i>Index Offense Category</i>	<i>Number of Offenses</i>
Murder	16
Forcible Rape	237
Robbery	283
Aggravated Assault	2,661
Burglary	3,289
Larceny-Theft	23,679
Auto Theft	1,783
Total Violent	3,197
Total Property	28,751
Total Crime Index	31,948

SOURCE: FBI, *Crime in the United States, 2002*.

**The State of Nebraska.** Nebraska is located in the center of the continental United States. It is bordered to the north by South Dakota, to the east by Iowa and Missouri, to the south by Kansas, and to the west by Colorado and Wyoming. The state encompasses 77,358 square miles of area, including 481 square miles of inland water. It is the 16th largest of the 50 states in terms of area. Based on 2000 census figures, it ranks 38th among the states in population. The capital of Nebraska is Lincoln with a 2000 population of 225,581. The other major cities and their 2000 populations include Omaha, 390,007; Bellevue, 44,382; Grand Island, 42,940; Kearney, 27,431; Fremont, 25,174; Hastings, 24,064; North Platte, 23,878; Norfolk, 23,516; and Columbus, 20,971. The state is divided into 93 counties.

Nebraska became the 37th state on March 1, 1867. It was organized as a territory in May 1854. Since 1934, the state legislature has been unicameral (one body) of 49 members elected on a nonpartisan basis for terms of four years (it is unique in the United States). The present constitution was adopted in 1875 although it was amended considerably in 1919–1920. As with all states in the United States, it elects two senators to the U.S. Congress, but the number of elected representatives to

**Table 27-1. LAW ENFORCEMENT EMPLOYEE DATA, NEBRASKA, 2002**

<i>Type of Agency</i>	<i>Number of Agencies</i>	<i>Total Personnel</i>	<i>Sworn</i>	<i>Civilian</i>
All Agencies	164	4,649	3,386	1,263
State Agencies	1	670	485	185
County Sheriff's Offices	91	1,467	902	565
City Police	70	2,472	1,967	505
University Police Departments	2	40	32	8

SOURCE: FBI, *Crime in the United States, 2002*.

the House of Representatives is based on population; for Nebraska it is three.

The major industries of the state include food processing, machinery, electric equipment, printing, and publishing. The primary agricultural products are cattle, corn, hogs, soybeans, wheat, and sorghum. The estimated population for 2002 was 1,729,180. The percentage breakdown of the 2000 census was 89.6% White, 4.0% Black or African American, 0.9% American Indian, and 1.3% Asian. Persons reporting some other race were 2.8% and those reporting two or more races on the 2000 census were 1.4%. Hispanics, who may be of any race, were 5.5% of the population in 2000. Persons age 18 or older was 73.7% and persons 65 years old and over was 13.6%. The median age was 35.3.

The law enforcement community in Nebraska consists of at least 164 agencies employing about 3,386 officers according to data reported to the FBI (see Table 27-1). Full-time peace officers must complete a minimum of 596 hours of mandatory basic training. There were 180 officers assaulted in 2002. No officers were killed feloniously in the line of duty nor died accidentally during 2002.

Crime Index offenses for 2002 for the state of Nebraska totaled 73,606, which was a rate of 4,256.7 per 100,000 inhabitants. The numbers of index offenses by category are listed in Table 27-2. At least 93,355 arrests were made in 2002 for all categories of crimes, with 11,970 being for index offenses. Of the index offense arrests, 4,404 arrests (36.8%) were persons under the age of 18.

**Table 27-2. Crime Index Offenses, Nebraska, 2002**

<i>Index Offense Category</i>	<i>Number of Offenses</i>
Murder	48
Forcible Rape	464
Robbery	1,359
Aggravated Assault	3,557



Burglary	10,329
Larceny-Theft	51,440
Auto Theft	6,409
Total Violent	5,428
Total Property	68,178
Total Crime Index	73,606

SOURCE: FBI, *Crime in the United States, 2002*.

**The State of Nevada.** Nevada is located in the western portion of the continental United States. It is bordered to the north by Oregon and Idaho, to the east by Utah and northern Arizona, to the south, southwest, and west by California. The state encompasses 110,567 square miles of area, including 761 square miles of inland water. It is the seventh largest of the 50 states in terms of area. Based on 2000 census figures, it ranks 35th among the states in population. The capital of Nevada is Carson City with a 2000 population of 52,457. The other major cities and their 2000 populations include Las Vegas, 478,434; Reno, 180,480; Henderson, 175,381; North Las Vegas, 115,488; Sparks, 66,346; Elko, 16,708; Boulder City, 14,966; Mesquite, 9,389; and Fallon, 7,536. The state is divided into 16 counties.

Nevada became the 36th state on October 31, 1864. It was organized as a territory in March 1861. The state legislature is made up of 21 senators and 42 assembly members. The present constitution was adopted in 1864. As with all states in the United States, it elects two senators to the U.S. Congress, but the number of elected representatives to the House of Representatives is based on population; for Nevada it is two.

The major industries of the state include tourism, mining, machinery, printing and publishing, food processing, and electric equipment. The primary agricultural products are cattle, hay, dairy products, and potatoes. The estimated population for 2002 was 2,173,491. The percentage breakdown of the 2000 census was 75.2% White, 6.8% Black or African American, 1.3% American Indian, and 4.5% Asian. Persons reporting some other race were 8.0% and those reporting two or more races on the 2000 census were 3.8%. Hispanics, who may be of any race, were 19.7% of the population in 2000. Persons age 18 or older was 74.4% and persons 65 years old and over was 11.0%. The median age was 35.0.

The law enforcement community in Nevada consists of at least 36 agencies employing about 4,907 officers according to data reported to the FBI (see Table 28-1). Full-time, Category I, peace officers must complete a minimum of 480 hours of mandatory basic training. There were 452 officers assaulted in 2002. No officers

**Table 28-1. LAW ENFORCEMENT EMPLOYEE DATA, NEVADA, 2002**

Type of Agency	Number of Agencies	Total Personnel	Sworn	Civilian
All Agencies	36	8,312	4,907	3,405
State Agencies	1	1,249	715	534
County Sheriff's Offices	16	1,465	999	466
City Police	14	5,364	2,994	2,370
University Police Departments	3	73	54	19
Other Agencies	2	161	145	16

SOURCE: FBI, *Crime in the United States, 2002*.

were killed feloniously in the line of duty and one died accidentally during 2002.

Crime Index offenses for 2002 for the state of Nevada totaled 97,752, which was a rate of 4,497.5 per 100,000 inhabitants. The numbers of index offenses by category are listed in Table 28-2. At least 115,128 arrests were made in 2002 for all categories of crimes, with 18,783 being for index offenses. Of the index offense arrests, 4,072 arrests (21.7%) were persons under the age of 18.

**Table 28-2. Crime Index Offenses, Nevada, 2002**

<i>Index Offense Category</i>	<i>Number of Offenses</i>
Murder	181
Forcible Rape	928
Robbery	5,118
Aggravated Assault	7,629
Burglary	18,951
Larceny-Theft	47,459
Auto Theft	17,486
Total Violent	13,856
Total Property	83,896
Total Crime Index	97,752

SOURCE: FBI, *Crime in the United States, 2002*.

**The State of New Hampshire.** New Hampshire is located in the New England area of the continental United States. It is bordered to the north by Canada, to the east by Maine, to the south by Massachusetts, and to the west by Vermont. The state encompasses 9,351 square miles of area, including 382 square miles of inland water and it has 13 miles of Atlantic Ocean coastline and 131 miles of shoreline. It is the 46th largest of the 50 states in terms of area. Based on 2000 census figures, it ranks 31st among the states in population. The capital of New Hampshire is Concord with a 2000 population of 40,687. The other major cities and their 2000 populations include Manchester, 107,006; Nashua, 86,605; Derry,

**Table 29-1. LAW ENFORCEMENT EMPLOYEE DATA, NEW HAMPSHIRE, 2002**

Type of Agency	Number of Agencies	Total Personnel	Sworn	Civilian
All Agencies	131	2,523	1,917	606
State Agencies	2	432	304	128
County Sheriff's Offices	2	49	26	23
City Police	127	2,042	1,587	455

SOURCE: FBI, *Crime in the United States, 2002*.

34,021; Rochester, 28,461; Salem, 28,112; Dover, 26,884; Merrimack, 25,119; Londonderry, 23,236; and Hudson, 22,928. The state is divided into ten counties.

New Hampshire was one of the original 13 colonies and became the 9th state to ratify the U.S. Constitution on June 21, 1788. The state legislature, the General Court, is made up of 24 senators and 400 representatives. The present constitution was adopted in 1784. As with all states in the United States, it elects two senators to the U.S. Congress, but the number of elected representatives to the House of Representatives is based on population; for New Hampshire it is two.

The major industries of the state include machinery, electric equipment, rubber and plastic products, and tourism. The primary agricultural products are dairy products, nursery stock, cattle, apples, and eggs. The estimated population for 2002 was 1,275,056. The percentage breakdown of the 2000 census was 96.0% White, 0.7% Black or African American, 0.2% American Indian, and 1.3% Asian. Persons reporting some other race were 0.6% and those reporting two or more races on the 2000 census were 1.1%. Hispanics, who may be of any race, were 1.7% of the population in 2000. Persons age 18 or older was 75.0% and persons 65 years old and over was 12.0%. The median age was 37.1.

The law enforcement community in New Hampshire consists of at least 131 agencies employing about 1,917 officers according to data reported to the FBI (see Table 29-1). Full-time peace officers must complete a basic academy of no more than 12 weeks maximum and complete 8 hours of in-service annually. There were 219 officers assaulted in 2002. No officers were killed feloniously in the line of duty or accidentally during 2002.

Crime Index offenses for 2002 for the state of New Hampshire totaled 28,306, which was a rate of 2,220 per 100,000 inhabitants. The numbers of index offenses by category are listed in Table 29-2. At least 34,348 arrests were made in 2002 for all categories of crimes, with 2,896 being for index offenses. Of the index offense arrests, 1,146 arrests (39.60%) were persons under the age of 18.

**Table 29-2. Crime Index Offenses, New Hampshire, 2002**

Index Offense Category	Number of Offenses
Murder	12
Forcible Rape	446
Robbery	413
Aggravated Assault	1,185
Burglary	4,838
Larceny-Theft	19,468
Auto Theft	1,944
Total Violent	2,056
Total Property	26,250
Total Crime Index	28,306

SOURCE: FBI, *Crime in the United States, 2002*.

**The State of New Jersey.** New Jersey is located in the eastern portion of the continental United States. It is bordered to the north by New York, to the east and south by the Atlantic Ocean, and to the west by Delaware and Pennsylvania. The state encompasses 8,722 square miles of area, including 1,303 square miles of inland water and it has 130 miles of coastline and 1,792 miles of shoreline. It is the 47th largest of the 50 states in terms of area. Based on 2000 census figures, it ranks ninth among the states in population. The capital of New Jersey is Trenton with a 2000 population of 85,403. The other major cities and their 2000 populations include Newark, 273,546; Jersey City, 240,055; Paterson, 149,222; Elizabeth, 120,568; Edison, 97,687; Woodbridge, 97,203; Dover, 89,706; Hamilton, 87,109; and Camden, 79,904. The state is divided into 21 counties.

New Jersey was one of the original 13 colonies and became the third state to ratify the U.S. Constitution on December 18, 1787. The state legislature is made up of 40 senators and 80 assembly representatives. The present constitution was adopted in 1947. As with all states in the United States, it elects two senators to the U.S. Congress, but the number of elected representatives to the House of Representatives is based on population; for New Jersey it is 13.

The major industries of the state include chemical products, food processing, electric equipment, printing and publishing, and tourism. The primary agricultural products are nursery stock, horses, vegetables, fruits and nuts, seafood, and dairy products. The estimated population for 2002 was 8,590,300. The percentage breakdown of the 2000 census was 72.6% White, 13.6% Black or African American, 0.2% American Indian, and 5.7% Asian. Persons reporting some other race were 5.4% and those reporting two or more races on the 2000 census were 2.5%. Hispanics, who may be of any race, were 13.3% of the population in 2000. Persons age 18 or

**Table 30-1. LAW ENFORCEMENT EMPLOYEE DATA, NEW JERSEY, 2002**

Type of Agency	Number of Agencies	Total Personnel	Sworn	Civilian
All Agencies	530	38,931	30,483	8,448
State Agencies	13	4,057	2,809	1,248
County Sheriff's Offices	23	5,228	4,034	1,194
City Police	479	25,094	21,202	3,892
University Police Departments	17	785	384	401
Other Agencies	24	3,767	2,054	1,713

SOURCE: FBI, *Crime in the United States, 2002*.

older was 75.2% and persons 65 years old and over was 13.2%. The median age was 36.7.

The law enforcement community in New Jersey consists of at least 530 agencies employing about 30,483 officers according to data reported to the FBI (see Table 30-1). Full-time peace officers must complete a minimum of 600 hours of mandatory basic training. There were 2,999 officers assaulted in 2002. No officers were killed feloniously in the line of duty and one died accidentally during 2002.

Crime Index offenses for 2002 for the state of New Jersey totaled 259,789, which was a rate of 3,024.2 per 100,000 inhabitants. The numbers of index offenses by category are listed in Table 30-2. At least 368,619 arrests were made in 2002 for all categories of crimes, with 51,333 being for index offenses. Of the index offense arrests, 13,027 arrests (25.4%) were persons under the age of 18.

**Table 30-2. Crime Index Offenses, New Jersey, 2002**

<i>Index Offense Category</i>	<i>Number of Offenses</i>
Murder	337
Forcible Rape	1,347
Robbery	13,905
Aggravated Assault	16,579
Burglary	43,898
Larceny-Theft	147,984
Auto Theft	35,739
Total Violent	32,168
Total Property	227,621
Total Crime Index	259,789

SOURCE: FBI, *Crime in the United States, 2002*.

**The State of New Mexico.** New Mexico is located in the southwestern portion of the continental United States. It is bordered to the north by Colorado, to the east by Oklahoma and Texas, to the south by Texas and Mexico,

**Table 31-1. LAW ENFORCEMENT EMPLOYEE DATA, NEW MEXICO, 2002**

Type of Agency	Number of Agencies	Total Personnel	Sworn	Civilian
All Agencies	110	5,660	4,142	1,518
State Agencies	1	714	576	138
County Sheriff's Offices	32	1,321	1,033	288
City Police	66	3,374	2,390	984
University Police Departments	5	96	62	34
Tribal Police	6	155	81	74

SOURCE: FBI, *Crime in the United States, 2002*.

and to the west by Arizona. The state encompasses 121,593 square miles of area, including 234 square miles of inland water. It is the fifth largest of the 50 states in terms of area. Based on 2000 census figures, it ranks 36th among the states in population. The capital of New Mexico is Santa Fe with a 2000 population of 62,203. The other major cities and their 2000 populations include Albuquerque, 448,607; Las Cruces, 74,267; Rio Rancho, 51,765; Roswell, 45,293; Farmington, 37,844; Alamogordo, 35,582; Clovis, 32,667; Hobbs, 28,657; and Carlsbad, 25,625. The state is divided into 33 counties.

New Mexico became the 47th state on January 6, 1912. It was organized as a territory in September 1850. The state legislature, the General Assembly, is made up of 42 senators and 70 representatives. The present constitution was adopted in 1911. As with all states in the United States, it elects two senators to the U.S. Congress, but the number of elected representatives to the House of Representatives is based on population; for New Mexico it is three.

The major industries of the state include electric equipment, petroleum and coal products, food processing, printing and publishing, stone, glass, and clay products, and tourism. The primary agricultural products are cattle, dairy products, hay, nursery stock, and chilies. The estimated population for 2002 was 1,855,059. The percentage breakdown of the 2000 census was 66.8% White, 1.9% Black or African American, 9.5% American Indian, and 1.1% Asian. Persons reporting some other race were 17.0% and those reporting two or more races on the 2000 census were 3.6%. Hispanics, who may be of any race, were 42.1% of the population in 2000. Persons age 18 or older was 72.0% and persons 65 years old and over was 11.7%. The median age was 34.6.

The law enforcement community in New Mexico consists of at least 110 agencies employing about 4,142 officers according to data reported to the FBI (see Table 31-1). Full-time peace officers normally complete about 800 hours of basic training and have a 40-hour biennial

in-service requirement. There were 571 officers assaulted in 2002. No officers were killed feloniously in the line of duty and two died accidentally during 2002.

Crime Index offenses for 2002 for the state of New Mexico totaled 94,196, which was a rate of 5,077.8 per 100,000 inhabitants. The numbers of index offenses by category are listed in Table 31-2. At least 76,539 arrests were made in 2002 for all categories of crimes, with 8,677 being for index offenses. Of the index offense arrests, 2,181 arrests (25.1%) were persons under the age of 18.

**Table 31-2. Crime Index Offenses, New Mexico, 2002**

<i>Index Offense Category</i>	<i>Number of Offenses</i>
Murder	152
Forcible Rape	1,027
Robbery	2,206
Aggravated Assault	10,334
Burglary	19,634
Larceny-Theft	53,406
Auto Theft	7,437
Total Violent	13,719
Total Property	80,477
Total Crime Index	94,196

SOURCE: FBI, *Crime in the United States, 2002*.

**The State of New York.** New York is located in the northeastern portion of the continental United States. It is bordered to the north by Lake Ontario and Canada; to the east by Vermont, Massachusetts, and Connecticut; to the south by New Jersey and Pennsylvania; and to the west by Lake Erie and Canada. The state encompasses 54,475 square miles of area, including 7,251 square miles of inland water and it has 127 miles of coastline and 1,850 miles of shoreline. It is the 27th largest of the 50 states in terms of area. Based on 2000 census figures, it ranks third among the states in population. The capital of New York is Albany with a 2000 population of 95,658. The other major cities and their 2000 populations include New York, 8,008,278; Buffalo, 292,648; Rochester, 219,773; Yonkers, 196,086; Syracuse, 147,306; New Rochelle, 72,182; Mount Vernon, 68,381; Schenectady, 61,821; and Utica, 60,651. The state is divided into 62 counties.

New York became the 11th state on July 26, 1788. The state legislature, the General Assembly, is made up of 61 senators and 150 assembly members. The present constitution was adopted in 1777, but it had major revisions in 1938. As with all states in the United States, it elects two senators to the U.S. Congress, but

**Table 32-1. LAW ENFORCEMENT EMPLOYEE DATA, NEW YORK, 2002**

<b>Type of Agency</b>	<b>Number of Agencies</b>	<b>Total Personnel</b>	<b>Sworn</b>	<b>Civilian</b>
All Agencies	425	80,990	59,654	21,336
State Agencies	13	5,668	4,761	907
County Sheriff's Offices	53	7,278	5,630	1,648
City Police	327	67,010	48,578	18,432
University Police Departments	29	967	625	342
Other Agencies	3	67	60	7

SOURCE: FBI, *Crime in the United States, 2002*.

the number of elected representatives to the House of Representatives is based on population; for New York it is 31. The major industries of the state include printing and publishing, scientific instruments, electric equipment, machinery, chemical products, and tourism. The primary agricultural products are dairy products, cattle and other livestock, vegetables, nursery stock, and apples. The estimated population for 2002 was 19,157,532. The percentage breakdown of the 2000 census was 67.9% White, 15.9% Black or African American, 0.4% American Indian, and 5.5% Asian. Persons reporting some other race were 7.1% and those reporting two or more races on the 2000 census were 3.1%. Hispanics, who may be of any race, were 15.1% of the population in 2000. Persons age 18 or older was 75.3% and persons 65 years old and over was 12.9%. The median age was 35.9.

The law enforcement community in New York consists of 425 agencies employing about 59,654 officers according to data reported to the FBI (see Table 32-1). Full-time police officers must complete a minimum of 422 hours of mandatory basic training. There were 443 officers assaulted in 2002. Two officers were killed feloniously in the line of duty and three died accidentally during 2002.

Crime Index offenses for 2002 for the state of New York totaled 537,121, which was a rate of 2,803.7 per 100,000 inhabitants. The numbers of index offenses by category are listed in Table 32-2. At least 264,833 arrests were made in 2002 for all categories of crimes, with 47,530 being for index offenses. Of the index offense arrests, 12,590 arrests (26.5%) were persons under the age of 18.

**Table 32-2. Crime Index Offenses, New York, 2002**

<i>Index Offense Category</i>	<i>Number of Offenses</i>
Murder	909
Forcible Rape	3,885

Robbery	36,653
Aggravated Assault	53,583
Burglary	76,700
Larceny-Theft	318,025
Auto Theft	47,366
Total Violent	95,030
Total Property	442,091
Total Crime Index	537,121

SOURCE: FBI, *Crime in the United States, 2002*.

**The State of North Carolina.** North Carolina is located in the south-central Atlantic portion of the continental United States. It is bordered to the north by Virginia, to the east by the Atlantic Ocean, to the south by South Carolina and part of Georgia, and to the west by Tennessee. The state encompasses 53,821 square miles of area, including 5,103 square miles of inland water and has 301 miles of coastline and 3,375 of shoreline. It is the 28th largest of the 50 states in terms of area. Based on 2000 census figures, it ranks 11th among the states in population. The capital of North Carolina is Raleigh with a 2000 population of 276,093. The other major cities and their 2000 populations include Charlotte, 540,828; Greensboro, 223,891; Durham, 187,035; Winston-Salem, 185,776; Fayetteville, 121,015; Cary, 94,536; High Point, 85,839; Wilmington, 75,838; and Asheville, 68,889. The state is divided into 100 counties.

North Carolina became the 12th state on November 21, 1789. The state legislature, the General Assembly, is made up of 50 senators and 120 representatives. The present constitution was adopted in 1971. As with all states in the United States, it elects two senators to the U.S. Congress, but the number of elected representatives to the House of Representatives is based on population; for North Carolina it is 12.

The major industries of the state include tobacco products, textile goods, chemical products, electric equipment, machinery, and tourism. The primary agricultural products are poultry and eggs, tobacco, hogs, milk, nursery stock, cattle, and soybeans. The estimated population for 2002 was 8,320,146. The percentage breakdown of the 2000 census was 72.1% White, 21.6% Black or African American, 1.2% American Indian, and 1.4% Asian. Persons reporting some other race were 2.3% and those reporting two or more races on the 2000 census were 1.3%. Hispanics, who may be of any race, were 4.7% of the population in 2000. Persons age 18 or older was 75.6% and persons 65 years old and over was 12.0%. The median age was 35.3.

**Table 33-1. LAW ENFORCEMENT EMPLOYEE DATA, NORTH CAROLINA, 2002**

Type of Agency	Number of Agencies	Total Personnel	Sworn	Civilian
All Agencies	513	27,852	19,691	8,161
State Agencies	39	2,919	2,199	720
County Sheriff's Offices	101	11,271	6,457	4,814
City Police	340	12,747	10,433	2,314
University Police Departments	27	783	486	297
Other Agencies	6	132	116	16

SOURCE: FBI, *Crime in the United States, 2002*.

The law enforcement community in North Carolina consists of at least 513 agencies employing about 19,691 officers according to data reported to the FBI (see Table 33-1). Full-time peace officers must complete a minimum of 602 hours of mandatory basic training. There were 2,092 officers assaulted in 2002. No officers were killed feloniously in the line of duty but six died accidentally during 2002.

Crime Index offenses for 2002 for the state of North Carolina totaled 392,826, which was a rate of 4,721.4 per 100,000 inhabitants. The numbers of index offenses by category are listed in Table 33-2. At least 447,259 arrests were made in 2002 for all categories of crimes, with 76,017 being for index offenses. Of the index offense arrests, 14,336 arrests (18.9%) were persons under the age of 18.

**Table 33-2. Crime Index Offenses, North Carolina, 2002**

<i>Index Offense Category</i>	<i>Number of Offenses</i>
Murder	548
Forcible Rape	2,196
Robbery	12,205
Aggravated Assault	24,169
Burglary	99,535
Larceny-Theft	229,307
Auto Theft	24,866
Total Violent	39,118
Total Property	353,708
Total Crime Index	392,826

SOURCE: FBI, *Crime in the United States, 2002*.

**The State of North Dakota.** North Dakota is located in the north-central portion of the continental United States. It is bordered to the north by Canada, to the east by Minnesota, to the south by South Dakota, and to the west by Montana. The state encompasses

70,704 square miles of area, including 1,710 square miles of inland water. It is the 19th largest of the 50 states in terms of area. Based on 2000 census figures, it ranks 47th among the states in population. The capital of North Dakota is Bismarck with a 2000 population of 55,532. The other major cities and their 2000 populations include Fargo, 90,599; Grand Forks, 49,321; Minot, 36,567; Mandan, 16,718; Dickinson, 16,010; Jamestown, 15,527; West Fargo, 14,940; Williston, 12,512; and Wahpeton, 8,586. The state is divided into 53 counties.

North Dakota became the 39th state on November 2, 1889. It was organized as a territory in March 1861. The state legislature is made up of 49 senators and 98 representatives. The present constitution was adopted in 1889. As with all states in the United States, it elects two senators to the U.S. Congress, but the number of elected representatives to the House of Representatives is based on population; for North Dakota it is one.

The major industries of the state include food processing, machinery, mining, and tourism. The primary agricultural products are wheat, cattle, barley, sunflowers, milk, and sugar beets. The estimated population for 2002 was 634,110. The percentage breakdown of the 2000 census was 92.4% White, 0.6% Black or African American, 4.9% American Indian, and 0.6% Asian. Persons reporting some other race were 0.4% and those reporting two or more races on the 2000 census were 1.2%. Hispanics, who may be of any race, were 1.2% of the population in 2000. Persons age 18 or older was 75.0% and persons 65 years old and over was 14.7%. The median age was 36.2.

The law enforcement community in North Dakota consists of 89 agencies employing about 1,104 officers according to data reported to the FBI (see Table 34-1). Full-time peace officers must complete a performance based basic training program that can vary from 11 to 17 weeks and must complete 60 hours of in-service training each three-year period to remain licensed. There were 68 officers assaulted in 2002. No officers were killed feloniously in the line of duty or accidentally during 2002.

Crime Index offenses for 2002 for the state of North Dakota totaled 15,258, which was a rate of 2,406.2 per 100,000 inhabitants. The numbers of index offenses by category are listed in Table 34-2. At least 25,221 arrests were made in 2002 for all categories of crimes, with 2,810 being for index offenses. Of the index offense arrests, 1,420 arrests (50.5%) were persons under the age of 18.

**Table 34-1. LAW ENFORCEMENT EMPLOYEE DATA, NORTH DAKOTA, 2002**

Type of Agency	Number of Agencies	Total Personnel	Sworn	Civilian
All Agencies	89	1,542	1,104	438
State Agencies	1	187	126	61
County Sheriff's Offices	48	607	390	217
City Police	38	722	567	155
University Police Departments	2	26	21	5

SOURCE: FBI, *Crime in the United States, 2002*.

**Table 34-2. Crime Index Offenses, North Dakota, 2002**

Index Offense Category	Number of Offenses
Murder	5
Forcible Rape	163
Robbery	58
Aggravated Assault	270
Burglary	2,243
Larceny-Theft	11,501
Auto Theft	1,018
Total Violent	496
Total Property	14,762
Total Crime Index	15,258

SOURCE: FBI, *Crime in the United States, 2002*.

**The State of Ohio.** Ohio is located in the north-central eastern portion of the continental United States. It is bordered to the north by Michigan and Lake Erie, to the east by Pennsylvania, to the southeast by West Virginia, to the south by Kentucky, and to the west by Indiana. The state encompasses 44,828 square miles of area, including 3,875 square miles of inland water. It is the 34th largest of the 50 states in terms of area. Based on 2000 census figures, it ranks seventh among the states in population. The capital of Ohio is Columbus with a 2000 population of 711,470. The other major cities and their 2000 populations include Cleveland, 478,403; Cincinnati, 331,285; Toledo, 313,619; Akron, 217,074; Dayton, 166,179; Parma, 85,655; Youngstown, 82,026; Canton, 80,806; and Lorain, 68,652. The state is divided into 88 counties.

Ohio became the 17th state on March 1, 1803. It was organized as a territory in March 1861. The state legislature, the General Assembly, is made up of 33 senators and 99 representatives. The present constitution was adopted in 1851. As with all states in the United States, it elects two senators to the U.S. Congress, but the number of elected representatives to the House

**Table 35-1. LAW ENFORCEMENT EMPLOYEE DATA, OHIO, 2002**

Type of Agency	Number of Agencies	Total Personnel	Sworn	Civilian
All Agencies	555	33,621	23,664	9,957
State Agencies	2	3,118	1,955	1,163
County Sheriff's Offices	85	9,739	5,158	4,581
City Police	446	19,876	15,891	3,985
University Police Departments	17	596	416	180
Other Agencies	5	292	244	48

SOURCE: FBI, *Crime in the United States, 2002*.

of Representatives is based on population; for Ohio it is 19.

The major industries of the state include transportation equipment, fabricated metal products, machinery, food processing, and electric equipment. The primary agricultural products are soybeans, dairy products, corn, tomatoes, hogs, cattle, poultry, and eggs. The estimated population for 2002 was 11,353,140. The percentage breakdown of the 2000 census was 85.0% White, 11.5% Black or African American, 0.2% American Indian, and 1.2% Asian. Persons reporting some other race were 0.8% and those reporting two or more races on the 2000 census were 1.4%. Hispanics, who may be of any race, were 1.9% of the population in 2000. Persons age 18 or older was 74.6% and persons 65 years old and over was 13.3%. The median age was 36.2.

The law enforcement community in Ohio consists of at least 555 agencies employing about 23,664 officers according to data reported to the FBI (see Table 35-1). Full-time peace officers must complete a minimum of 552 hours of mandatory basic training. There were 874 officers assaulted in 2002. Three officers were killed feloniously in the line of duty and one died accidentally during 2002.

Crime Index offenses for 2002 for the state of Ohio totaled 469,104, which was a rate of 4,107.3 per 100,000 inhabitants. The numbers of index offenses by category are listed in Table 35-2. At least 247,686 arrests were made in 2002 for all categories of crimes, with 38,944 being for index offenses. Of the index offense arrests, 9,741 arrests (25.0%) were persons under the age of 18.

**Table 35-2. Crime Index Offenses, Ohio, 2002**

Index Offense Category	Number of Offenses
Murder	526
Forcible Rape	4,809
Robbery	17,871

Aggravated Assault	16,922
Burglary	99,164
Larceny-Theft	287,045
Auto Theft	42,767
Total Violent	40,128
Total Property	428,976
Total Crime Index	469,104

SOURCE: FBI, *Crime in the United States, 2002*.

**The State of Oklahoma.** Oklahoma is located in the south-central portion of the continental United States. It is bordered to the north by Kansas, to the east by Missouri and Arkansas, to the south by Texas, and to the west by parts of Texas and New Mexico. The state encompasses 69,903 square miles of area, including 1,224 square miles of inland water. It is the 20th largest of the 50 states in terms of area. Based on 2000 census figures, it ranks 27th among the states in population. The capital of Oklahoma is Oklahoma City with a 2000 population of 506,132. The other major cities and their 2000 populations include Tulsa, 393,049; Norman, 95,694; Lawton, 92,757; Broken Arrow, 74,859; Edmond, 68,315; Midwest City, 54,088; Enid, 47,045; Moore, 41,138; and Stillwater, 39,065. The state is divided into 77 counties.

Oklahoma became the 46th state on November 16, 1907. It was organized as a territory in May 1890. The state legislature is made up of 48 senators and 101 representatives. The present constitution was adopted in 1907. As with all states in the United States, it elects two senators to the U.S. Congress, but the number of elected representatives to the House of Representatives is based on population; for Oklahoma it is six.

The major industries of the state include transportation equipment, machinery, electric products, rubber and plastic products, and food processing. The primary agricultural products are cattle, wheat, milk, poultry, and cotton. The estimated population for 2002 was 3,493,714. The percentage breakdown of the 2000 census was 76.2% White, 7.6% Black or African American, 7.9% American Indian, and 1.4% Asian. Persons reporting some other race were 2.4% and those reporting two or more races on the 2000 census were 4.5%. Hispanics, who may be of any race, were 5.2% of the population in 2000. Persons age 18 or older was 74.1% and persons 65 years old and over was 13.2%. The median age was 35.5.

The law enforcement community in Oklahoma consists of at least 302 agencies employing about 7,108 officers according to data reported to the FBI (see Table 36-1). Full-time peace officers must complete a minimum of 326 hours of mandatory basic training plus

**Table 36-1. LAW ENFORCEMENT EMPLOYEE DATA, OKLAHOMA, 2002**

Type of Agency	Number of Agencies	Total Personnel	Sworn	Civilian
All Agencies	302	10,585	7,108	3,477
State Agencies	2	1,451	852	599
County Sheriff's Offices	77	2,543	1,188	1,355
City Police	205	6,300	4,855	1,445
University Police Departments	16	260	188	72
Other Agencies	2	31	25	6

SOURCE: FBI, *Crime in the United States, 2002*.

all practicum work and exams, and complete 16 hours of annual continuing education. There were 843 officers assaulted in 2002. No officers were killed feloniously in the line of duty but one died accidentally during 2002.

Crime Index offenses for 2002 for the state of Oklahoma totaled 165,715, which was a rate of 4,743.2 per 100,000 inhabitants. The numbers of index offenses by category are listed in Table 36-2. At least 161,363 arrests were made in 2002 for all categories of crimes, with 22,663 being for index offenses. Of the index offense arrests, 6,770 arrests (29.9%) were persons under the age of 18.

**Table 36-2. Crime Index Offenses, Oklahoma, 2002**

Index Offense Category	Number of Offenses
Murder	163
Forcible Rape	1,573
Robbery	2,966
Aggravated Assault	12,885
Burglary	35,171
Larceny-Theft	100,185
Auto Theft	12,772
Total Violent	17,587
Total Property	148,128
Total Crime Index	165,715

SOURCE: FBI, *Crime in the United States, 2002*.

**The State of Oregon.** Oregon is located in the north-west portion of the continental United States. It is bordered to the north by Washington, to the east by Idaho, to the south by Nevada and California, and to the west by the Pacific Ocean. The state encompasses 98,386 square miles of area, including 2,383 square miles of inland water and it has 296 miles of coastline and 1,410 miles of shoreline. It is the ninth largest of the 50 states in terms of area. Based on 2000 census figures, it ranks 28th among the states in population.

**Table 37-1. LAW ENFORCEMENT EMPLOYEE DATA, OREGON, 2002**

Type of Agency	Number of Agencies	Total Personnel	Sworn	Civilian
All Agencies	164	7,679	5,617	2,062
State Agencies	1	1,160	753	407
County Sheriff's Offices	36	1,815	1,327	488
City Police	126	4,646	3,492	1,154
Other Agencies	1	58	45	13

SOURCE: FBI, *Crime in the United States, 2002*.

The capital of Oregon is Salem with a 2000 population of 136,924. The other major cities and their 2000 populations include Portland, 529,121; Eugene, 137,893; Gresham, 90,205; Beaverton, 76,129; Hillsboro, 70,186; Medford, 63,154; Springfield, 52,864; Bend, 52,029; and Corvallis, 49,322. The state is divided into 36 counties.

Oregon became the 33rd state on February 14, 1859. It was organized as a territory in August 1848. The state legislature is made up of 30 senators and 60 assembly members. The present constitution was adopted in 1859. As with all states in the United States, it elects two senators to the U.S. Congress, but the number of elected representatives to the House of Representatives is based on population; for Oregon it is five.

The major industries of the state include lumber and wood products, tourism, food processing, paper products, machinery, and scientific instruments. The primary agricultural products are cattle, vegetables, nursery stock, fruits and nuts, dairy products, and wheat. The estimated population for 2002 was 3,521,515. The percentage breakdown of the 2000 census was 86.6% White, 1.6% Black or African American, 1.3% American Indian, and 3.0% Asian. Persons reporting some other race were 4.2% and those reporting two or more races on the 2000 census were 3.1%. Hispanics, who may be of any race, were 8.0% of the population in 2000. Persons age 18 or older was 75.3% and persons 65 years old and over was 12.8%. The median age was 36.3.

The law enforcement community in Oregon consists of at least 164 agencies employing about 5,617 officers according to data reported to the FBI (see Table 37-1). Full-time peace officers must complete a minimum of 10 weeks of mandatory basic training and 84 hours of in-service training every three years. There were 354 officers assaulted in 2002. One officer was killed feloniously in the line of duty and two died accidentally during 2002.



Crime Index offenses for 2002 for the state of Oregon totaled 171,443 which was a rate of 4,868.4 per 100,000 inhabitants. The numbers of index offenses by category are listed in Table 37-2. At least 111,337 arrests were made in 2002 for all categories of crimes, with 25,543 being for index offenses. Of the index offense arrests, 6,500 arrests (25.4%) were persons under the age of 18.

**Table 37-2. Crime Index Offenses, Oregon, 2002**

<i>Index Offense Category</i>	<i>Number of Offenses</i>
Murder	72
Forcible Rape	1,238
Robbery	2,742
Aggravated Assault	6,246
Burglary	25,696
Larceny-Theft	118,925
Auto Theft	16,524
Total Violent	10,298
Total Property	161,145
Total Crime Index	171,443

SOURCE: FBI, *Crime in the United States, 2002*.

**The State of Pennsylvania.** Pennsylvania is located in the middle Atlantic portion of the continental United States. It is bordered to the north by part of Lake Erie and the state of New York; to the east by New York and New Jersey; to the south by Delaware, Maryland and West Virginia; and to the west by Ohio. The state encompasses 46,058 square miles of area, including 1,239 square miles of inland water. It is the 33rd largest of the 50 states in terms of area. Based on 2000 census figures, it ranks sixth among the states in population. The capital of Pennsylvania is Harrisburg with a 2000 population of 48,950. The other major cities and their 2000 populations include Philadelphia, 1,517,550; Pittsburgh, 334,563; Allentown, 106,632; Erie, 103,717; Upper Darby, 81,821; Reading, 81,207; Scranton, 76,415; Bethlehem, 71,329; Lower Merion, 59,850; and Bensalem, 58,434. The state is divided into 67 counties.

Pennsylvania was one of the original 13 colonies and became the second state to adopt the U.S. Constitution on December 12, 1787. The state legislature, the General Assembly is made up of 50 senators and 203 representatives. The present constitution was adopted in 1968. As with all states in the United States, it elects two senators to the U.S. Congress, but the number of elected representatives to the House of Representatives is based on population; for Pennsylvania it is 21.

The major industries of the state include food processing, chemical products, machinery, electric equipment,

**Table 38-1. LAW ENFORCEMENT EMPLOYEE DATA, PENNSYLVANIA, 2002**

Type of Agency	Number of Agencies	Total Personnel	Sworn	Civilian
All Agencies	779	28,183	23,713	4,470
State Agencies	*	6,488	4,677	1,811
County Sheriff's Offices	15	741	610	131
City Police	696	20,092	17,781	2,311
University Police Departments	27	534	405	129
Other Agencies	13	328	240	88

SOURCE: FBI, *Crime in the United States, 2002*.

\* Number of state agencies not reported.

and tourism. The primary agricultural products are dairy products, poultry, cattle, nursery stock, mushrooms, hogs, and hay. The estimated population for 2002 was 12,335,091. The percentage breakdown of the 2000 census was 85.4% White, 10.0% Black or African American, 0.1% American Indian, and 1.8% Asian. Persons reporting some other race were 1.5% and those reporting two or more races on the 2000 census were 1.2%. Hispanics, who may be of any race, were 3.2% of the population in 2000. Persons age 18 or older was 76.2% and persons 65 years old and over was 15.6%. The median age was 38.0.

The law enforcement community in Pennsylvania consists of at least 779 agencies employing about 23,713 officers according to data reported to the FBI (see Table 38-1). Full-time peace officers must complete a minimum of 750 hours of mandatory basic training and 12 hours of in-service training. There were 2,368 officers assaulted in 2002. Two officers were killed feloniously in the line of duty and one died accidentally during 2002.

Crime Index offenses for 2002 for the state of Pennsylvania totaled 350,446, which was a rate of 2,841.0 per 100,000 inhabitants. The numbers of index offenses by category are listed in Table 38-2. At least 421,600 arrests were made in 2002 for all categories of crimes, with 74,338 being for index offenses. Of the index offense arrests, 19,298 arrests (26.0%) were persons under the age of 18.

**Table 38-2. Crime Index Offenses, Pennsylvania, 2002**

<i>Index Offense Category</i>	<i>Number of Offenses</i>
Murder	624
Forcible Rape	3,731
Robbery	17,163
Aggravated Assault	28,060
Burglary	55,610
Larceny-Theft	212,441

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Auto Theft	32,817
Total Violent	49,578
Total Property	300,868
Total Crime Index	350,446

SOURCE: FBI, *Crime in the United States, 2002*.

**The State of Rhode Island.** Rhode Island is located in the northeast portion of the continental United States. It is bordered to the north and northeast by Massachusetts, to the southeast and south by the Atlantic Ocean, and to the west by Connecticut. The state encompasses 1,545 square miles of area, including 500 square miles of inland water and it has 40 miles of coastline and 384 miles of shoreline. It is the smallest of the 50 states in terms of land area. Based on 2000 census figures, it ranks 43rd among the states in population. The capital of Rhode Island is Providence with a 2000 population of 173,618. The other major cities and their 2000 populations include Warwick, 85,808; Cranston, 79,269; Pawtucket, 72,958; East Providence, 48,688; Woonsocket, 43,224; Coventry, 33,668; North Providence, 32,411; Cumberland, 31,840; and West Warwick, 29,581. The state is divided into five counties.

Rhode Island was one of the original 13 colonies and it became the 13th state to ratify the U.S. Constitution on May 29, 1790. The state legislature is made up of 50 senators and 100 representatives. The present constitution was adopted in 1842. As with all states in the United States, it elects two senators to the U.S. Congress, but the number of elected representatives to the House of Representatives is based on population; for Rhode Island it is two.

The major industries of the state are fashion jewelry, fabricated metal products, electric equipment, machinery, shipbuilding and boat building, and tourism. The primary agricultural products are nursery stock, vegetables, dairy products, and eggs. The estimated population for 2002 was 1,069,725. The percentage breakdown of the 2000 census was 85.0% White, 4.5% Black or African American, 0.5% American Indian, and 2.3% Asian. Persons reporting some other race were 5.0% and those reporting two or more races on the 2000 census were 2.7%. Hispanics, who may be of any race, were 8.7% of the population in 2000. Persons age 18 or older was 76.4% and persons 65 years old and over was 14.5%. The median age was 36.7.

The law enforcement community in Rhode Island consists of at least 43 agencies employing about 2,485 officers according to data reported to the FBI (see Table 39-1). Full-time peace officers must complete a minimum of 620 hours of basic training. There were 432 officers assaulted in 2002. No officers were killed feloniously in the line of duty and none died accidentally during 2002.

**Table 39-1. LAW ENFORCEMENT EMPLOYEE DATA, RHODE ISLAND, 2002**

Type of Agency	Number of Agencies	Total Personnel	Sworn	Civilian
All Agencies	43	3,122	2,485	637
State Agencies	2	294	241	53
City Police	38	2,726	2,187	539
University Police Departments	2	91	47	44
Tribal Agency	1	11	10	1

SOURCE: FBI, *Crime in the United States, 2002*.

Crime Index offenses for 2002 for the state of Rhode Island totaled 38,393, which was a rate of 3,589.1 per 100,000 inhabitants. The numbers of index offenses by category are listed in Table 39-2. At least 42,140 arrests were made in 2002 for all categories of crimes, with 6,034 being for index offenses. Of the index offense arrests, 1,902 arrests (31.5%) were persons under the age of 18.

**Table 39-2. Crime Index Offenses, Rhode Island, 2002**

<i>Index Offense Category</i>	<i>Number of Offenses</i>
Murder	41
Forcible Rape	395
Robbery	916
Aggravated Assault	1,699
Burglary	6,415
Larceny-Theft	24,051
Auto Theft	4,876
Total Violent	3,051
Total Property	35,342
Total Crime Index	38,393

SOURCE: FBI, *Crime in the United States, 2002*.

**The State of South Carolina.** South Carolina is located in the south Atlantic portion of the continental United States. It is bordered to the north by North Carolina, to the east by the Atlantic Ocean, and to the south and west by Georgia. The state encompasses 32,007 square miles of area, including 1,896 square miles of inland water and it has 187 miles of coastline and 2,876 miles of shoreline. It is the 40th largest of the 50 states in terms of land area. Based on 2000 census figures, it ranks 26th among the states in population. The capital of South Carolina is Columbia with a 2000 population of 116,278. The other major cities and their 2000 populations include Charleston, 96,650; North Charleston, 79,641; Greenville, 56,002; Rock Hill, 49,765; Mount Pleasant, 47,609; Spartanburg, 39,673; Sumter, 39,643; Hilton

**Table 40-1. LAW ENFORCEMENT EMPLOYEE DATA, SOUTH CAROLINA, 2002**

Type of Agency	Number of Agencies	Total Personnel	Sworn	Civilian
All Agencies	260	12,128	8,787	3,341
State Agencies	*	1,446	1,116	330
County Sheriff's Offices	40	5,553	3,623	1,930
City Police	147	4,665	3,731	934
University Police Departments	17	411	274	137
Other Agencies	3	53	43	10

SOURCE: FBI, *Crime in the United States, 2002*.

\* Number of state agencies not reported.

Head Island, 33,862; and Florence, 30,248. The state is divided into 46 counties.

South Carolina was one of the original 13 colonies and became the eighth state to ratify the U.S. Constitution on May 23, 1788. The state legislature is made up of 46 senators and 124 representatives. The present constitution was adopted in 1895. As with all states in the United States, it elects two senators to the U.S. Congress, but the number of elected representatives to the House of Representatives is based on population; for South Carolina it is six.

The major industries of the state include textile goods, chemical products, paper products, machinery, and tourism. The primary agricultural products are tobacco, poultry, cattle, dairy products, soybeans, and hogs. The estimated population for 2002 was 4,107,183. The percentage breakdown of the 2000 census was 67.2% White, 29.5% Black or African American, 0.3% American Indian, and 0.9% Asian. Persons reporting some other race were 1.0% and those reporting two or more races on the 2000 census were 1.0%. Hispanics, who may be of any race, were 2.4% of the population in 2000. Persons age 18 or older was 74.8% and persons 65 years old and over was 12.1%. The median age was 35.4.

The law enforcement community in South Carolina consists of at least 260 agencies employing about 8,787 officers according to data reported to the FBI (see Table 40-1). Full-time peace officers must complete a minimum of nine weeks of mandatory basic training. There were 490 officers assaulted in 2002. Five officers were killed feloniously in the line of duty and five died accidentally during 2002.

Crime Index offenses for 2002 for the state of South Carolina totaled 217,569, which was a rate of 5,297.3 per 100,000 inhabitants. The numbers of index offenses by category are listed in Table 40-2. At least 120,025 arrests were made in 2002 for all categories of crimes, with 20,597 being for index offenses. Of the index offense arrests, 4,804 arrests (23.3%) were persons under the age of 18.

**Table 40-2. Crime Index Offenses, South Carolina, 2002**

Index Offense Category	Number of Offenses
Murder	298
Forcible Rape	1,959
Robbery	5,774
Aggravated Assault	25,730
Burglary	43,745
Larceny-Theft	123,196
Auto Theft	16,867
Total Violent	33,761
Total Property	183,808
Total Crime Index	217,569

SOURCE: FBI, *Crime in the United States, 2002*.

**The State of South Dakota.** South Dakota is located in the north-central portion of the continental United States. It is bordered to the north by North Dakota, to the east by Minnesota and Iowa, to the south by Nebraska, and to the west by Wyoming and Montana. The state encompasses 77,121 square miles of area, including 1,224 square miles of inland water. It is the 17th largest of the 50 states in terms of area. Based on 2000 census figures, it ranks 46th among the states in population. The capital of South Dakota is Pierre with a 2000 population of 13,876. The other major cities and their 2000 populations include Sioux Falls, 123,975; Rapid City, 59,607; Aberdeen, 24,658; Watertown, 20,237; Brookings, 18,504; Mitchell, 14,558; Yankton, 13,528; Huron, 11,893; and Vermillion, 9,765. The state is divided into 67 counties.

South Dakota became the 40th state on November 2, 1889. It was organized as a territory in March 1861. The state legislature is made up of 35 senators and 70 representatives. The present constitution was adopted in 1889. As with all states in the United States, it elects two senators to the U.S. Congress, but the number of elected representatives to the House of Representatives is based on population; for South Dakota it is one.

The major industries of the state include food processing, machinery, lumber and wood products, and tourism. The primary agricultural products are cattle, hogs, wheat, soybeans, milk, and corn. The estimated population for 2002 was 761,063. The percentage breakdown of the 2000 census was 88.7% White, 0.6% Black or African American, 8.3% American Indian, and 0.6% Asian. Persons reporting some other race were 0.5% and those reporting two or more races on the 2000 census were 1.3%. Hispanics, who may be of any race, were 1.4% of the population in 2000. Persons age 18 or older was 73.2% and persons 65 years old and over was 14.3%. The median age was 35.6.

**Table 41-1. LAW ENFORCEMENT EMPLOYEE DATA, SOUTH DAKOTA, 2002**

Type of Agency	Number of Agencies	Total Personnel	Sworn	Civilian
All Agencies	130	2,016	1,267	749
State Agencies	2	350	180	170
County Sheriff's Offices	65	793	388	405
City Police	62	857	690	167
University Police Departments	1	16	9	7

SOURCE: FBI, *Crime in the United States, 2002*.

The law enforcement community in South Dakota consists of at least 130 agencies employing about 1,267 officers according to data reported to the FBI (see Table 41-1). Full-time peace officers must complete a 12-week basic certification course and an in-service domestic violence course once every four years after initial training. There were 36 officers assaulted in 2002. No officers were killed feloniously in the line of duty and none died accidentally during 2002.

Crime Index offenses for 2002 for the state of South Dakota totaled 17,342, which was a rate of 2,278.7 per 100,000 inhabitants. The numbers of index offenses by category are listed in Table 41-2. At least 28,112 arrests were made in 2002 for all categories of crimes, with 2,917 being for index offenses. Of the index offense arrests, 1,144 arrests (39.2%) were persons under the age of 18.

**Table 41-2. Crime Index Offenses, South Dakota, 2002**

Index Offense Category	Number of Offenses
Murder	11
Forcible Rape	361
Robbery	117
Aggravated Assault	861
Burglary	3,034
Larceny-Theft	12,139
Auto Theft	819
Total Violent	1,350
Total Property	15,992
Total Crime Index	17,342

SOURCE: FBI, *Crime in the United States, 2002*.

**The State of Tennessee.** Tennessee is located in the southeast central portion of the continental United States. It is bordered to the north by Kentucky and Virginia; to the east by North Carolina; to the south by Georgia, Alabama, and Mississippi; and to the west by Arkansas and Missouri. The state encompasses 42,146

**Table 42-1. LAW ENFORCEMENT EMPLOYEE DATA, TENNESSEE, 2002**

Type of Agency	Number of Agencies	Total Personnel	Sworn	Civilian
All Agencies	437	23,962	15,174	8,788
State Agencies	*	2,982	1,551	1,431
County Sheriff's Offices	95	9,080	4,476	4,604
City Police	253	11,239	8,635	2,604
University Police Departments	14	426	329	97
Other Agencies	6	235	183	52

SOURCE: FBI, *Crime in the United States, 2002*.

\* Number of state agencies not reported.

square miles of area, including 926 square miles of inland water. It is the 36th largest of the 50 states in terms of area. Based on 2000 census figures, it ranks 16th among the states in population. The capital of Tennessee is Nashville with a 2000 population of 569,891 (includes and county of Davidson). The other major cities and their 2000 populations include Memphis, 650,100; Knoxville, 173,890; Chattanooga, 155,554; Clarksville, 103,455; Murfreesboro, 68,816; Jackson, 59,643; Johnson City, 55,469; Kingsport, 44,905; and Franklin, 41,842. The state is divided into 95 counties.

Tennessee became the 16th state on June 1, 1796. The state legislature is made up of 33 senators and 99 house members. The present constitution was adopted in 1870 but has been amended several times. As with all states in the United States, it elects two senators to the U.S. Congress, but the number of elected representatives to the House of Representatives is based on population; for Tennessee it is nine.

The major industries of the state include chemicals, transportation equipment, rubber, and plastics. The primary agricultural products are soybeans, cotton, tobacco, livestock and livestock products, dairy products, cattle, and hogs. The estimated population for 2002 was 5,797,289. The percentage breakdown of the 2000 census was 80.2% White, 16.4% Black or African American, 0.3% American Indian, and 1.0% Asian. Persons reporting some other race were 1.0% and those reporting two or more races on the 2000 census were 1.1%. Hispanics, who may be of any race, were 2.2% of the population in 2000. Persons age 18 or older was 75.4% and persons 65 years old and over was 12.4%. The median age was 35.9.

The law enforcement community in Tennessee consists of at least 437 agencies employing about 15,174 officers according to data reported to the FBI (see Table 42-1). Full-time peace officers must complete a minimum of 420 hours of mandatory basic training.

There were 2,136 officers assaulted in 2002. Two officers were killed feloniously in the line of duty and two died accidentally during 2002.

Crime Index offenses for 2002 for the state of Tennessee totaled 290,961, which was a rate of 5,018.9 per 100,000 inhabitants. The numbers of index offenses by category are listed in Table 42-2. At least 234,995 arrests were made in 2002 for all categories of crimes, with 36,020 being for index offenses. Of the index offense arrests, 5,963 arrests (16.6%) were persons under the age of 18.

**Table 42-2. Crime Index Offenses, Tennessee, 2002**

<i>Index Offense Category</i>	<i>Number of Offenses</i>
Murder	420
Forcible Rape	2,290
Robbery	9,413
Aggravated Assault	29,439
Burglary	61,248
Larceny-Theft	161,610
Auto Theft	26,541
Total Violent	41,562
Total Property	249,399
Total Crime Index	290,961

SOURCE: FBI, *Crime in the United States, 2002*.

**The State of Texas.** Texas is located in the south Gulf portion of the continental United States. It is bordered to the north by New Mexico and Oklahoma; to the east by Oklahoma, Arkansas and Louisiana; to the south by the Gulf of Mexico and Mexico; and to the west by Mexico and New Mexico. The state encompasses 268,601 square miles of area, including 6,687 square miles of inland water. It is the second largest of the 50 states in terms of area. Based on 2000 census figures, it also ranks second among the states in population. The capital of Texas is Austin with a 2000 population of 656,562. The other major cities and their 2000 populations include Houston, 1,953,631; Dallas, 1,188,580; San Antonio, 1,144,646; El Paso, 563,662; Fort Worth, 534,694; Arlington, 332,969; Corpus Christi, 277,454; Plano, 222,030; and Garland, 215,768. The state is divided into 254 counties.

Texas became the 28th state on December 29, 1845. The state legislature is made up of 33 senators and 150 house members. The present constitution was adopted in 1876. As with all states in the United States, it elects two senators to the U.S. Congress, but the number of elected representatives to the House of Representatives is based on population; for Texas it is 30.

**Table 43-1. LAW ENFORCEMENT EMPLOYEE DATA, TEXAS, 2002**

Type of Agency	Number of Agencies	Total Personnel	Sworn	Civilian
All Agencies	966	77,464	47,710	29,754
State Agencies	1	7,480	3,031	4,449
County Sheriff's Offices	251	25,423	11,459	13,964
City Police	615	40,713	30,920	9,793
University Police Departments	66	2,289	1,174	1,115
Other Agencies	33	1,559	1,126	433

SOURCE: FBI, *Crime in the United States, 2002*.

The major industries of the state include chemical products, petroleum and natural gas, food processing, electric equipment, machinery, mining, and tourism. The primary agricultural products are cattle, cotton, dairy products, nursery stock, poultry, sorghum, corn, and wheat. The estimated population for 2002 was 21,779,893. The percentage breakdown of the 2000 census was 71.0% White, 11.5% Black or African American, 0.6% American Indian, and 2.7% Asian. Persons reporting some other race were 11.7% and those reporting two or more races on the 2000 census were 2.5%. Hispanics, who may be of any race, were 32.0% of the population in 2000. Persons age 18 or older was 71.8% and persons 65 years old and over was 9.9%. The median age was 32.3.

The law enforcement community in Texas consists of at least 966 agencies employing about 47,710 officers according to data reported to the FBI (see Table 43-1). Full-time peace officers must complete a minimum of 600 hours of mandatory basic training. There were 5,062 officers assaulted in 2002. Five officers were killed feloniously in the line of duty and nine died accidentally during 2002.

Crime Index offenses for 2002 for the state of Texas totaled 1,130,292, which was a rate of 5,189.6 per 100,000 inhabitants. The numbers of index offenses by category are listed in Table 43-2. At least 1,036,323 arrests were made in 2002 for all categories of crimes, with 154,229 being for index offenses. Of the index offense arrests, 42,091 arrests (27.3%) were persons under the age of 18.

**Table 43-2. Crime Index Offenses, Texas, 2002**

<i>Index Offense Category</i>	<i>Number of Offenses</i>
Murder	1,302
Forcible Rape	8,508
Robbery	37,580
Aggravated Assault	78,628
Burglary	212,602

*United States*

Larceny-Theft	688,992
Auto Theft	102,680
Total Violent	126,018
Total Property	1,004,274
Total Crime Index	1,130,292

SOURCE: FBI, *Crime in the United States, 2002*.

**The State of Utah.** Utah is located in the western portion of the continental United States. It is bordered to the north by Idaho and Wyoming, to the east by Wyoming and Colorado, to the south by Arizona, and to the west by Nevada. The state encompasses 84,904 square miles of area, including 2,736 square miles of inland water. It is the 13th largest of the 50 states in terms of area. Based on 2000 census figures, it ranks 34th among the states in population. The capital of Utah is Salt Lake City with a 2000 population of 181,743. The other major cities and their 2000 populations include, West Valley City, 108,896; Provo, 105,166; Sandy, 88,418; Orem, 84,324; Ogden, 77,226; West Jordan, 68,336; Layton, 58,474; Taylorsville, 57,439; and St. George, 49,663. The state is divided into 29 counties.

Utah became the 45th state on January 4, 1896. It was organized as a territory in September 1850. The state legislature is made up of 29 senators and 75 representatives. The present constitution was adopted in 1896. As with all states in the United States, it elects two senators to the U.S. Congress, but the number of elected representatives to the House of Representatives is based on population; for Utah it is three.

The major industries of the state include machinery, aerospace, mining, food processing, electric equipment and tourism. The primary agricultural products are cattle, dairy products, hay, and turkeys. The estimated population for 2002 was 2,316,256. The percentage breakdown of the 2000 census was 89.2% White, 0.8% Black or African American, 1.3% American Indian, and 1.7% Asian. Persons reporting some other race were 4.2% and those reporting two or more races on the 2000 census were 2.1%. Hispanics, who may be of any race, were 9.0% of the population in 2000. Persons age 18 or older was 67.8% and persons 65 years old and over was 8.5%. The median age was 27.1.

The law enforcement community in Utah consists of at least 124 agencies employing about 4,636 officers according to data reported to the FBI (see Table 44-1). Full-time peace officers must complete a minimum of 600 hours of mandatory basic training and 40 hours of in-service annually. There were 240 officers assaulted in 2002. One officer was killed feloniously in the line of duty and one died accidentally during 2002.

**Table 44-1. LAW ENFORCEMENT EMPLOYEE DATA, UTAH, 2002**

Type of Agency	Number of Agencies	Total Personnel	Sworn	Civilian
All Agencies	124	6,872	4,636	2,236
State Agencies	4	634	595	39
County Sheriff's Offices	29	3,155	1,671	1,484
City Police	82	2,869	2,246	623
University Police Departments	8	192	108	84
Other Agencies	1	22	16	6

SOURCE: FBI, *Crime in the United States, 2002*.

Crime Index offenses for 2002 for the state of Utah totaled 103,129, which was a rate of 4,452.4 per 100,000 inhabitants. The numbers of index offenses by category are listed in Table 44-2. At least 121,200 arrests were made in 2002 for all categories of crimes, with 20,091 being for index offenses. Of the index offense arrests, 7,658 arrests (38.1%) were persons under the age of 18.

**Table 44-2. Crime Index Offenses, Utah, 2002**

<i>Index Offense Category</i>	<i>Number of Offenses</i>
Murder	47
Forcible Rape	943
Robbery	1,140
Aggravated Assault	3,358
Burglary	15,124
Larceny-Theft	74,795
Auto Theft	7,722
Total Violent	5,488
Total Property	97,641
Total Crime Index	103,129

SOURCE: FBI, *Crime in the United States, 2002*.

**The State of Vermont.** Vermont is located in the New England portion of the continental United States. It is bordered to the north by Canada, to the east by New Hampshire, to the south by Massachusetts, and to the west by New York. The state encompasses 9,615 square miles of area, including 366 square miles of inland water. It is the 45th largest of the 50 states in terms of area. Based on 2000 census figures, it ranks 49th among the states in population. The capital of Vermont is Montpelier with a 2000 population of 8,035. The other major cities and their 2000 populations include Burlington, 38,889; Essex, 18,626; Rutland, 17,292; Colchester, 16,986; South Burlington, 15,814; Bennington, 15,737; Brattleboro, 12,005; Hartford,

**Table 45-1. LAW ENFORCEMENT EMPLOYEE DATA, VERMONT, 2002**

Type of Agency	Number of Agencies	Total Personnel	Sworn	Civilian
All Agencies	58	1,343	956	387
State Agencies	1	474	295	179
County Sheriff's Offices	8	117	81	39
City Police	49	752	580	172

SOURCE: FBI, *Crime in the United States, 2002*.

10,367; Milton, 9,479; and Barre, 9,291. The state is divided into 14 counties.

Vermont became the 14th state on March 4, 1791. The state legislature, the General Assembly, is made up of 30 senators and 150 assembly members. The present constitution was adopted in 1783. As with all states in the United States, it elects two senators to the U.S. Congress, but the number of elected representatives to the House of Representatives is based on population; for Vermont it is one.

The major industries of the state include electronic equipment, fabricated metal products, printing and publishing, paper products, and tourism. The primary agricultural products are dairy products, cattle, hay, apples, and maple products. The estimated population for 2002 was 616,592. The percentage breakdown of the 2000 census was 96.8% White, 0.5% Black or African American, 0.4% American Indian, and 0.9% Asian. Persons reporting some other race were 0.2% and those reporting two or more races on the 2000 census were 1.2%. Hispanics, who may be of any race, were 0.9% of the population in 2000. Persons age 18 or older was 75.8% and persons 65 years old and over was 12.7%. The median age was 37.7.

The law enforcement community in Vermont consists of at least 58 agencies employing about 956 officers according to data reported to the FBI (see Table 45-1). Full-time peace officers must complete a minimum of 852 hours of mandatory basic training and 25 hours of in-service training annually. No officers were killed feloniously in the line of duty or accidentally during 2002.

Crime Index offenses for 2002 for the state of Vermont totaled 15,600, which was a rate of 2,530.0 per 100,000 inhabitants. The numbers of index offenses by category are listed in Table 45-2. At least 13,757 arrests were made in 2002 for all categories of crimes, with 1,826 being for index offenses. Of the index offense arrests, 489 arrests (26.8%) were persons under the age of 18.

**Table 45-2. Crime Index Offenses, Vermont, 2002**

Index Offense Category	Number of Offenses
Murder	13
Forcible Rape	126
Robbery	77
Aggravated Assault	442
Burglary	3,489
Larceny-Theft	10,684
Auto Theft	769
Total Violent	658
Total Property	14,942
Total Crime Index	15,600

SOURCE: FBI, *Crime in the United States, 2002*.

**The State of Virginia.** Virginia is located in the mid-Atlantic region of the continental United States. It is bordered to the north by West Virginia, Maryland and the District of Columbia; to the east by Maryland, the Chesapeake Bay, and the Atlantic Ocean; to the south by North Carolina and Tennessee; and to the west by Kentucky and West Virginia. The state encompasses 42,769 square miles of area, including 3,171 square miles of inland water and it has 112 miles of coastline and 3,315 miles of shoreline. It is the 35th largest of the 50 states in terms of area. Based on 2000 census figures, it ranks 12th among the states in population. The capital of Virginia is Richmond with a 2000 population of 197,790. The other major cities and their 2000 populations include Virginia Beach, 425,257; Norfolk, 234,403; Chesapeake, 199,184; Newport News, 180,150; Hampton, 146,437; Alexandria, 128,283; Portsmouth, 100,565; Roanoke, 94,911; and Lynchburg, 65,269. The state is divided into 95 counties.

Virginia was the tenth of the original 13 colonies to ratify the U.S. Constitution on June 25, 1788. The state legislature, the General Assembly, is made up of 40 senators and 100 delegates. The present constitution was adopted in 1970. As with all states in the United States, it elects two senators to the U.S. Congress, but the number of elected representatives to the House of Representatives is based on population; for Virginia it is 11.

The major industries of the state include transportation equipment, textiles, food processing, printing, electric equipment, and chemicals. The primary agricultural products are cattle, poultry, dairy products, tobacco, hogs, and soybeans. The estimated population for 2002 was 7,293,542. The percentage breakdown of the 2000 census was 72.3% White, 19.6% Black or African American, 0.3% American Indian, and 3.7% Asian. Persons reporting some other race were 2.0% and those reporting two or more races on the 2000

**Table 46-1. LAW ENFORCEMENT EMPLOYEE DATA, VIRGINIA, 2002**

Type of Agency	Number of Agencies	Total Personnel	Sworn	Civilian
All Agencies	278	21,540	16,552	4,988
State Agencies	9	3,339	2,474	865
County Sheriff's Offices	95	9,005	6,965	2,040
City Police	151	8,388	6,605	1,783
University Police Departments	22	723	466	257
Other Agencies	1	85	42	43

SOURCE: FBI, *Crime in the United States, 2002*.

census were 2.0%. Hispanics, who may be of any race, were 4.7% of the population in 2000. Persons age 18 or older was 75.4% and persons 65 years old and over was 11.2%. The median age was 35.7.

The law enforcement community in Virginia consists of at least 278 agencies employing about 16,552 officers according to data reported to the FBI (see Table 46-1). Full-time peace officers must complete a minimum of 776 hours of mandatory basic training; deputy sheriffs must complete 936 hours, and complete 40 hours of in-service training biennially. There were 1,304 officers assaulted in 2002. One officer was killed feloniously in the line of duty and two died accidentally during 2002.

Crime Index offenses for 2002 for the state of Virginia totaled 229,039 which was a rate of 3,140.3 per 100,000 inhabitants. The numbers of index offenses by category are listed in Table 46-2. At least 251,047 arrests were made in 2002 for all categories of crimes, with 30,532 being for index offenses. Of the index offense arrests, 6,927 arrests (22.7%) were persons under the age of 18.

**Table 46-2. Crime Index Offenses, Virginia, 2002**

Index Offense Category	Number of Offenses
Murder	388
Forcible Rape	1,839
Robbery	6,961
Aggravated Assault	12,068
Burglary	31,757
Larceny-Theft	157,548
Auto Theft	18,478
Total Violent	21,256
Total Property	207,783
Total Crime Index	229,039

SOURCE: FBI, *Crime in the United States, 2002*.

**The State of Washington.** Washington is located in the northwest portion of the continental United States. It is bordered to the north by Canada, to the east by Idaho, to the south by Oregon, and to the west by the Pacific Ocean. The state encompasses 71,303 square miles of area, including 4,721 square miles of inland water and it has 157 miles of coastline and 3,026 miles of shoreline. It is the 18th largest of the 50 states in terms of area. Based on 2000 census figures, it ranks 15th among the states in population. The capital of Washington is Olympia with a 2000 population of 42,514. The other major cities and their 2000 populations include Seattle, 563,374; Spokane, 195,629; Tacoma, 193,556; Vancouver, 143,560; Bellevue, 109,569; Everett, 91,488; Federal Way, 83,259; Kent, 79,524; Yakima, 71,845; and Bellingham, 67,171. The state is divided into 39 counties.

Washington became the 42nd state on November 11, 1889. It was organized as a territory in March 1853. The state legislature is made up of 49 senators and 98 representatives. The present constitution was adopted in 1889. As with all states in the United States, it elects two senators to the U.S. Congress, but the number of elected representatives to the House of Representatives is based on population; for Washington it is nine.

The major industries of the state include aerospace, software development, food processing, paper products, lumber and wood products, chemical products, and tourism. The primary agricultural products are seafood, dairy products, apples, cattle, wheat, potatoes, and nursery stock. The estimated population for 2002 was 6,068,996. The percentage breakdown of the 2000 census was 81.8% White, 3.2% Black or African American, 1.6% American Indian, and 5.5% Asian. Persons reporting some other race were 3.9% and those reporting two or more races on the 2000 census were 3.6%. Hispanics, who may be of any race, were 7.5% of the population in 2000. Persons age 18 or older was 74.3% and persons 65 years old and over was 11.2%. The median age was 35.3.

The law enforcement community in Washington consists of at least 251 agencies employing about 9,868 officers according to data reported to the FBI (see Table 47-1). Full-time peace officers must complete a minimum of 720 hours of mandatory basic training. There were 1,129 officers assaulted in 2002. One officer was killed feloniously in the line of duty and one died accidentally during 2002.

Crime Index offenses for 2002 for the state of Washington totaled 309,931, which was a rate of 5,106.8 per 100,000 inhabitants. The numbers of index offenses by category are listed in Table 47-2. At least 237,512 arrests were made in 2002 for all categories of crimes, with 42,765 being for index offenses. Of the index offense arrests, 13,456 arrests (31.5%) were persons under the age of 18.



**Table 47-1. LAW ENFORCEMENT EMPLOYEE DATA, WASHINGTON, 2002**

Type of Agency	Number of Agencies	Total Personnel	Sworn	Civilian
All Agencies	251	13,747	9,868	3,879
State Agencies	1	2,034	1,105	929
County Sheriff's Offices	39	3,510	2,487	1,023
City Police	198	7,839	5,982	1,857
University Police Departments	7	143	118	25
Other Agencies	6	221	176	45

SOURCE: FBI, *Crime in the United States, 2002*.

**Table 48-1. LAW ENFORCEMENT EMPLOYEE DATA, WEST VIRGINIA, 2002**

Type of Agency	Number of Agencies	Total Personnel	Sworn	Civilian
All Agencies	352	3,959	3,028	931
State Agencies	*	1,089	721	368
County Sheriff's Offices	121	1,721	1,259	462
City Police	153	1,019	938	81
University Police Departments	10	128	108	20
Other Agencies	1	2	2	0

SOURCE: FBI, *Crime in the United States, 2002*.

\* Number of state agencies not reported.

**Table 47-2. Crime Index Offenses, Washington, 2002**

Index Offense Category	Number of Offenses
Murder	184
Forcible Rape	2,734
Robbery	5,797
Aggravated Assault	12,249
Burglary	54,948
Larceny-Theft	193,526
Auto Theft	40,493
Total Violent	20,964
Total Property	288,967
Total Crime Index	309,931

SOURCE: FBI, *Crime in the United States, 2002*.

**The State of West Virginia.** West Virginia is located in the central eastern portion of the continental United States. It is bordered to the north by Ohio, Pennsylvania, and Maryland; to the east by Maryland and Virginia; to the south by Virginia; and to the west by Kentucky. The state encompasses 24,231 square miles of area, including 145 square miles of inland water. It is the 41st largest of the 50 states in terms of area. Based on 2000 census figures, it ranks 37th among the states in population. The capital of West Virginia is Charleston with a 2000 population of 53,421. The other major cities and their 2000 populations include Huntington, 51,475; Parkersburg, 33,099; Wheeling, 31,419; Morgantown, 26,809; Weirton, 20,411; Fairmont, 19,097; Beckley, 17,254; Clarksburg, 16,743; and Martinsburg, 14,972. The state is divided into 55 counties.

West Virginia became the 35th state on June 20, 1863. The state legislature is made up of 34 senators and 100 delegates. The present constitution was adopted in 1872. As with all states in the United States, it elects two senators to the U.S. Congress, but the number of elected representatives to the House of Representatives is based on population; for West Virginia it is three.

The major industries of the state include chemical products, mining, primary metals, stone, clay, and glass products, and tourism. The primary agricultural products are cattle, dairy products, poultry, and apples. The estimated population for 2002 was 1,801,873. The percentage breakdown of the 2000 census was 95.0% White, 3.2% Black or African American, 0.2% American Indian, and 0.5% Asian. Persons reporting some other race were 0.2% and those reporting two or more races on the 2000 census were 0.9%. Hispanics, who may be of any race, were 0.7% of the population in 2000. Persons age 18 or older was 77.7% and persons 65 years old and over was 15.3%. The median age was 38.9.

The law enforcement community in West Virginia consists of at least 352 agencies employing about 3,028 officers according to data reported to the FBI (see Table 48-1). Full-time peace officers must complete a minimum of 600 hours of mandatory basic training and 16 hours of in-service annually. No officers were killed feloniously in the line of duty or accidentally during 2002.

Crime Index offenses for 2002 for the state of West Virginia totaled 45,320, which was a rate of 2,515.2 per 100,000 inhabitants. The numbers of index offenses by category are listed in Table 48-2. At least 25,781 arrests were made in 2002 for all categories of crimes, with 3,508 being for index offenses. Of the index offense arrests, 566 arrests (16.1%) were persons under the age of 18.

**Table 48-2. Crime Index Offenses, West Virginia, 2002**

Index Offense Category	Number of Offenses
Murder	57
Forcible Rape	328
Robbery	657
Aggravated Assault	3,179
Burglary	9,677
Larceny-Theft	27,524

*United States*

Auto Theft	3,898
Total Violent	4,221
Total Property	41,099
Total Crime Index	45,320

SOURCE: FBI, *Crime in the United States, 2002*.

**The State of Wisconsin.** Wisconsin is located in the north-central portion of the continental United States. It is bordered to the north by Lake Superior and the state of Michigan, to the east by Lake Michigan, to the south by Illinois, and to the west by Iowa and Minnesota. The state encompasses 65,503 square miles of area including 11,190 square miles of water because of the Great Lakes. It is the 23rd largest of the 50 states in terms of area. Based on 2000 census figures, it ranks 18th among the states in population. The capital of Wisconsin is Madison with a 2000 population of 208,054. The other major cities and their 2000 populations include Milwaukee, 596,974; Green Bay, 102,313; Kenosha, 90,352; Racine, 81,855; Appleton, 70,087; Waukesha, 64,825; Oshkosh, 62,916; Eau Claire, 61,704; and West Allis, 61,254. The state is divided into 72 counties.

Wisconsin became the 30th state on May 29, 1848. It was organized as a territory in July 1836. The state legislature is made up of 33 senators and 99 assembly members. The present constitution was adopted in 1848. As with all states in the United States, it elects two senators to the U.S. Congress, but the number of elected representatives to the House of Representatives is based on population; for Wisconsin it is nine.

The major industries of the state include machinery, food processing, paper products, electric equipment, fabricated metal products, and tourism. The primary agricultural products are cheese, dairy products, cattle, hogs, vegetables, corn, and cranberries. The estimated population for 2002 was 5,441,196. The percentage breakdown of the 2000 census was 88.9% White, 5.7% Black or African American, 0.9% American Indian, and 1.7% Asian. Persons reporting some other race were 1.6% and those reporting two or more races on the 2000 census were 1.2%. Hispanics, who may be of any race, were 3.6% of the population in 2000. Persons age 18 or older was 74.5% and persons 65 years old and over was 13.1%. The median age was 36.0.

The law enforcement community in Wisconsin consists of at least 316 agencies employing about 11,347 officers according to data reported to the FBI (see Table 49-1). Full-time peace officers must complete a minimum of 520 hours of mandatory basic training and 24 hours of in-service training annually. There were 575 officers assaulted in 2002. Two officers were killed feloniously in the line of duty and none died accidentally during 2002.

**Table 49-1. LAW ENFORCEMENT EMPLOYEE DATA, WISCONSIN, 2002**

Type of Agency	Number of Agencies	Total Personnel	Sworn	Civilian
All Agencies	316	15,848	11,347	4,501
State Agencies	5	1,011	787	224
County Sheriff's Offices	62	5,950	3,380	2,570
City Police	239	8,665	7,028	1,637
University Police Departments	10	222	152	70

SOURCE: FBI, *Crime in the United States, 2002*.

Crime Index offenses for 2002 for the state of Wisconsin totaled 176,987, which was a rate of 3,252.7 per 100,000 inhabitants. The numbers of index offenses by category are listed in Table 49-2. At least 409,682 arrests were made in 2002 for all categories of crimes, with 52,229 being for index offenses. Of the index offense arrests, 20,771 arrests (39.8%) were persons under the age of 18.

**Table 49-2. Crime Index Offenses, Wisconsin, 2002**

<i>Index Offense Category</i>	<i>Number of Offenses</i>
Murder	154
Forcible Rape	1,237
Robbery	4,713
Aggravated Assault	6,134
Burglary	27,926
Larceny-Theft	123,365
Auto Theft	13,458
Total Violent	12,238
Total Property	164,749
Total Crime Index	176,987

SOURCE: FBI, *Crime in the United States, 2002*.

**The State of Wyoming.** Wyoming is located in the north-west portion of the continental United States. It is bordered to the north by Montana, to the east by South Dakota and Nebraska, to the south by Colorado and Utah, and to the west by Utah and Idaho. The state encompasses 97,818 square miles of area, including 714 square miles of inland water. It is the tenth largest of the 50 states in terms of area. Based on 2000 census figures, it ranks 50th among the states in population. The capital of Wyoming is Cheyenne with a 2000 population of 53,011. The other major cities and their 2000 populations include Casper, 49,644; Laramie, 27,204; Gillette, 19,646; Rock Springs, 18,708; Sheridan, 15,804; Green River, 11,808; Evanston, 11,507; Riverton, 9,310; and Cody, 8,835. The state is divided into 23 counties.

**Table 50-1. LAW ENFORCEMENT EMPLOYEE DATA, WYOMING, 2002**

Type of Agency	Number of Agencies	Total Personnel	Sworn	Civilian
All Agencies	68	1,989	1,239	750
State Agencies	1	320	172	148
County Sheriff's Offices	23	719	404	315
City Police	40	861	598	263
University Police Departments	2	24	15	9
Tribal Agencies	2	65	501	15

SOURCE: FBI, *Crime in the United States, 2002*.

Wyoming became the 44th state on July 10, 1890. It was organized as a territory in May 1869. The state legislature is made up of 30 senators and 60 representatives. The present constitution was adopted in 1890. As with all states in the United States, it elects two senators to the U.S. Congress, but the number of elected representatives to the House of Representatives is based on population; for Wyoming it is one.

The major industries of the state include mining, chemical products, lumber and wood products, printing and publishing, machinery, and tourism. The primary agricultural products are cattle, sugar beets, sheep, hay, and wheat. The estimated population for 2002 was 498,703. The percentage breakdown of the 2000 census was 92.1% White, 0.8% Black or African American, 2.3% American Indian, and 0.6% Asian. Persons reporting some other race were 2.5% and those reporting two or more races on the 2000 census were 1.8%. Hispanics, who may be of any race, were 6.4% of the population in 2000. Persons age 18 or older was 73.9% and persons 65 years old and over was 11.7%. The median age was 36.2.

The law enforcement community in Wyoming consists of at least 68 agencies employing about 1,239 officers according to data reported to the FBI (see Table 50-1). Full-time peace officers must complete a minimum of 501 hours of mandatory basic training. Officers' in-service requirements vary until they reach the professional level, then it is 40 hours of training every two years. There were 74 officers assaulted in 2002. No officers were killed feloniously in the line of duty or accidentally during 2002.

Crime Index offenses for 2002 for the state of Wyoming totaled 17,858, which was a rate of 3,580.9 per 100,000 inhabitants. The numbers of index offenses by category are listed in Table 50-2. At least 34,060 arrests were made in 2002 for all categories of crimes, with 3,281 being for index offenses. Of the index offense arrests, 1,281 arrests (39.0%) were persons under the age of 18.

**Table 50-2. Crime Index Offenses, Wyoming, 2002**

Index Offense Category	Number of Offenses
Murder	15
Forcible Rape	148
Robbery	93
Aggravated Assault	1,108
Burglary	2,448
Larceny-Theft	13,303
Auto Theft	743
Total Violent	1,364
Total Property	16,494
Total Crime Index	17,858

SOURCE: FBI, *Crime in the United States, 2002*.

## CITY PROFILES

**The City of Albuquerque, New Mexico.** Albuquerque is the largest city in the state of New Mexico and is the seat of Bernalillo County. It is geographically located in the west-central part of the state, 58 miles southwest of Santa Fe, where Interstates 25 and 40 intersect. Its elevation is about 4500 feet above sea level and it sits on the banks of the upper Rio Grande River. The 2000 population was 448,607, which made it the 35th largest city in the United States. The metropolitan area of Albuquerque has a population of over 712,000 residents making it the 61st largest metro area in the United States according to the 2000 census. The city encompasses about 181 square miles of area. The city is a center for health and medical services in the region; nuclear research, banking and tourism are important to the city's economy. Albuquerque is becoming a high-tech center and Intel Corporation's largest manufacturing facility is located there.

Albuquerque was originally settled in the 1600s but old town section of today's city dates to 1706. The city was named for the Duke of Albuquerque, the viceroy of New Spain. During the Civil War of the United States, the Confederate Army occupied it briefly, but it remained loyal to the Union.

According to the 2000 census, the population profile of the city was 71.6% White, 3.1% Black, 3.9% American Indian and Alaska Native, 2.2% Asian, 14.8% other race, 4.3% two or more races and 39.9% Hispanic/Latino. Approximately 75.5% of the population was age 18 and over and 12% were 65 and over; the median age was 34.9.

The Albuquerque Police Department has a budgeted strength of 1,325 positions, with about 955 sworn officers, to carry out its stated mission:

To strive to improve the quality of life in our city by protecting life and property, maintaining order, and reducing crime through education

and prevention while upholding the Constitution and laws of the State of New Mexico, the United States, and the City of Albuquerque.

The department is organized based on four program strategies: (1) Neighborhood Policing, which includes community policing activities, responding to calls for service, crime prevention, traffic and tactical enforcement. Officers operate out of five command areas, each managed by a commander and staffed with anywhere from 82 to 119 officers. (2) Investigative Services, which includes the department's three specialized investigative units (special investigations, the criminal investigations division and the Metropolitan Crime Laboratory. (3) Central Support Services, which provides critical support to the Office of the Chief and its other divisions, such as human resources, financial management, fleet and facilities management, planning, communications, records management, court services, and internal affairs. (4) Off-Duty Police Overtime, which provides a mechanism to allow businesses and other external entities to employ sworn officers during their off-duty hours.

Officers begin their career with the Albuquerque Police Department as a police cadet attending a 25-week academy and earning \$13.66 per hour (plus \$50 monthly clothing allowance). After the academy, an officer's salary increases to \$14.16 per hour for one year; then the salary increases to \$16.66 per hour (plus \$50 monthly clothing allowance). Salary incentives are available for a number of factors: college education, bilingual proficiency, shift differential, longevity and special assignment. Police officers who retire after 22 years and 10 months can receive 80% of their pay, based on the last three years of their employment.

Crime Index offenses for the city of Albuquerque totaled 35,762 for 2002.

**The City of Atlanta.** Atlanta is the capital city of and the largest city in the state of Georgia. It is geographically located in the northwestern part of the state at the base of the Blue Ridge Mountains near the Chattahoochee River. Major interstate highways leading into the city include I-20, I-75, and I-85. The 2000 population was 416,474, which made it the 39th largest city in the United States. The metropolitan area of Atlanta has a population of over 4 million residents and is the 11th largest metro area in the United States according to the 2000 census. The city encompasses about 132 square miles of area. Atlanta is the major commercial and transportation hub of the southeast United States; its international airport is one of the busiest in the world.

Atlanta was originally founded in 1837 under the name of Terminus; in 1843 it became incorporated under the name of Marthasville; in 1845 it was renamed Atlanta and incorporated as a city two years later. It

became the capital of Georgia in 1868. During the Civil War of the United States, it was occupied by General William T. Sherman's troops in 1864 and it was burned and nearly totally destroyed. Atlanta was rebuilt after the war and grew rapidly due to the expansion of commerce and industry.

According to the 2000 census, the population profile of the city was 33.2% White, 61.4% Black, 0.2% American Indian and Alaska Native, 1.9% Asian, 2.0% other race, 1.2% two or more races and 4.5% Hispanic/Latino. Approximately 77.7% of the population was age 18 and over and 9.7% were 65 and over; the median age was 31.9.

The police department is led by a chief who is appointed by the mayor. The department has an authorized strength of over 1,732 sworn officers, but its actual strength as of January 2004 was 1,453. It employs about 847 civilians. It is a full-service police agency that has adopted a community-oriented philosophy and relies heavily upon community input and collaborative problem-solving strategies. Its major priorities today are youth-related crime, domestic violence, quality of life issues, homeland security and the perception of crime in Atlanta. The mission statement of the department is:

It is the mission of the Atlanta Police Department to improve the quality of life by providing a safe and secure environment and, within the framework of the Constitution, to enforce the laws, exercise regulatory authority and preserve the peace while protecting the rights of all and applying the highest standards of professionalism, integrity, and accountability, in partnership with the entire community.

The organizational structure of the department consists of three divisions (Field Operations, Criminal Investigations and Support Services Divisions) and one bureau (Bureau of Taxicabs and Vehicles for Hire). Citizen Advisory Councils and Neighborhood Planning Units representing 139 separate neighborhoods provide citizen input for departmental decisions while miniprecincts, foot patrols and bicycle patrols encourage personalized policing and frequent citizen-officer interaction.

One unique feature in the Atlanta Police Department is its Communications Network (COMNET), is a continuous link between private sector security providers and the department. It is a two-way, VHF radio network, established in 1990 to provide quick and efficient communications between the security providers and the department. The city recognizes that private security officers can often serve as the first line of notification for the police department, as they are visible, trained, and strategically posted by the company or property they are assigned to protect. COMNET links over 150 member sites that include campus police departments, federal agencies, the downtown

improvement district, corporate and hotel security departments, retail loss prevention departments and property management companies.

Recruits attending the police academy must complete eighteen and a half weeks of training plus an additional six weeks of field training exposure with two weeks per watch in three of the six police zones. Officers also receive at least 20 hours of in-service training per year. Crime Index offenses for the city of Atlanta totaled 49,451 for 2002.

**The City of Baltimore, Maryland.** Baltimore is the largest city in the state of Maryland. It is geographically located in the north-central part of the state along the Chesapeake Bay at the mouth of the Patapsco River. It is 35 miles northeast of Washington, D.C. Major interstate highways leading into the city include I-70, I-95, and I-97. The 2000 population was 651,154, which made it the 17th largest city in the United States. The metropolitan area of Baltimore (which includes Washington, D.C.) has a population of over 7.6 million residents and is the 13th largest metro area in the United States according to the 2000 census. The city encompasses about 81 square miles of area. Baltimore's economy is based on a diverse blend of industry, shipping, financial, legal and nonprofit services. Tourism and scientific research are highly developed in the city. It was originally founded in 1729 and named for Lord Baltimore, the founder of Maryland. It was incorporated in 1797.

According to the 2000 census, the population profile of the city was 31.6% White, 64.3% Black, 0.3% American Indian and Alaska Native, 1.5% Asian, 0.7% other race, 1.5% two or more races and 1.7% Hispanic/Latino. Approximately 75.2% of the population was age 18 and over and 13.2% were 65 and over; the median age was 35.

The police department is led by a commissioner who is appointed by the mayor. The department has a strength of about 3,888 personnel, which includes 3,316 sworn officers and 572 civilians according to 2002 figures. The mission statement of the department is:

The mission of the Police Department is to protect and preserve life and property; to understand and serve the needs of the City's neighborhoods; and to improve the quality of life by maintaining order, recognizing and resolving community problems, and apprehending criminals.

The organizational structure of the department consists of nine police districts where the majority of prevention and enforcement activities occur. Those districts report to the Patrol Division. That Division along with the Criminal Investigation Division and the Community

Relations Section make up the Operations Bureau, which consists of the Patrol Division, the Criminal Investigation Division, and the Community Relations Section. The other major bureau of the department is the Administrative Bureau. Both Bureau Deputy Commissioners report to the Commissioner.

In recent years the department has undergone considerable reorganization, internal analysis, and refocusing of goals and objectives. Assisting in this effort has been the Grants and Government Relations Section, which in 2001 managed 35 grants totaling approximately \$45 million. The section's oversight of the Court Liaison Program helped save the department over \$1.3 million in overtime expenditures in 2001, according to the Annual Report.

Recruits attending the police academy complete 831 hours of training that address 508 objectives. The Education and Training Division consists of 46 instructors. Recruits earn 45 college credits from the City of Baltimore Community College for successfully completing the academy. The department offers 36 hours of mandatory in-service training but most of it is focused on recertification of weapons (firearms, batons, pepper-mace spray) and skills such as driving, basic investigation, and stop and frisk techniques. For first year officers, starting salary is about \$35,784 and progresses to \$45,800 within 5 years. Benefits include a health plan, life insurance, training, uniforms, a retirement plan, 14 paid holidays, paid vacations, sick leave, compassionate leave, blood assurance program, paid court time, and paid overtime.

Crime Index offenses for the city of Baltimore totaled 55,820 for 2002.

**The City of Boston, Massachusetts.** Boston is the capital city of and the largest city in the state of Massachusetts. It is the county seat of Suffolk County. Major interstate highways leading into the city include I-95, I-93, and I-90. The 2000 population was 589,141, which made it the 20th largest city in the United States. The metropolitan area of Boston has a population of over 6 million residents and is the seventh-largest metro area in the United States according to the 2000 census. The city encompasses about 48 square miles of area. Boston is a major commercial and transportation hub on the east coast of the country. Its commercial base includes banking and financial services, insurance companies, industrial and shipping concerns. It has 68 college and university institutions based there, and is the home of 25 inpatient hospitals.

Boston was incorporated as a city in 1822 but settlements date back to 1623. The city is rich with American history and the founding of the United States. According to the 2000 census, the population profile of the city was 54.5% White, 25.3% Black, 0.4% American Indian and

Alaska Native, 7.5% Asian, 7.8% other race, 4.4% two or more races and 14.4% Hispanic/Latino. Approximately 80.2% of the population was age 18 and over and 10.4% were 65 and over; the median age was 31.1.

The police department is led by a commissioner who is appointed by the mayor. In 2004 the first woman commissioner (Kathleen M. O'Toole) was appointed. The department was organized in 1838 and considers itself the oldest police department in the United States. In 2002 the department was staffed with 2,143 officers and 628 civilians; a total of 2,771 personnel. The department was undergoing extensive reorganization in mid-2004. The mission of the Boston Police Department is summed in its official statement: "We dedicate ourselves to work in partnership with the community to fight crime, reduce fear and improve the quality of life in our neighborhoods. Our Mission is Neighborhood Policing."

One unique feature in the Boston Police Department is its new \$70 million headquarters which is equipped with perhaps the most advanced identification imaging and ballistics identification technology in the country. It has a DNA laboratory (one of only 18 departments in the country with in-house DNA testing capacity), enhanced 9-1-1 and a computer-aided dispatch system linked to mobile data terminals.

Recruits attending the police academy must complete six months of training. The base salary of officers is \$40,000 after three years. Benefits include 13 paid holidays per year, excellent promotional opportunities, a full retirement plan, and educational incentives. Crime Index offenses for the city of Boston totaled 35,706 for 2002.

**The City of Chicago, Illinois.** Chicago is the largest city in the state of Illinois, and the seat of Cook County. It is geographically located in the northeastern part of the state along the southwestern shore of Lake Michigan. Major interstate highways leading into the city include I-90, I-94, I-97, I-55, I-57, and I-88. The 2000 population was 2,896,016, which made it the third-largest city in the United States. The metropolitan area of Chicago has a population of over 9.1 million residents and is the third-largest metropolitan area in the United States according to the 2000 census. The city encompasses about 227 square miles of area. Chicago is a major industrial and shipping center of the Midwestern part of the United States. It is a commercial, financial, and retail trade center and home of the largest agricultural futures market in the world—the Chicago Board of Trade. O'Hare International Airport is a major air transportation hub. The first white settlers came to the area in the 1790s; the village was incorporated in 1833.

According to the 2000 census, the population profile of the city was 42.0% White, 36.8% Black, 0.4% American Indian and Alaska Native, 4.3% Asian, 13.6% other race, 2.9% two or more races and 26.0% Hispanic/Latino. Approximately 73.8% of the population was age 18 and over and 10.3% were 65 and over; the median age was 31.5.

The police department is led by a superintendent who is appointed by the mayor. The department has a strength of about 16,473 personnel, which includes 13,705 sworn officers, 1,680 civilians, and 1,088 crossing guards according to 2002 figures. The mission statement of the department is:

The Chicago Police Department, as part of, and empowered by the community, is committed to protect the lives, property and rights of all people, to maintain order and to enforce the law impartially. We will provide quality police service in partnership with other members of the community. To fulfill our mission, we will strive to attain the highest degree of ethical behavior and professional conduct at all times.

The organizational structure of the department consists of 25 police districts where the majority of prevention and enforcement activities occur. The department has five bureaus: Operational Services, Investigative Services, Technical Services, Staff Services, and Administrative Services. The organization handled over 9,206,614 calls for all types of services, including 4,937,360 calls for 911 services.

In 2003 the Chicago Police Department celebrated its tenth anniversary of the Chicago Alternative Policing Strategy, a community policing/problem-solving approach to serving the citizens. This approach has a major focus on community meetings in order to build a partnership with the residents. Officers conducted and attended over 3,163 meetings in 2002 with an average attendance of 22 at each meeting.

Recruits must have at least 60 semester (90 quarter) hours of credit from an accredited college or university or have four years of military service. Once appointed, they must attend the police academy and complete 780 hours of training. Officers are considered probationary officers for an 18-month period. An officer's starting salary is \$36,984, which increases to \$47,808 after one year and to \$50,538 after 18 months. The list of benefits includes: health insurance, tuition reimbursement up to 100% (including advanced degrees), prescription drug plan, vision and dental plan, paid sick leave, 20 paid vacation days, retirement plan, 13 paid holidays, home purchase assistance, annual uniform allowance of \$1,500, and annual duty availability bonus of \$2,520.

Compared to 2002, index crime in the city of Chicago for 2003 was down over 4 percent, with violent crime down over 10 percent. During 2003, index crimes dropped in every category.

**The City of Columbus, Ohio.** Columbus is the capital and largest city in the state of Ohio. It is the seat of Franklin County. It is geographically located in the central part of the state. The Scioto River runs through the city. Major interstate highways leading into the city include I-70 and I-71. The 2000 population was 711,470, which made it the 15th-largest city in the United States. The metropolitan area of Columbus has a population of over 1.5 million residents and is the 32nd largest metropolitan area in the United States according to the 2000 census. The city encompasses about 221 square miles of area. Columbus has a diversified economy; it is a port of entry and a major commercial and distribution center. It is a governmental and culture center of the state as well as a center for health research. Ohio State University is located in Columbus. The first white settlers came to the area in the 1797; it became the capital of the state in 1812 and was incorporated as a city in 1834.

According to the 2000 census, the population profile of the city was 67.9% White, 24.5% Black, 0.3% American Indian and Alaska Native, 3.4% Asian, 1.2% other race, 2.6% two or more races and 2.5% Hispanic/Latino. Approximately 75.8% of the population was age 18 and over and 8.9% were 65 and over; the median age was 30.6.

The police department (technically the Division of Police within the Department of Public Safety) is led by a chief who is promoted from within through the civil service system. The chief reports to a public safety director who reports to the mayor. The department has a total strength of about 2,176 personnel, which includes 1,812 sworn officers, 364 civilians according to 2002 figures. The mission statement of the department is:

We, the men and women of the Columbus Division of Police, are dedicated to improving the quality of life in our City by enhancing public safety through cooperative interaction with our community and with other public and private agencies. We are committed to reducing fear by maintaining order and peace. We are responsible for protecting life and property, enforcing laws, and taking all appropriate measures to combat crime. We are organized, staffed, and trained to maximize effective and efficient public service and to maintain a positive work environment. We work to fulfill the mission of the Columbus Division of Police in a manner that inspires the public's trust and confidence and protects the Constitutional rights of each citizen.

The department is organized into five subdivisions: Administrative, Investigative, Patrol East, Patrol West and Support Services; each commanded by a Deputy Chief. The individual subdivisions are further divided into bureaus or zones, each of which fulfills a more specific mission. A police commander supervises each zone or bureau. The zones or bureaus are subdivided into sections or watches and are commanded by a police lieutenant or civilian employee of equivalent position. The sections and watches are broken down into precincts, units, squads, crews, or teams; a police sergeant or a civilian supervises each. The organization handled over 2 million calls for all types of services in 2002, including 525,600 calls for 911 emergency services.

Recruits must complete a 28-week academy of basic training. An officer's starting salary is \$34,611, which increases to \$52,900 after four years. Fringe benefits include shift differential pay, health insurance, prescription drugs, dental plan, life insurance, 11 paid holidays, 15 paid sick leave, 2.4 weeks of paid vacation leave, 2.4 weeks each year vacation, increasing to 6.3 after 20 years of service, clothing and equipment allowance (\$850 per year for uniformed officers; \$1,200 for nonuniformed), personal liability insurance, retirement (25 years of service and age 48), college tuition reimbursement and annual service credit (beginning in the 6th year). Officers are eligible to take sergeant's exam after 3 years and there is a pay differential is 18% between ranks.

The index crime in the city of Columbus for 2002 totaled 66,261 offenses.

**The City of Dallas, Texas.** Dallas is the seat of Dallas County and second-largest city in Texas. It is geographically located in the northeast part of the state and is just 30 miles east of Ft. Worth. Major interstate highways leading into the city include I-20, I-30, I-35E, and I-45. The 2000 population was 1,188,580, which made it the eighth-largest city in the United States. The metropolitan area of Dallas-Ft. Worth has a population of over 5.2 million residents and is the ninth-largest metropolitan area in the United States according to the 2000 census. The city encompasses about 343 square miles of area. Dallas has a very diversified economy; it is a leading commercial, marketing, industrial, convention, and tourist center. The city was first settled in 1841 and was incorporated in 1856. The economy is highly diversified, and the city is the leading commercial, marketing, and industrial center of the southwest. The insurance business is important, and the service sector has experienced rapid growth. Dallas is also a popular tourist and convention city.

According to the 2000 census, the population profile of the city was 50.8% White, 25.9% Black, 0.5% American

Indian and Alaska Native, 2.7% Asian, 17.2% other race, 2.7% two or more races and 35.6% Hispanic/Latino. Approximately 73.4% of the population was age 18 and over and 8.6% were 65 and over; the median age was 30.5.

The police department is led by a chief who is appointed by the mayor of the city. As of early 2004, the department was organized into five bureaus: Administrative Services Bureau, Support Services Bureau, Special Services Bureau, Investigations Bureau, and Patrol Bureau (consisting of six area divisions). The department has a total strength of about 3,533 personnel, which includes 2,977 sworn officers and 556 civilians. The mission statement of the department is the following:

The Police Department, in serving the people of Dallas, strives to reduce crime and provide a safe city by: (1) providing assistance at every opportunity; (2) providing preventive, investigative and enforcement services; (3) increasing citizen satisfaction with public safety and obtaining community cooperation through the department's training, skills and effort; (4) realizing that the Police Department alone cannot control crime, but must act in concert with the community and the rest of the criminal justice system. In achieving this mission, the men and women of the Dallas Police Department will conduct themselves in an ethical manner. They will: (1) respect and protect the rights of the citizens as determined by the law; (2) treat citizens and their fellow employees courteously and with the same amount of dignity with which they expect to be treated themselves; (3) be examples of honesty and integrity in their professional and personal lives, thereby earning the public trust; (4) perform their duties with the knowledge that protection of the lives and property of all citizens is their primary duty; and (5) comply with the spirit and letter of the Code of Conduct.

Applicants to the department must possess forty-five semester hours of credit from an accredited college or university with a 2.0 grade point average. Recruits must complete a 32-week academy of basic training, followed by a 24-week field training program. An officer's base pay as a trainee is \$36,806 (\$38,006 if one has a degree). Upon graduation from the academy, the officer receives a one-time bonus of \$1,000 and by year three the salary increases to \$43,754 (\$44,954 if degreed). Fringe benefits include educational incentive pay, detective pay (\$100/month), language incentive pay (\$75.00-100.00 per month), shift differential pay, patrol duty pay, health insurance, life insurance, retirement program and all equipment is provided.

The index crime in the city of Dallas for 2002 totaled 112,040 offenses.

**The City of Denver, Colorado.** Denver is the capital and largest city in the state of Colorado. It is the seat of Denver County. It is geographically located in the north-central part of the state at the foot of the Rocky Mountains where the South Platte River meets Cherry Creek. Major interstate highways leading into the city include I-70, I-76, and I-25. The 2000 population was 554,636, which made it the 25th-largest city in the United States. The metropolitan area of Denver has a population of over 2.5 million residents and is the 19th-largest metropolitan area in the United States according to the 2000 census. The city encompasses about 153 square miles of area. Denver has a diversified economy; it is a biotechnology, communications, transportation, manufacturing, and agriculture business center. The construction, real estate, and retail trade sectors are among the fastest-growing industries in the area. It is a governmental center for many federal agencies. The Denver International Airport is the largest airport in North America in terms of area (53 square miles); it was opened to passenger traffic in 1995. Gold was discovered in the area in 1858 and city incorporated in 1861; it became the territorial capital in 1867.

According to the 2000 census, the population profile of the city was 65.3% White, 11.1% Black, 1.3% American Indian and Alaska Native, 2.8% Asian, 15.6% other race, 3.7% two or more races and 31.7% Hispanic/Latino. Approximately 78.0% of the population was age 18 and over and 11.3% were 65 and over; the median age was 33.1.

The police department is led by a chief who is appointed by the mayor of the city. The department has a total strength of about 1,778 personnel, which includes 1,451 sworn officers, 327 civilians according to 2002 figures. The mission and vision statements of the department state the following:

The mission of the Denver Police Department is to apply its knowledge, skills, and resources to foster an environment where all people live safely and without fear. Our Vision is of a police department that values its employees and the community it serves. We are committed to honesty and integrity, and dedicated to enforcing the law and maintaining peace, in partnership with the community.

The department is organized into operations and administration units with a deputy chief directing the functions of each. Operations is made up of the divisions of the Patrol, Criminal Investigation, and Special Operations. Administration is made up of the Division Chief of Technology and Support and the Bureaus of the Human Resource Management Bureau, the Financial Services Bureau, and the Administration Support Bureau.



Recruits must complete a 22–24-week academy of basic training. An officer's starting salary after graduation from the academy and during the nine-month probationary period is \$39,144, which increases to \$60,204 after three years of service. Fringe benefits include longevity pay, special assignment pay, bilingual officer designation pay (\$100/month), health and dental insurance, life insurance, 11 paid holidays, 18 paid sick leave, 96 hours of paid vacation leave increasing over the years to 200 hours after 25 years of service, equipment allowance (\$550/year), and protective-vest reimbursement up to \$550.

The annual calls for service to the Denver Police Department total over 1.2 million. The index crime in the city of Denver for 2002 totaled 32,132 offenses.

**The City of Detroit, Michigan.** Detroit is the largest city in the state of Michigan and is the seat of Wayne County. It is geographically located in the southeast part of the state along the 27-mile Detroit River that connects Lake St. Clair with the Lake Erie. Across the river is Windsor, Ontario (Canada). Major interstate highways leading into the city include I-75, I-94, and I-96. The 2000 population was 951,270, which made it the 10th-largest city in the United States. The metropolitan area of Detroit has a population of over 5.4 million residents and is the 8th-largest metropolitan area in the United States according to the 2000 census. The city encompasses about 139 square miles of area. Detroit is one of the major manufacturing cities in the U.S. and is the center of the American automobile industry. In recent years the financial, insurance, and real estate fields have contributed greatly to the city's economy. Founded by the French in July 1701, it was not incorporated until 1815. Because of its early settlement and strategic location, it was prime territory during early wars with the French and British.

According to the 2000 census, the population profile of the city was 12.3% White, 81.6% Black, 0.3% American Indian and Alaska Native, 1.0% Asian, 2.5% other race, 2.3% two or more races and 5.0% Hispanic/Latino. Approximately 68.9% of the population was age 18 and over and 10.4% were 65 and over; the median age was 30.9.

The police department is led by a chief (Ella Bully-Cummings, the city's first black female chief) who is appointed by the mayor of the city. The five-member Board of Police of Commissioners, created in 1974 by City Charter, provides civilian supervisory oversight of the department. The department has a total strength of about 4,656 personnel, which includes 4,006 sworn officers, 650 civilians according to 2002 figures. The mission and vision statements of the department state the following:

Mission: Setting New Standards of Excellence in Policing through Integrity, Innovation, and

Training. Vision: Building a Safer Detroit through Community Partnerships

As of February 2004, the department's organizational structure included the Administrative Portfolio that includes the Management Services, Risk Management, Science and Technology and Training Bureaus; the Investigative Portfolio that includes the Central Services and the Professional Accountability Bureaus; the Operations Bureau that includes Customer Service Zones East and West, Metropolitan Division, Tactical Operation Section, Executive Protection, Police Athletic League and Auxiliary Services Unit; and several functions within the Chief's Portfolio.

The city in recent years has undergone an investigation by the U.S. Department of Justice that resulted in a court consent decree and court order for the appointment of an external federal monitor and support team. By the end of 2008, the department must make several major improvements that include prisoner holding cells renovation; improved medical care for prisoners; a computerized warning system to flag problem officers and training and auditing related to extensive new policies. It has been reported that settlements of police lawsuits exceeded \$100 million between 1987 and 2001.

An officer's starting salary is approximately \$30,000. Fringe benefits include medical, dental and optical plans, longevity pay, college tuition reimbursement, 20 days vacation per year, eight paid holidays a year, 12 sick days a year, a pension plan, department issued uniforms and equipment, court pay, shift differential pay, and uniform cleaning.

The index crime in the city of Detroit for 2002 totaled 85,035 offenses.

**The City of Kansas City, Missouri.** Kansas City is the largest city in Missouri. It is geographically located on the western boundary of the state on the banks of the Missouri River. Kansas City, Kansas, is across the river. The major interstate highways leading into the city are I-29, I-35, and I-70. The 2000 population was 441,545, making it the 36th-largest city in the United States. The metropolitan area of Kansas City has a population of over 1.7 million residents making it the 25th-largest metropolitan area in the United States according to the 2000 census. The city encompasses about 314 square miles of area. The economy of Kansas City is primarily based on telecommunications, banking and finance, service and agricultural industries. It is a major distribution and manufacturing center and ranks first in greeting-card publishing. Among the top employers are governmental agencies at the local, state, and federal levels.

A trading post originally established in 1821 grew to a settlement that was incorporated as the Town of Kansas

in 1850. Its current name was adopted in 1889. The city played a major role in the westward movement of settlers and prospectors in the 1880s.

According to the 2000 census, the population profile of the city was 60.7% White, 31.2% Black, 0.5% American Indian and Alaska Native, 1.9% Asian, 3.2% other race, 2.4% two or more races and 6.9% Hispanic/Latino. Approximately 74.6% of the population was age 18 and over and 11.7% were 65 and over; the median age was 34.0.

A Board of Police Commissioners oversees the Kansas City Police Department, which is led by a chief of police. The department structure includes the chief's office and Legal Adviser and four bureaus: Administration, Patrol, Investigations and Executive Services. The agency has a total strength of 1,927 personnel, which includes 1,211 sworn officers and 716 civilian employees. The mission of the department is:

The mission of the Kansas City, Missouri, Police Department is to protect life and property, preserve the public peace, prevent crime, and reduce fear and disorder in partnership with the community.

The starting salary for recruits attending the 24-week academy is about \$32,688 a year, which increases to \$35,256 during the six-month probationary period. Then the annual pay is \$36,960. Fringe benefits include health and life insurance, 13–25 vacation days (depending on length of service), 18 sick days per year, 9 paid holidays, provided uniforms and equipment (except service weapon), uniform allowance (\$50/month), educational tuition reimbursement program, college incentive pay, retirement system and shift differential pay.

The index crime in Kansas City for 2002 totaled 45,425 offenses.

**The City of Las Vegas, Nevada.** Las Vegas is the seat of Clark County, the largest city in Nevada, and one of the fastest-growing cities in the United States. It is geographically located in the southeastern part of the state. The major interstate highways leading into the city are I-15 and I-515. The 2000 population was 478,434, which made it the 32nd-largest city in the United States. The metropolitan area of Las Vegas has a population of over 1.6 million residents and is the 31st-largest metropolitan area in the United States according to the 2000 census. The city encompasses about 113 square miles of area. Las Vegas depends on tourism and conventions for its economy—hosting over 40 million visitors annually. It does have a favorable business climate because of low taxes; manufacturing, government, warehousing, and trucking are major sources of employment. Besides the gambling and tourist attractions in the city, other areas

nearby such as Hoover Dam, Death Valley National Park, and Lake Mead draw tourists. Spanish explorers are believed to have used the area in the early 1800s as a watering stop on the way to California. The Mormons settled the town in 1855 but later left. The U.S. Army established Ft. Baker there in 1864. The city really grew after the state legislature legalized gambling in 1931.

According to the 2000 census, the population profile of the city was 69.9% White, 10.4% Black, 0.7% American Indian and Alaska Native, 4.8% Asian, 9.7% other race, 4.1% two or more races and 23.6% Hispanic/Latino. Approximately 74.1% of the population was age 18 and over and 11.6% were 65 and over; the median age was 34.5.

Since July 1, 1973, the Las Vegas Metropolitan Police Department has been responsible for all police services within the city limits of Las Vegas and the unincorporated areas of Clark County. The police department is lead by an elected sheriff who serves a four-year term. The Las Vegas Metropolitan Police Department is the largest law enforcement agency in the state of Nevada and has a jurisdiction of 7,554 square miles. The department is organized into Law Enforcement Services which includes the Technical Services, Human Resources, Professional Standards and the Detention Services Divisions; and Law Enforcement Operations which includes two patrol divisions, the Investigative Services Division and the Special Operations Division. The agency has a total strength of about 3,900 personnel, which includes 2,000 sworn officers and 1,900 civilian employees (including detention officers). The department is responsible for the operation of the Clark County Detention Center.

Recruits must complete 781.5 hours of academy basic training, followed by an 18-week field training program. Fringe benefits include vacation leave (three weeks per year; four weeks after 15 years; five weeks after 20 years), sick leave (104 hours per year), 12 holidays per year, holiday pay, shift differential pay, special assignment pay, Spanish/bilingual pay, longevity pay (after 10 years), furnished uniforms and a uniform allowance of approximately \$1,200 per year, retirement program, and health, dental and vision insurance.

The index crime in the city of Las Vegas for 2002 totaled 56,810 offenses.

**The City of Los Angeles, California.** Los Angeles is the seat of Los Angeles County and the largest city in California. It is geographically located in the southwest part of the state on the Pacific Ocean coast, about 145 miles from the Mexico border. The major interstate highways leading into the city are I-5 and I-10. The 2000 population was 3,694,820, which made it the second-largest city in the United States. The metropolitan

area of Los Angeles has a population of over 16.3 million residents and is the second-largest metropolitan area in the United States according to the 2000 census. The city encompasses about 469 square miles of area. The economy of Los Angeles is very diversified. It is a major shipping, manufacturing, industry, and finance center; as well as home to a major portion of the entertainment industry. It attracts millions of tourists annually. Founded by Mexicans in the late 1700s, it was later ceded to the United States along with the state of California in 1848. The city of Los Angeles was incorporated in 1850.

According to the 2000 census, the population profile of the city was 46.9% White, 11.2% Black, 0.8% American Indian and Alaska Native, 10.0% Asian, 25.7% other race, 5.2% two or more races and 46.5% Hispanic/Latino. Approximately 73.4% of the population was age 18 and over and 9.7% were 65 and over; the median age was 31.6.

The Los Angeles Police Department serves the city and 17 other communities; it is responsible for providing police services to an area encompassing 467 square miles, representing 3.4 million residents. The Board of Police Commissioners oversees all operations of the department. The Board serves as the head of the Los Angeles Police Department, functioning like a corporate board of directors, setting policies for the department and overseeing its operations. The Board works in conjunction with the Chief of Police runs the department on a daily basis and reports to the Board.

The department is organized into four major offices: Chief of Staff/Professional Standards, Office of Operations, Office of Human Resources, and Office of Support Services and two bureaus: Consent Decree Bureau and Critical Incident Management Bureau. The agency has a total strength of about 13,110 personnel, which includes 9,600 sworn officers and 3,510 civilian employees. The budget is \$839.2 million. The mission statement of the department is:

It is the mission of the Los Angeles Police Department to safeguard the lives and property of the people we serve, to reduce the incidence and fear of crime, and to enhance public safety while working with the diverse communities to improve their quality of life. Our mandate is to do so with honor and integrity, while at all times conducting ourselves with the highest ethical standards to maintain public confidence.

Recruits must complete seven months of academy basic training, followed by one year of supervised field training. Starting salary for recruits is \$47,710 (\$49,631 if recruit has 60 college credits, \$51,573 if recruit has a BS/BA degree); deputy chiefs earn up to \$200,000. Fringe benefits include health and dental plans, pension

plan, sick leave and disability (12 days of 100 percent paid sick leave, five days at 75 percent, and five days at 50 percent, upon hiring), vacation (15 days per year; 22 days after ten years), 13 holidays, longevity pay after 10 years, bilingual premiums (2.75%–5.5% additional premium) and uniform allowance (\$850 per year).

Following an investigation by the U.S. Department of Justice, the city of Los Angeles voluntarily agreed to a consent decree approved in federal court, which provides for increased representation of blacks, Hispanics and women in the rank of police officer. In addition, the city is interested in increasing the number of Asian-Pacific police officers. Applicants who speak an Asian-Pacific and/or other foreign language(s) may be eligible for selective certification and bonus pay.

The index crime in the city of Los Angeles for 2002 totaled 190,992 offenses.

**The City of Miami, Florida.** Miami is the seat of Miami-Dade County and the second-largest city in Florida. It is geographically located in the southeast part of the state on the Atlantic Ocean coast. The major interstate highways leading into the city are I-75 and I-95. The 2000 population was 362,470, which made it the 47th-largest city in the United States. The metropolitan area of Miami has a population of over 3.8 million residents and is the 12th-largest metropolitan area in the United States according to the 2000 census. The city encompasses about 36 square miles of area. The economy of Miami relies heavily on international banking, finance, tourism, and cargo shipping. Many multinational and Fortune 500 companies have located in the area; the health-care sector and biomedical technology, and plastics manufacturing are major employers.

According to the 2000 census, the population profile of the city was 66.6% White, 22.3% Black, 0.2% American Indian and Alaska Native, 0.7% Asian, 5.4% other race, 4.7% two or more races and 65.8% Hispanic/Latino. Approximately 78.3% of the population was age 18 and over and 17.0% were 65 and over; the median age was 37.7.

The Miami Police Department is led by a chief of police who reports to the city manager. The department is organized into three major divisions: Field Operations, Administration, and Investigations. Each has a number of subunits; and the Internal Affairs unit reports directly to the chief. The agency has an annual operating budget over \$100 million and a total strength of about 1,408 personnel, which includes 1,075 sworn officers and 333 civilian employees. The mission and vision statements of the department are:

Mission: Our mission, together with the communities of Miami, is to make our city a place

where all people can live, work and visit safely without fear. Vision: The Miami Police Department will maintain the highest standards of professional ethics and integrity. We are committed to the philosophy of community and neighborhood policing. We will build partnerships and coalitions with the business, corporate, and residential communities to identify and recommend solutions to problems with the goal of improving the quality of life in our neighborhoods. We will employ time-tested police methods and promising innovative approaches to better protect our communities. We value the cultural unity and differences of our communities, recognizing that there is strength in both. Our commitment is to provide professional service to our citizens, residents and visitors.

Recruits must complete 685 hours of academy basic training. Starting salary for recruits is \$34,783 with periodic cost of living and performance-based pay increases and an automatic five percent pay increases yearly for the first 7 years. Fringe benefits include health and life insurance, pension plan, sick leave, vacation days, personal days, 11 holidays, tuition reimbursement plan, state funded educational incentives, uniform/clothing allowance and multiple longevity increases for 10, 15, 16, 20, 21, and 22 years of service.

The index crime in the city of Miami for 2002 totaled 33,952 offenses.

**The City of New Orleans, Louisiana.** New Orleans is the largest city in Louisiana. It is geographically located in the southeast part of the state on the banks of the Mississippi. Lake Ponchartrain lies north of the city. The major interstate highway leading into the city is I-10. The 2000 population was 484,674, which made it the 31st-largest city in the United States. The metropolitan area of New Orleans has a population of over 1.3 million residents and is the 34th-largest metropolitan area in the United States according to the 2000 census. The city encompasses New Orleans Parish, about 181 square miles of area. The economy of New Orleans relies heavily on its manufacturing base; it is home of one of the largest international ports in the county. The city is the corporate home of many oil companies with offshore operations in the Gulf of Mexico. Tourism is also a significant portion of the New Orleans economy and the city is famous for its French Quarter, with its mixture of French, Spanish, and native architectural styles. The city was founded by the French in 1718. After being ceded to Spain and then back to France again, it became part of the United States in the Louisiana Purchase of 1803.

According to the 2000 census, the population profile of the city was 28.1% White, 67.3% Black, 0.2%

American Indian and Alaska Native, 2.3% Asian, 0.9% other race, 1.3% two or more races and 3.1% Hispanic/Latino. Approximately 73.3% of the population was age 18 and over and 11.7% were 65 and over; the median age was 33.1.

The New Orleans Police Department is led by a superintendent who is appointed by the mayor. The department is organized into four bureaus, each of which is commanded by assistant superintendents: Operations; Technical Support; Policy, Planning and Training; and Public Integrity. Additionally, the Office of Fiscal and Personnel Management is managed by the chief financial officer. The city's geographical area is divided into eight districts. The agency has a total strength of about 2,000 personnel, which includes 1,613 sworn officers and 387 civilian employees.

Recruits must complete 476 hours of academy basic training, which is followed with 16 weeks of field training. Starting salary for recruits is \$27,508 with and increase to \$29,825 after the academy. Fringe benefits include the awarding of 21 college credits upon completion of police academy, health, dental and vision insurance, free/reduced college tuition programs, excellent retirement plan (25 years of service—83%, 30 years of service—100%), paid vacation and sick leave, uniform allowance, state supplemental pay, and longevity pay.

The index crime in the city for 2003 totaled 29,072 offenses.

**The City of New York, New York.** New York is the largest city in the state of New York and the largest city in the United States in terms of population. It is geographically located in the southeast part of the state where the Hudson River empties into the Atlantic Ocean coast. The major interstate highways leading into the city are I-78, I-80, I-87, and I-95. The 2000 population was 8,008,278. The metropolitan area of New York has a population of over 21.1 million residents and, of course is the largest metropolitan area in the United States according to the 2000 census. The city encompasses about 303 square miles of area. The economy of New York is quite diversified since it is the center of world finance, the arts, advertising, publishing, and communications. Its port is the largest on the east coast of the United States. New York is the home of the United Nations, and also a major international tourist center. Of course the terrorist attack on September 11, 2001, dealt a devastating blow to the city's sense of security and its economy.

New York was originally settled in 1614 with the name of New Amsterdam. The city passed from Dutch control to British and then to the United States after the Revolutionary War. The early Congress met in New York from 1785 to 1790. Greater New York City was chartered in 1898.

According to the 2000 census, the population profile of the city was 44.7% White, 26.6% Black, 0.5% American Indian and Alaska Native, 9.8% Asian, 13.4% other race, 4.9% two or more races and 27.0% Hispanic/Latino. Approximately 75.8% of the population was age 18 and over and 11.7% were 65 and over; the median age was 34.2.

The New York City Police Department is led by a commissioner who reports to the mayor. The next ranking officer is then the chief of department who oversees the five field bureaus: Patrol Services, Detective, Transit, Housing, and Organized Crime. Additionally the following units report directly to the Chief: CompStat, Disorderly Control, Domestic Violence and the Operations Bureau. The department has 11 deputy commissioners: First Deputy, Strategic Initiatives, Counter Terrorism, Intelligence, Operations, Public Information, Community Affairs, Office of Equal Opportunity, Labor Relations, Trials and Legal Matters. The agency has a total strength of about 53,774 personnel, which includes 37,240 sworn officers and 16,534 civilian employees. The mission and vision statements of the department are:

The Mission of the New York City Police Department is to enhance the quality of life in our City by working in partnership with the community and in accordance with constitutional rights to enforce the laws, preserve the peace, reduce fear, and provide for a safe environment.

Recruits must have successfully completed either: 60 college credits with a 2.0 grade point average from an accredited college or university, or two years of full-time, active military service in the U.S. Armed Forces with an honorable discharge and have a high school diploma or its equivalent. Recruits complete a six-month basic training academy for which 29 college credits can be earned. The average first year salary (with overtime and other special pay) is about \$45,000 and it increases to about \$70,000 after five years. Detectives average \$88,000 annually, sergeants about \$91,000 and lieutenants about \$105,000. Fringe benefits include a medical plan, pension plan (50% of salary after 20 years of service; annual \$12,000 variable supplement fund paid upon retirement), sick leave, 20 vacation days (27 after five years), personal days, holiday pay, college tuition reduction plan, up to 9 days graduate school educational leave, uniform/clothing allowance and longevity pay at every five-year increment.

The index crime in the city of New York for 2002 totaled 250,630 offenses.

**The City of Phoenix, Arizona.** Phoenix is the seat of Maricopa County and the largest city in Arizona. It is geographically located in the south-central part of the state on the Salt River. The major interstate highways

leading into the city are I-10 and I-17. The 2000 population was 1,321,045, which made it the sixth-largest city in the United States. The metropolitan area of Phoenix has a population of over 3.2 million residents and is the 14th-largest metropolitan area in the United States according to the 2000 census. It is one of the fastest-growing cities in the country. The city encompasses about 475 square miles of area. The economy of Phoenix relies on commerce, agriculture, and manufacturing. Its major industries are aerospace technology, electronics, mining, and tourism. It is a governmental center for the region. Evidence of early Indian settlements date to 300 B.C.E.; the current city traces its history to 1867 when it was settled and grew into an important trading center for the region. It was incorporated in 1881 and became the state capital in 1912 when Arizona was admitted to the union.

According to the 2000 census, the population profile of the city was 71.1% White, 5.1% Black, 2.0% American Indian and Alaska Native, 2.0% Asian, 16.4% other race, 3.3% two or more races and 34.1% Hispanic/Latino. Approximately 71.1% of the population was age 18 and over and 8.1% were 65 and over; the median age was 30.7.

The Phoenix Police Department is led by a chief of police who reports to the city manager. The department is organized into seven major divisions: Professional Standards, Patrol Operations South, Patrol Operations North, Patrol Support, Investigations, Technical Services, and Management Services. Each has a number of bureaus or precincts or subunits. The agency has a total strength of about 3,776 personnel, which includes 2,921 sworn officers (authorized) and about 855 civilian employees. The mission of the department is "To Ensure the Safety and Security for Each Person in our Community."

Recruits must complete a 16-week basic training academy. Starting salary for recruits is \$37,020, which increases after the academy based on a number of factors. Fringe benefits include vacation leave (96 hours per year, 120 hours in years six through 10, 132 hours in years 11-15, 152 hours in years 16-20 and 180 hours per year after 21 years of service), personal leave (20 hours per year), 10 paid holidays per year, education/tuition reimbursement, training reimbursement (up to \$500), health and life insurance and a retirement plan (50% at 25 years of service, with increased percentages for years beyond 25 years of service).

The index crime in the city of Phoenix for 2002 totaled 109,916 offenses.

**The City of San Diego, California.** San Diego is the second-largest city in the state of California. It is geographically located in the southwestern part of the state along the San Diego Bay and the Pacific Ocean; about 15 miles north of Mexico. The major interstate highways leading into the

city are I-5, I-8, I-15, and I-805. The 2000 population was 1,223,400, making it the seventh-largest city in the United States. The metropolitan area of San Diego has a population of over 2.8 million residents making it the 17th-largest metropolitan area in the United States according to the 2000 census. The city encompasses about 324 square miles of area. The economy of San Diego is diversified; electronics, aerospace and missiles, medical and scientific research, oceanography, agriculture, and shipping are its major industries. Tourism is significant and it also a major hub for the U.S. Navy.

San Diego was originally settled in 1769 as a Franciscan mission. The city passed to Mexican control in 1822, then to the United States following the Mexican War. It was incorporated in 1850. According to the 2000 census, the population profile of the city was 60.2% White, 7.9% Black, 0.6% American Indian and Alaska Native, 13.6% Asian, 12.4% other race, 4.8% two or more races and 25.4% Hispanic/Latino. Approximately 76.0% of the population was age 18 and over and 10.5% were 65 and over; the median age was 32.5.

The San Diego Police Department is led by a police chief who reports to an assistant city manager. The department structure includes an executive assistant chief who supervises six assistant chiefs for the following functions: Neighborhood Policing Area 1, Neighborhood Policing Area 2, Neighborhood Policing Area 3, Operational Support, Special Services, and Policy and Planning; and a director of Administrative Services. The Chief's Office staff includes an Assistant to the Chief, Special Assistants to the Chief, Legal Advisor, Director of Neighborhood Code Compliance and a Confidential Secretary. The agency has a total strength of about 2,785 personnel, which includes 2,104 sworn officers and 681 civilian employees. The mission and vision of the department is:

Our mission is to maintain peace and order by providing the highest quality police services in response to community needs by: apprehending criminals, developing partnerships, and respecting individuals. Our vision is: We are committed to working together, within the Department, in a problem solving partnership with communities, government agencies, private groups and individuals to fight crime and improve the quality of life for the people of San Diego.

The city has a national reputation for employing community- and problem-oriented policing in a highly committed and professional manner.

The starting salary for recruits attending the academy is about \$36,804. The basic training academy is about six months in duration. Fringe benefits include flexible benefits plan (includes health, dental, vision), four-day work week, 12 paid holidays per year, 17 days

paid annual leave per year (up to 27 days per year depending on length of service), retirement program, tuition reimbursement (\$900 per year) and educational incentive pay, 30 days paid military leave per year, paid overtime, and special assignment pay.

The index crime in the city for 2002 totaled 50,124 offenses.

**The City of San Francisco, California.** San Francisco is the fourth-largest city in the state of California; its jurisdiction coincides with the County of San Francisco. It is geographically located in the central-western part of the state along the San Francisco Bay and the Pacific Ocean. The major interstate highways leading into the city are I-80 and I-280. The 2000 population was 776,733, making it the 13th-largest city in the United States. The metropolitan area of San Francisco has a population of over 7 million residents making it the fifth-largest metropolitan area in the United States (2000 census). The city encompasses about 47 square miles of area. The economy of San Francisco is dependent on tourism (up to 17 million visitors and conventioners per year), shipping, biotechnology, commerce, and banking (over 60 foreign banks have offices in the city). The city is the home to the Golden Gate Bridge, Alcatraz Island (former prison), and the famous cable cars.

San Francisco was originally settled as a Spanish military post and Franciscan mission in 1776. The village was first named Yerba Buena and was renamed in 1848. Gold was discovered in the area in 1849 and the city was incorporated in 1850. The earthquake of 1906 devastated the city but it was rebuilt and continued to thrive. According to the 2000 census, the population profile of the city was 49.7% White, 7.8% Black, 0.4% American Indian and Alaska Native, 30.8% Asian, 6.5% other race, 4.3% two or more races and 14.1% Hispanic/Latino. Approximately 85.5% of the population was age 18 and over and 13.7% were 65 and over; the median age was 36.5.

The San Francisco Police Department is led by a police chief whom the mayor appoints. In April 2004, Heather Fong was appointed the first female chief of the department. The agency's structure is divided into four bureaus: Administration, Field Operations, Investigations, and Airport. The Field Operations is divided into two divisions: the Metro Division, which is comprised of five district stations encompassing downtown San Francisco; and the Golden Gate Division, which is comprised of district stations encompassing the outer areas and neighborhoods of the city, and the Traffic Company. The agency has a total strength of about 2,661 personnel, which includes 2,274 sworn officers and 387 civilian employees. The mission of the department is:

We, the members of the San Francisco Police Department, are committed to excellence in law enforcement and are dedicated to the people, traditions and diversity of our City. In order to protect life and property, prevent crime and reduce the fear of crime, we will provide service with understanding, response with compassion, performance with integrity and law enforcement with vision.

The starting salary for recruits attending the academy is about \$56,559. The basic training academy is 1080 hours in duration. Fringe benefits include 10 vacation days (increasing to 15 after five years, 20 after ten years of service), 13 paid sick days a year, several health-care plan options, bilingual pay, special assignment pay and retirement after 25 years of service.

The index crime in the city of San Francisco for 2002 totaled 42,671 offenses.

**The City of Seattle, Washington.** Seattle is the largest city in the state of Washington and the seat of King County. It is geographically located in the western part of the state between two bodies of water: Puget Sound on the west and Lake Washington on the east. The major interstate highways leading into the city are I-5 and I-90. The 2000 population was 563,374, making it the 24th-largest city in the United States. The metropolitan area of Seattle has a population of over 3.5 million residents making it the 13th-largest metropolitan area in the United States according to the 2000 census. The city encompasses about 84 square miles of area. The economy of Seattle is very diversified; its major industries include aircraft, shipbuilding, food processing, high technology and lumber/forest products. Its harbor is one of the major ports in the United States. Tourism is important to the city and it is the home of the landmark Space Needle.

Seattle was originally settled in 1851 and was incorporated as a city in 1869. The Great Northern Railway (in 1893) and discovery of gold in Alaska (1897) assured continued growth of the city. Today it is a regional center for commerce and industry and continues to attract population growth. According to the 2000 census, the population profile of the city was 70.1% White, 8.4% Black, 1.0% American Indian and Alaska Native, 13.1% Asian, 2.4% other race, 4.5% two or more races and 5.3% Hispanic/Latino. Approximately 84.4% of the population was age 18 and over and 12.0% were 65 and over; the median age was 35.4.

The Seattle Police Department is led by a police chief appointed by the mayor. The department structure includes the Deputy Chief of Administration (which oversees the Field Support Bureau, and the Training, Ethics & Inspections, Fiscal, Budget and Research &

Grants sections) and the Deputy Chief of Operations (which oversees the Patrol Operations 1 and 2 Bureaus, Criminal Investigations Bureau, and the Emergency Preparedness Bureau). The agency has a total strength of about 1,742 personnel, which includes 1,262 sworn officers and 480 civilian employees. The mission and vision of the department is:

Prevent Crime, Enforce the Law & Support Quality Public Safety by Delivering Respectful, Professional, and Dependable Police Services.

The starting salary for recruits attending the academy is about \$41,244 and increases to about \$51,376 after four years on the job. The basic training academy is 720 hours followed by 8 weeks of agency orientation and indoctrination; then the new officer serves four months with a field training officer. Fringe benefits include paid overtime, uniform allowance (\$500 per year), retirement system, issued duty weapon (Glock .40 caliber), and medical/dental/vision insurance.

The index crime in the city for 2003 totaled 50,457 offenses.

**The City of Washington, District of Columbia.** Washington, D.C. is the capital of the United States. It is geographically located in the central Atlantic area of the eastern United States on the banks of the Potomac River. It was originally a 10-mile square area carved out of the states of Virginia and Maryland, but in 1846 the Virginia portion (now the city of Alexandria and the county of Arlington) was returned to the state. The major interstate highways leading into the city are I-66 and I-395. The 2000 population was 572,059, making it the 21st-largest city in the United States. The metropolitan area of Washington, D.C. (which includes the city of Baltimore) has a population of over 7.6 million residents making it the fourth-largest metropolitan area in the United States according to the 2000 census. The city encompasses about 68 square miles of area. The economy of Washington, D.C. is primarily based on governmental functions and tourism. It is the home of the three branches of government and most of the related agencies. It is a cultural center and there are many national museums and monuments in the city. The capital of the United States was officially transferred to Washington, D.C. and originally settled in 1800. According to the 2000 census, the population profile of the city was 30.8% White, 60.0% Black, 0.3% American Indian and Alaska Native, 2.7% Asian, 3.8% other race, 2.4% two or more races and 7.9% Hispanic/Latino. Approximately 79.9% of the population was age 18 and over and 12.2% were 65 and over; the median age was 34.6.

The Washington, D.C. Police Department is led by a police chief appointed by the mayor. The agency has a

total strength of 4,200 personnel, which includes 3,600 sworn officers and 600 civilian employees. The mission of the department is:

The mission of the Metropolitan Police Department is to prevent crime and the fear of crime, as we work with others to build safe and healthy communities throughout the District of Columbia.

To qualify for appointment, applicants must have completed at least 60 semester hours of college credit. The starting salary for recruits attending the academy is about \$39,644 a year, which increases to more than \$43,375 a year after 18 months of service. The basic training academy is 24 weeks in duration. The probation period is 18 months (includes the academy). Fringe benefits include a health benefits package, group life insurance, vacation days (13 per year for the first three years, increasing to about 19 days for years 4–15 and 26 days after 15 years of service), 13 sick days per year, provided uniforms, educational tuition reimbursement program, retirement system (25 years of service), shift differential pay (3 or 4 percent), foreign language incentive pay (up to \$1,300 per year) and a metropolitan housing assistance program.

The index crime in Washington, D.C. for 2002 totaled 44,349 offenses.

## CORRECTIONAL SYSTEM

**History.** British colonists brought to the New World an ancient institution—the jail. Early in the nineteenth century, the new republic itself devised another type of institution that was to have a profound influence on corrections in this and many other countries: the penitentiary. The two types of institutions survive to this day.

Also in the nineteenth century, the United States developed noninstitutional methods of corrections: probation, parole, diversion, work and study release and other systems' designed either to keep offenders out of prison or to shorten their terms of incarceration or permit them to serve part of their time under supervision.

**Colonial Jails.** Colonial jails were primarily penal institutions where convicted persons faced death or corporal punishment, such as the whip, the branding iron or the stocks. The major function of the jail was to hold the prisoners until corporal punishment was meted out to them. However, the insane, the ill, the vagrant, deserted wives or children, the aged, and the poor were more numerous than the lawbreakers in the early jails. These people were incarcerated until some arrangement could be made to take care of them.

Inmates had to pay for their upkeep and when they could not, they were permitted to beg for food. Strong

prisoners were used in heavy manual labor clad in conspicuous uniforms and wearing ball and chains. The first reform came in Philadelphia in the latter part of the eighteenth century owing, in large part, to a group of Quakers called The Philadelphia Society to Alleviate the Misery of Public Prisons, an institution that still exists today. The society urged that hardened criminals be separated from lesser offenders, that the sexes be segregated, and that the sale and consumption of liquor be prohibited.

In 1790 the Pennsylvania Legislature ordered the renovation of the Walnut Street Jail in Philadelphia on the basis of these principles. Hardened criminals were placed in single cells in a separate building apart from minor offenders. Women and debtors had their own building. Children were removed from the jail entirely. Food and clothing were supplied at public expense, and no liquor was allowed. Thus, with a rudimentary system of classifying prisoners and the provision of free essential services, the fundamentals of modern correctional management were introduced.

For a time, the new Walnut Street jail worked well. But soon, the number of inmates made it impossible to maintain the standards. Fifteen years later, the jail held four times the number of inmates the jail was designed for. Two visiting Frenchmen, Gustave de Beaumont and Alexis de Tocqueville, commented on the sad state of the prison in their reports.

As Walnut Street Jail became outmoded, Pennsylvania built a new one, the Eastern State Penitentiary at Cherry Hill in 1829. Its architecture was designed to advance the so-called silence system, under which no inmate was allowed to speak or otherwise communicate to another. The Cherry Hill prison was built with seven cellblocks radiating from a central rotunda like the spokes of a wheel. Each prisoner occupied a cell about 8 feet by 12 feet in dimension with running water and toilet facilities and an exercising yard about 8 feet by 20 feet surrounded by high brick walls. Walls between cells were thick and impenetrable to sound. The prisoners, therefore, neither saw nor heard anyone else except the keepers who inspected the inmates three times a day and an occasional chaplain. Meals were delivered through a hole in the door. In his cell, the prisoner worked at weaving carpentry, shoemaking, sewing, or other handcrafts. When he was not working, he was expected to read the Bible and meditate on his sins.

Another silent prison opened in Auburn, New York, but here, the prisoners were confined only at night. During the day, they worked together under surveillance, but could not speak to one another. The prisoners walked in lockstep, one hand on the shoulder of the man ahead, with all heads turned only in the direction of the guard. The Auburn system was a brutal one, with silence enforced by lashes and other punishments. But its prison-made



goods sold well enough to cover prison expenses, making the New York legislature very happy.

However profitable, prisons are expensive to build. Cherry Hill cost about \$500,000 for 250 prisoners, an enormous sum for that time. It was the most expensive public building in the New World and the first building in the country with flush toilets and hot air heating, conveniences that most homes did not have at that time. Despite the costs, Cherry Hill and Auburn became the models for many states in the latter part of the nineteenth century. Nationally, it was a time of prison building for all states in the Union.

Most of the nineteenth century prisons were built for maximum security. They were forbidding structures that Americans referred to as Bastilles. Even reformatories were maximum-security, such as the Elmira Prison in New York, which was originally designed for hardened criminals and later was converted into a reformatory. Not until the twentieth century did medium, and minimum-security institutions come into being as well as juvenile facilities.

The total number of prisons in the United States is 5,069, of which, 3,365 are local jails, 1,558 are state facilities, and 146 federal institutions. The total number of inmates is 2,033,331. A further 110,284 juveniles are held in custodial institutions and 1,912 in Indian country jails. The incarceration rate is 701 per 100,000 national population. The official capacity of the prison system is 1,817,628, of which, 677,787 are in local jails, 1,044,467 are in state facilities, and 95,374 in federal institutions. The occupancy rate, which determines if the system is overcrowded, is 106.4%, which is favorable relative to most countries. Of the total prison population, 19.7% are pretrial detainees, 8.1% females, and 0.5% juveniles. According to the National Prisoner Survey, 40% of the inmates are held in maximum-security facilities, 34% in medium-security facilities, and 26% in minimum-security facilities.

Nearly two-thirds of all state prisoners are held in closed prisons. Jails hold as many inmates on an average day as state correctional facilities. Jails are usually under city or county control, but five states—Alaska, Connecticut, Delaware, Rhode Island, and Vermont—now administer jails. Even though overcrowding is less serious in the United States than in most countries, it has been the subject of many judicial strictures. Judges have found that overcrowding violates a prisoner's constitutional rights, an acknowledgment that even prisoners have rights to decent and humane treatment. An additional problem, peculiar to the United States, is the fact that most guards are white while most prisoners are black, thus building up racial tensions and animosities. Most large prisons are also located in rural areas where prisoners are isolated from their families.

Corrections outside the institution originated in the 1840s. The concept was that not all persons who commit offenses need to be incarcerated and that many will return to law-abiding ways more quickly if they are not shut up out of contact with the free community. It was realized, further, that prisons are a burden on the taxpayer.

The oldest form of noninstitutional corrections is the probation. In 1841 John Augustus, a Boston boot maker, asked the court to release to him certain misdemeanants for training. Augustus and his fellow volunteers were so successful in reforming petty criminals that the Massachusetts legislature established the first state probation agency with a paid staff. Almost all states followed suit. In 1966 California began a program of state subsidies to local probation departments rewarding them for every case they took on without recourse to state penal facilities.

Parole allows an offender to be released under the continued custody of the state after his sentence has been partially served. Parole is the principal mode of release of prisoners today. Parole has been criticized on the basis that it returns hardened criminals prematurely to the streets. In some cases, this is a justified criticism. There is the celebrated case of Willie Horton in Massachusetts who was released on parole by Governor Michael Dukakis and who committed a brutal murder shortly thereafter. This incident is believed to have cost Dukakis his race for the White House in 1988. But, on the other hand, a majority of the parolees do not relapse and the fact that they are under state supervision during the parole period may deter most parolees from a continuing life of crime. Judges also have come to take an interest in parole as part of the rights of prisoners. Sentencing procedures complicate parole problems. The disparity of sentences imposed by different judges, depending on whether they are liberal or conservative, for identical offenses, is a source of bitterness among prisoners. The indeterminate sentence, under which an inmate does not know when he may be eligible for parole, is also controversial. In 1975 Maine became the first state to abolish parole and to require judges to impose flat sentences. Judges may select probation, fines, restitution, imprisonment or a combination of these penalties.

**Prison Statistics.** Total prison population: 2,131,180. Of this total, 713,990 were in local jails, 1,241,034 in state prisons, and 169,370 in federal prisons.

- Prison Population Rate per 100,000: 726
- Pretrial Detainees: 20.2%
- Female Prisoners: 8.7%
- Juvenile Prisoners under 18: 0.45%
- Number of Prisons: 5,069

- Official Capacity of the Prison System: 1,951,650
- Occupancy Level: 107.6%

**Federal Correctional System.** The federal corrections system is only a small part of the U.S. corrections system because, like law enforcement, correction's are a state subject under the Constitution. Nevertheless, just as there is a federal judiciary, there is a federal corrections system that runs parallel to the state system. This system is headed by the Bureau of Prisons within the Department of Justice. The bureau is headed by a director under whom are a number of agencies and divisions.

The Administrative Division develops plans, programs and policies concerning the acquisition, construction and staffing of new facilities as well as budget development and financial planning. The Correctional Programs Division is responsible for managing the correctional services operations and religious and psychological services. Federal Prisons Industries (under the trade name UNICOR) is a wholly owned government corporation whose mission is to provide employment and training opportunities for inmates. UNICOR manufactures a wide range of items from furniture to textiles. It also provides printing services for GPO and other agencies and data entry. The Health Services Division oversees all medical and psychiatric programs, environmental and occupational health services, food and nutrition services and farms.

The National Institute of Corrections provides technical assistance and training for local and state correctional agencies, grants for research, evaluation and program development. The Program Review Division oversees agency review functions, ensures internal controls, and prepares reports to the Attorney General. The Information, Policy and Public Affairs Division encompasses the Bureau's Information Systems, Policy Review, Research and Evaluation, Security Technology, Document Control, External Liaison, and Archives and Public Affairs. The Community Corrections and Detention Division is responsible for Community Corrections and Detention programs. The Bureau is subdivided into six geographic regions, each headed by a manager.

#### CORRECTIONS PROFILES FOR SELECTED STATES AND CITIES

**Los Angeles County, California, Jail and Probation.** The Mission Statement of the Los Angeles County Probation Department is to promote and enhance public safety, ensure victims' rights, and facilitate the positive behavior change of adult and juvenile probationers. The core purpose of the department is to enforce court-ordered sanctions for probationers, including the detention of juvenile offenders and the arrest of adult offenders; provide supervision and monitoring of probationers; prevent

and reduce criminal activity by developing and implementing strategies from early intervention through suppression. Shared ideas are freely discussed.

**History of the Juvenile Department.** In 1900 the Juvenile Court Commission was established by the Women's Clubs of Los Angeles and Judge Curtis D. Wilbur was appointed to supervise juvenile facilities and to select and pay the salary of the first Probation Officer. In 1903 the first California probation laws were enacted and Captain Augustus C. Dodds was appointed the first Los Angeles County Chief Probation Officer. In 1910 the first permanent juvenile detention facility opened on Eastlake Avenue in Los Angeles, the present site of Central Juvenile Hall. The El Retiro School for Girls was established in Sylmar in 1919, under the direction of the Probation Committee.

In August 1993, the department completed an initial study of its youthful offenders and found that 16% of the minors with "first time ever" petition requests accounted for 67% of the subsequent petition requests. This ongoing study is laying the groundwork for a new direction in delinquency prevention involving a multi-agency; multidisciplinary approach aimed at early identification and intervention of this chronic offenders group.

The Probation Commission, originally the Probation Committee, was created in 1903 and is one of the county's oldest official bodies. In April 1987 at the request of the County Board of Supervisors, the Legislature amended the Welfare and Institutions Code to change the title of the Probation Commission. In July this action was signed into law by the Governor as part of AB 1287. The Commissioners bring expertise from the private sector to the oversight and evaluation of policies and operations of the Los Angeles County Probation Department, and to those budgetary priorities and legislative proposals brought before the Board of Supervisors which impact the criminal justice system.

**Detention and Corrections.** Detention locations include the twin towers, central jail, and inmates reception center (IRC), all of which are clustered around the main arraignment court. Others include the North County Correctional Facility, Pichess Detention Center (The Ranch — north facility and east facility), Mira Loma Detention Center, and the Central Regional Detention Facility.

The Los Angeles County Sheriff's Department is the largest sheriff's office in the world. In addition to specialized services, such as the Sheriff's Youth Foundation, International Liaison and Employee Support Services, the Department is divided into ten divisions, each headed by a Division Chief.

The Correctional Services Division (COSD) was formed with the goal of enhancing the quality and number of educational, vocational, drug and alcohol, anger

management, and religious programs available to the inmate population. COSD is comprised of the following: Inmate Reception Center, Medical Services Bureau, Food Services Unit, Jail Construction/Special Projects, Inmate Services Unit, and the Community Transition Unit. The Inmate Reception Center screens and evaluates all inmates for medical and mental health problems upon entry into the County jail system. Medical Services Bureau maintains Correctional Treatment Center licensure and provides in-patient medical, skilled nursing, and psychiatric services to inmates. The Food Services Unit provides quality meals for inmates and staff in accordance with government regulations for proper food preparation and required daily nutritional needs. CRDF programs provide goal-oriented inmates the opportunity to rehabilitate themselves through a strict regimen of behavior modification and educational programs. Inmate Services Unit works with the Inmate Welfare Commission to provide for the needs of inmates; Religious and Volunteer Services; Inmate Commissary; and Correctional Education. The Community Transition Unit partners with community based organizations to provide inmates a continuum of support services while transitioning back into the community. Headquarters for the Correctional Services Division is located at the Twin Towers Correctional Facility in downtown Los Angeles.

The Custody Operations Division along with the Correctional Services Division is responsible for the operation of the county's jail system and for the care, custody, security, and rehabilitation of all sentenced and pretrial inmates housed within the Los Angeles County Sheriff's Department jail facilities. The Custody Operations Division is commanded by Chief John L. Scott. The current facilities include: Mira Loma Detention Facility, North County Correctional Facility, Pitchess Detention Center North, Pitchess Detention Center East, Men's Central Jail, Twin Towers Correctional Facility, LAC/USC Medical Center and an administrative unit that provides support to both divisions.

**King County, Washington, Department of Adult and Juvenile Detention.** The King County Jail, Seattle Division is located at 500 5th Avenue, Seattle, Washington. The facility became operational in 1986. The bed capacity for the facility is 1,697 and the correctional staff number over 350. Over 300 community volunteers provide religious services, counseling, alcohol and drug treatment support, adult basic education, GED prep, and support upon release for inmates. Admissions during 2004 (through August) totaled 4,293. The average daily population in 2004 was 2,436.

The VINE program is an automated victim notification system that allows victims of domestic violence and

other crimes to register to be notified of an inmate's release from jail, and to get information on charges and bail amount. VINE provides information on the custody status of inmates who have been booked into any King County Department of Adult Detention facility. Victims and the general public will be able to call the VINE system toll-free, to verify whether an inmate is in custody, and register to receive automatic telephone notification upon an inmate's custody status change. Callers will also be provided with information on additional victim assistance services. VINE is available in English, Spanish, Vietnamese, Russian, Tagalog, Chinese, and Amharic.

The Mission Statement is brief. "The Department of Adult and Juvenile Detention contributes to public safety by operating safe, secure, and humane detention facilities and community corrections programs, in an innovative and cost-effective manner." Similarly, the Vision Statement is brief. "The Department of Adult and Juvenile Detention is a nationally recognized, high-performance organization that supports criminal-justice and human-service agencies' efforts to maintain a safe, vibrant, and economically healthy community."

Located on Puget Sound in Washington State, and covering more than 2,200 square miles, King County is nearly twice as large as the average county in the United States. With more than 1.7 million people, it also ranks as the 12th most populous county in the nation. The Jail Register contains information on persons currently in custody, plus individuals booked or released within the past 24 hours, and includes information regarding their custody status, bail amount, and visiting schedule.

**San Francisco, California, City and County.** The population in 2000 was 776,733. The land area is 47 square miles with a population density of 16,526 persons per square mile.

The Sheriff's Office Custody Division handles Jail Facility Operations, station transfers of arrestees from police stations to the intake jail, and transportation of prisoners between facilities and courts. The San Francisco County Jail system houses an average daily population of 2,200 prisoners in five jails, County Jails 1, 2, 3, 7 and 8. The system includes an intake and release facility, County Jail 9, and a ward in San Francisco General Hospital, County Jail 5. Approximately 55,000 people are booked into the jails annually.

County Jail 8, the newest jail facility in San Francisco, was opened in December 1994, next to the Hall of Justice. This direct supervision facility has become a national model for program-oriented prisoner rehabilitation. Some 400 inmates participate in G.E.D., E.S.L. programs, alcohol and drug abuse counseling, and family unification.

County Jail 9 includes the new intake and booking facility. The building's dramatic architectural design was praised by Pulitzer Prize-winning architecture critic Allan Temko, who called it "a stunning victory for architectural freedom over bureaucratic stupidity."

County Jail 9 (425 7th Street, near Hall of Justice, San Francisco) is employed for classification, and County Jail 8 (Hall of Justice, 6th Floor, San Francisco) is for temporary housing. Inmates are permanently held in County Jail 1 (Hall of Justice, 6th Floor, San Francisco), County Jail 2 (Hall of Justice, 7th Floor, San Francisco), County Jail 3 (San Bruno), County Jail 7 (San Bruno), and County Jail 5 (San Francisco General Hospital).

The San Francisco Sheriff's Department is like no other sheriff's department in California, or possibly the nation. Michael Hennessey, in his 20-year tenure as Sheriff of San Francisco, has created and implemented programs focused on improving the life skills of prisoners so that when they return to their communities they are less likely to commit new crimes. A dedicated staff of Deputy Sheriffs and program personnel administers educational programs, drug and alcohol treatment, counseling, horticulture and community programs proven to cut recidivism and begin interaction and healing between offenders and communities. The department has the highest representation of women and minorities of any major law enforcement agency in the nation—more than 70% of total sworn staff.

The Mission Statement of the San Francisco Sheriff's Department is "to be an effective and integral part of the civil and criminal law enforcement efforts of the State of California, and the City and County of San Francisco. The Department will accomplish its mission through competent performance by its deputized personnel, and support staff, in accordance with the powers established by the laws of the State of California and the Charter and Ordinances of the City and County of San Francisco."

Jail Programs include education, skill development, and counseling and they are integral to the San Francisco county jail system. Prisoners are expected to participate in programs while in jail. Prisoners who progress satisfactorily in jail programs may be transferred during the latter part of their sentence to an alternative program. San Francisco is a national leader in using alternatives to incarceration. These programs include: home detention, Sheriff's Work Alternative Program, Post Release Educational Program, residential county parole, general education, substance abuse counseling, SISTERS (Sisters in Sober Treatment Empowered in Recovery), in custody therapeutic community, counseling and treatment, violence prevention, vocational training, arts, library services, and religious services.

**Dekalb County, Georgia.** On December 23, 1822, the Georgia legislature established the boundaries of DeKalb County, which included the location of land which would eventually be incorporated as the city of Marthasville. John S. Welch was commissioned as the first sheriff of DeKalb County. It was not until a year later, however, that Decatur was officially designated as the County Seat. George Harris was the first elected Sheriff of DeKalb County.

In 1848 a railroad official designated the railroad terminal as Atlanta, even though the surrounding town maintained its name of Marthasville. After a few years of freight being shipped with Atlanta listed as the destination, the city eventually changed its name to match that of the terminal. At one time, the county contained all of Atlanta and much of Fulton County. DeKalb County's population in 2001 was 665,133. Atlanta comprises a good portion of the county today.

Today, the fast-growing city remains a transportation hub, not just for the country, but also for the world: Hartsfield Atlanta International Airport is one of the nation's busiest in daily passenger flights. Direct flights to Europe, South America, and Asia have made metro Atlanta easily accessible to the more than 1,000 international businesses that operate there and the more than 50 countries that have representation in the city through consulates, trade offices, and chambers of commerce. The city has emerged as a banking center and is the world headquarters for 13 Fortune 500 companies.

Jail statistics in several categories include year to date totals of 36,419 Admissions; 34,873 Releases; 2,866 Average Daily Population; and average length of stay: 27.8.

**Maricopa County, Arizona.** The county was established on February 14, 1871, and currently has a population of approximately 3,200,000. The fiscal year 2002 budget was around \$2.5 billion. It is 9,226 square miles in size, and is the 4th most populous county in the United States and 14th largest county in the United States.

The mission statement of the Maricopa County Sheriff's Office states that the office is "in partnership with our citizens and contract cities, will enforce state laws, deter criminal activity, protect life and property, maintain order, and operate a safe, constitutional jail system. Through innovative leadership and our dedication to providing quality services, the Sheriff's Office will maximize the use of its resources to provide the highest quality service which will aid in improving the quality of life for the citizens of Maricopa County. The office is also dedicated to providing a caring and supportive environment for our employees because they are the backbone of the system and have a need for continued growth and development through education and training. Each employee will

have opportunities for career development, professional growth, and a challenging work environment.”

No other detention facility in the country, state, or county can boast of 1,200 convicts in tents; no other county or state facility can boast of a gleaning program that results in costs of under 45 cents per meal per inmate; few others can say they have women in tents or on chain gangs and no other sheriff's office in the United States today has a volunteer posse of 3,200 men and women, people from the community who spend their time and money to train to be volunteers, helping to keep the county free from crime. From an enforcement perspective, the Maricopa County Sheriff's Office prides itself on serving and protecting the people who live in a huge county—9,200 square miles—an area larger than some states.

There are three custody-related bureaus in the office: (1) The Custody Operations Bureau consists of seven divisions: Central Intake, Estrella Jail, Institutional Services, Laundry Services, Madison Street Jail, Tent City Jails, and Towers Jail; (2) the Custody Programs Bureau consists of five divisions: First Avenue Jail, Inmate Programs, New Jail Construction Unit, Special Projects, and Special Services; and (3) the Custody Support Bureau consists of seven divisions: Ancillary Services, Central Court, Classification, Detention Information Services, Durango Jail, Inmate Services, and Sexually Violent Persons Program.

The combined number of employees in the three custody bureaus is over 1,000. The combined number of inmates detained in the custody bureaus is 6,586. Together they comprise the 4th-largest jail system in the United States.

The custody division has initiated several programs: Community Gleaning, Girl Scouts Beyond Bars, Jail High School (Hard Knocks High), Job Placement Program, Stripes Program (inmates assisting Elections Department), Female Chain Gang (first and only), Vacancy Sign (sheriff pledges to always have room to book arrested individuals), Licensed Substance Abuse Program, Sack Lunches, Pink Underwear for inmates, Adult Education Program, and detainees in striped uniform.

**Ramsey County, Minneapolis (St. Paul).** The Ramsey County Sheriff's Department is a 400-member Department providing a wide array of law enforcement services to an urban community of 500,000 residents situated in a metropolitan area of over 2.5 million residents. These services include providing full police service to 7 contract communities, operating a pretrial detention center and performing a host of court services. There are three primary facilities for county inmates: Adult Detention Facility, Center Annex, and the Hospital Unit. Within the walls of the Ramsey County Jail Facilities are over 300 inmates. Many of the offenders arrested and placed

into custody are dangerous predators and purveyors of violence who have committed truly atrocious crimes against members of the community. Others are less dangerous, but also have been arrested for behavior outside the scope permitted by society. The Detention Division fulfills a vital role in the prevention and reduction of crime by lawfully incarcerating those arrested for or convicted of criminal behavior.

The CHORE Project involves the diversion of juvenile offenders to community service under the mentorship of the Ramsey County Sheriff's Department Community Affairs Officers. In a collaborative effort with Northwest Youth and Family Services, the juvenile offenders are assigned to a CHORE project with a Community Affairs Officer (CAO) mentor who will supervise the community service work. CHORE services are limited to public property projects. Under direct CAO mentor supervision, at risk youth are performing duties such as park cleanup, raking, pulling weeds, painting, and removing illegal signs.

**Wayne County, Michigan.** Wayne County is Michigan's largest county. It has a \$1.9 billion annual budget and a workforce of over 5,000 people. It is the industrial engine that drives America, home to the world headquarters of General Motors, Ford, and many more. Wayne County's rich quality of life is impressively evident in each of 43 communities. With a population of over 2 million, Wayne is the eighth-largest county in the nation with a wonderful cross-section of cultural diversity. The county seat and largest city is Detroit. The county includes 120 miles of toll-free expressways, 209 miles of state super-highways, and five national freight railroad lines. Wayne County owns and operates two international airports: Detroit Metropolitan Airport and Willow Run Airport.

The Wayne County Sheriff's Office is the second-largest law enforcement agency in Michigan, with more than 1,300 officers among its ranks. Its mission is to protect and serve the citizens of Wayne County by serving as a regional law enforcement resource to the county's 43 local police departments. In addition to providing safe and secure jail bed space for more than 2,600 inmates, the department also provides critical services to all of its communities, including fugitive apprehension, Internet investigations, border enforcement, child rescue, drug and prostitution enforcement and many others.

Persons charged with offenses and committed for trial are detained in the Wayne County Jail pending trial, and persons sentenced to Jail upon conviction of an offense are confined in the Hamtramck Detention Facility (the Dickerson Jail). Medical facilities are available to provide care for minor and less aggravated cases of sickness and disease. Advanced care is provided to the inmate population with sheriff's personnel maintaining

supervision at Aurora Hospital and Mercy Hospital, both in the city of Detroit.

The sheriff operates three jail divisions: Division 1, the Andrew C. Baird Detention Facility, was completed in 1984. This facility is 14 stories high, has 1,088 beds, 150 beds for the mental health wards, and 20 beds for the Infirmary Section. Division 1 houses the Central booking area and Classification section for the entire jail system; Division 2, Jail Division Two, the "Old County Jail," was originally constructed in 1929 and remains standing to this day. In 1963 construction was completed on the "Annex" side to this building, creating 251 new beds. In 1992 Division 2 was completely overhauled and now has the capacity to house 641. Division 3, the William Dickerson facility, opened in 1991 at a cost of \$60,500,000. This jail has 804 beds and is a direct supervision (no bars) facility. The facility houses sentenced inmates, offers alternative programs, and provides such services as laundry to the entire jail system, including the Juvenile Detention Center and Food Service to the jails, Juvenile Center, and the House Senior Nutrition Program. The Dickerson Jail was built on 16.7 acres and is approximately 500,000 square feet in size.

The Wayne County Dose of Reality Tour was created to educate individuals who have gotten into trouble with drugs, alcohol or other criminal activity, to the potential consequences of their actions. It also serves as an excellent deterrent for youth that are beginning to head down that path. The tour features blunt, often shocking, presentations from jail inmates, as well as from victims of crime or drunk driving and their families. The ultimate goal of the program is to open the eyes of people to the reality that may await them if they do not change their ways.

In 2003 Sheriff Warren Evans established Operation Pride, a program that utilizes nonviolent inmates to provide community cleanup and beautification services to nonprofit agencies. Services include litter pickup, illegal dumping cleanup, community garden work and boarding up abandoned buildings. Inmates also provide snow clearing services for homebound senior citizens or the physically handicapped.

**Cuyahoga County, Ohio (Cleveland).** The county has 1.3 million residents, and is on the banks of Lake Erie. It includes the city of Cleveland, Ohio, and 59 other communities served by the county sheriff and jail.

The Cuyahoga County Corrections Center (CCCC) is a unique facility. The high-rise building, situated on one-half of a city block in downtown Cleveland at W. 3rd and Lakeside, consists of two independent structures united by a bridge on the fourth floor. Between the two buildings, there are approximately 1 million square feet of space dedicated to the housing of maximum security

prisoners, who are channeled into the CCCC from the City of Cleveland Municipal Court, as well as 13 other suburban courts and the Court of Common Pleas. The CCCC houses approximately ten different classifications of inmates from pretrial felons to sentenced misdemeanants; juveniles to adults, from county, state and federal jurisdictions. The average length of stay (ALS) for the pretrial inmate is approximately 32 days, while the ALS for the sentenced misdemeanor averages 130 days. Jail I, first occupied in July 1977, opened with a rated capacity of 956. Jail II, first occupied in November 1994, has a rated capacity of 480, making the original combined rated capacity of both Jail I and Jail II 1,436. The current average daily population is approximately 1,850. In April 1999, a renovation project costing \$13.5 million was completed. During this renovation, full operations were maintained, making this the largest maximum security facility to maintain full operations while undergoing a complete renovation. This renovation resulted in an additional 303 beds, raising the rated capacity to 1,269 in Jail I for a combined total of 1,749 between Jail I and Jail II. The CCCC is managed by a dedicated Executive Staff comprised of the Director of Corrections, two Wardens, three Associate Wardens, Captain, Facility Services Manager, Mental Health Services Manager, and Health-Care Services Director. The daily operations are managed by 20 Sergeants who oversee 33 Corporals (lead workers) and a complement of 600 Corrections Officers (line staff). Together, this team, in conjunction with a full time medical staff which includes doctors, RNs, LPNs, MTAs, Psychiatric and Dental services, attends to a population dispersed over 85 housing units or "pods" (59 in Jail I and 26 in Jail II). The yearly departmental budget of approximately \$54 million, 70% of which is dedicated to Corrections, includes the production of 6,000+ meals daily at an average cost of \$0.70 per meal. Programs such as GED, Project Learn, AA, NA, CA, as well as in house religious services, library, recreation, and barbershop are made available to the entire inmate population. A schedule for these various programs is maintained so that all inmates have an equal opportunity to access them.

**Suffolk County, Massachusetts.** The Suffolk County Jail on Nashua Street opened in 1990 and is the replacement facility for the historical Charles Street Jail, which operated from 1851 until 1991. The Charles Street Jail was ordered to close in a 1973 federal court decision. The building was built for \$54 million on 2.1 acres of land, and totals 249,540 sq. ft. The jail houses 700 pretrial detainees, of which, 636 are male and 64 are female in 13 different housing units, with one unit designated for female offenders. The Suffolk County Jail has been accredited by the American Correctional Association

since 1991 and has been reaccredited most recently at the end of 2000 for a three-year term. Transportation, booking and property also maintain effective operations of the facility with the constant movement of probation surrender inmates to a separate housing unit at the House of Correction. This move was necessary to combat the rising inmate population at the jail.

Annually, the kitchen staff serve more than 700,000 meals to detainees. The staff also takes time to prepare separate meals for days honoring different ethnic, religious, and cultural holidays. The jail continues to use the latest in correctional technology to maintain safe and secure housing units for pretrial detainees. Along with the House of Correction, the jail is fully compliant with all health and safety codes including the Americans with Disabilities Act. The command staff, along with all jail employees, continue to maintain a modern facility for the care and custody of detainees.

The Suffolk County Community Works Program sends properly classified inmates nearing the completion of their sentences into communities, under the constant watch of an armed Sheriff's deputy, to provide labor for many city, state and town projects. Cleaning vacant lots, beautifying roadway intersections, painting street lamps, boarding and securing abandoned homes and shoveling senior citizen housing walkways are just some of many innovative jobs the inmates complete.

The Suffolk County Sheriff's Department is committed to inmate rehabilitation and successful integration back to the community upon an individual's release. One of the components, which helps ensure a successful reentry, is employment. In recognizing this, Sheriff Andrea J. Cabral and the Sheriff's Department staff has effectively responded and created vocational and job training opportunities for offenders. Through several job fairs, as well as intensive vocational training in areas such as food sanitation, graphic arts, carpentry and a community works program. Offenders are provided extensive job training options to reduce their chance of recidivism. The Sheriff's Department also partners with several organizations to provide employment services to offenders, including college and university degrees, industrial education, and other services.

**Social Services.** Rehabilitation is an essential component to the mission at the Suffolk County Sheriff's Department. Either awaiting trial or incarcerated, offenders' receive comprehensive education and social service programs according to classification requirements. Services are provided at both the Suffolk County Jail at Nashua Street and the House of Correction through social service staff. Responsibilities for the division include classification, religious services, substance abuse programs, referrals and disciplinary hearings. There are several programs including, the Latino Health Institute, Alcoholics Anonymous,

Narcotics Anonymous, Women's Advocate, and HIV/AIDS programs.

The jail processed more than 13,000 pretrial detainees—men and women arrested—in 2003. Some detainees stay at the jail only for a few hours; others are housed for several months or, in some cases, years. The jail must provide a wide range of medical care to these detainees, including general medical attention, substance abuse counseling, psychiatric services, orthopedics and dentistry. The jail became the de facto detoxification, mental health and primary medical care facility for pretrial detainees in Suffolk County due to other county budget cuts. The jail's medical/psychiatric unit has room for 22 detainees and is always operating at full capacity. During the last six months of 2003, it saw a dramatic rise in the number of detainees who have mental health issues. The number of people seen by mental health practitioners rose from 2,757 in 2002 to 5,406 in 2003, an increase of 96 percent. In the first 10 months of 2002, there were 34 people committed to state mental health facilities. During one three-week period in 2003, there were seven inmates with mental health issues committed to state mental health facilities. In 2004, 15 percent of the men and 36 percent of the women housed at the jail were seen by medical staff and determined to have major mental health illnesses. In 2003 the jail treated 1,124 men and women who were in stages of detoxification, an increase of 109 percent from 2002. Not coincidentally, the vast majority (80%) of inmates with mental issues also have substance abuse problems.

**The City and County of Denver, Colorado.** Denver currently operates two separate jails. Both are overcrowded. Overcrowding impedes safe monitoring and control of inmates. Overcrowding in numerous cities and counties across the country has prompted lawsuits followed by federal court intervention capping jail populations. Under capping, inmates must be released early or sent to more expensive facilities elsewhere as new criminals are jailed.

All people arrested in Denver—about 55,000 a year—are taken to the City Jail, or a prearrestment detention facility. About two-third are released after paying fines, posting bond or completing a short sentenced. The balance are transferred—typically within 72 hours—to the County Jail to await trial. Designed for a capacity of 158 inmates, this jail houses more than 300 inmates on any given day, peaking at nearly 400 inmates on some nights. The County Jail holds people awaiting trial as well as convicted criminals serving sentences of less than two years.

Built in 1954 and expanded over time to house a maximum of 1,350 inmates, this jail has operated well beyond its capacity for several years. The County Jail houses in excess of 1,900 inmates everyday and tops

2,100 inmates in peak periods. The city has taken numerous steps to keep the jail population down. Recognizing that prevention is key to reducing crime, more dollars have funded after school programs, summer tutoring, recreation, and strengthening families. While important, these efforts alone cannot alleviate overcrowding. Diversion efforts such as electronic monitoring, early release programs, and substance-abuse treatment also minimize the number of people jailed. Although Denver has been a leader in these innovations, these efforts cannot keep pace with the rising jail population. In fact, the prospect of incarceration goes hand in hand with successful diversion activities.

**Denver Community Corrections.** With a current network of ten facilities in the Denver Metro area, Community Corrections is celebrating over forty years of successful coexistence with the Denver Sheriff Department. Catering to both adult male and female felony offenders within the state of Colorado, the Community Corrections facilities admit clientele ranging in age from 18 to 75. The facilities pride themselves not only on their safety methods and positive community standings, but also on their ability to successfully reintegrate ex-offenders into the community. They implement the use of counseling, cooperation and support from family members and intensive supervision while providing such necessities as shelter, food services, and emergency financial assistance. Positive behavior is rewarded through an incentive-based system of graduated privileges. Residents are permitted community access only with staff approval and for restricted periods of time. Monitoring is systematically applied to maximize safety, including the use of sophisticated electronic paging devices that track resident movements on a continual basis, and the application of Antabuse (an alcohol inhibitor), breath analysis and urinalysis testing. Personal searches, employer and regular facility checks are also utilized.

Residents are required to seek and maintain employment, and from these wages, required to pay any court restitution or child support orders. While these facilities and corresponding programs receive compensation from the Department of Safety, they also collect \$13 per day subsistence, as required by law, from each client. For those participants unable to work, additional community services and extra chores are required.

Each facility is operated by experienced independent business organizations. They are responsible and accountable to the state for each client. The standards required by the Division of Criminal Justice must be met and maintained by each facility, which includes, but is not limited too, first and foremost, ensuring public safety. They must also meet stringent staff and facility require-

ments, provide for appropriate in-house client programming and management, and the design, implementation and facilitation of active participation in community services within their neighborhoods. All Community Corrections operations are monitored by regulatory agencies, including the Division of Criminal Justice, the Department of Corrections, the Denver County Community Corrections Board, and other departments within the state of Colorado and the City and County of Denver. The Denver Community Corrections programs are operated by the Denver Sheriff Department, (Phase 1 is known as the Mountain Parks Work Program) and there are three privately owned programs managed by the Correctional Management Inc., the Independence House and the Community Education Centers. In addition, Peer I and the Haven (drug treatment programs under the University of Colorado Health Sciences Center) also provide facilities for both men and women.

Under the auspices of the Department of Safety, Denver Community Corrections Programs have established unprecedented success rates working with criminal offenders. Admissions for the past five years total 11,000, breaking down to a yearly admission rate of approximately 2,200. Terminations over the past five years total 10,900, or 2,180 per year. The programs were successful in 71% of the cases, unsuccessful in 13% of the cases, 15% of the offenders' absconded, and 1% failed due to new charges.

**Chicago, Illinois/Cook County.** Cook County was established on January 15, 1831, by the Illinois state legislature. Chicago, then an unincorporated settlement with fewer than 60 residents, was designated the county seat. Due to a virtual absence of crime, a county courthouse and jail were not built until 1835. The first jail, located just North of the Chicago River, was a small wooden stockade that resembled a military fortress. Little is known about the structure's size and the inmates that were held there due to a fire that destroyed many of the county's early records (the Great Chicago Fire).

But, it is known that by 1850 the city's growing population and rising crime rate rendered the stockade obsolete. A larger court and jail facility was built just north of what is now 54 W. Hubbard Street. Only offenders awaiting trial for serious crimes were held at the county's Hubbard Street jail. Their trials proceeded quickly at the adjacent courthouse and those who were found guilty were sent to the state prison system to serve their sentence.

However, offenders who were arrested in Chicago for less serious crimes, like public drunkenness, fighting, and disturbing the peace, were not held at the county's jail. Instead, the city of Chicago was responsible for detaining them at the city "Bridewell" (an old English word for a jail used to house inmates on a short-term



basis). Built in 1852 at Polk and Wells streets, the Bridewell was located near what was then the city's vice district. Inmates were rarely held there for more than several weeks.

In the subsequent years, the inmate count at the Bridewell grew just as quickly as Chicago's population. In 1871, just months before the Great Chicago Fire destroyed the Polk and Wells site, the Bridewell was moved to a new larger building at 26th and California, and officially renamed the Chicago House of Corrections. In its first year, the new facility's inmate population doubled. An average of 419 inmates were held there each day. Until prison and legal reforms were made in the early years of the twentieth century, juveniles as young as 7 years old were held at the House of Corrections with the general inmate population and female offenders were housed in isolation in the same building. By 1954, nearly 60% of the Jail's daily population had been sentenced to terms as long as five years. The county had the additional burden of conducting executions, which was traditionally a state function, and maintaining a death row for those inmates awaiting their date with the County Jail's electric chair.

As conditions at the County Jail continued to deteriorate, several community leaders and elected officials called for reforms in the county criminal justice system. In 1969 the Illinois state legislature finally acted. They voted into law a statute that created the Cook County Department of Corrections which combined the County Jail and the city's House of Corrections under one authority.

Today, the DOC administers eleven separate jail divisions, house nearly 9,000 inmates and employs more than 3,000 correctional offices and support staff. Though overcrowding is still a problem, the DOC, under the direction of County Sheriff Michael F. Sheahan, has developed a series of alternative programs. In 1993, Sheahan created the Department of Community Supervision and Intervention, which takes nonviolent jail inmates and places them in programs where they receive drug rehabilitation, high school equivalency courses and job training.

The Cook County Department of Corrections also relies on interns and volunteers to supplement staffing; 30 college students expanded their learning fields of criminal justice or social work as interns under the supervision of a seasoned Correctional Rehabilitation Worker. Tutoring, Bible study, self-enhancement and cultural enrichment programs, holiday treats (holiday dinner, candy, etc.), socks and soap are provided by more than 450 volunteers.

Detainees are encouraged to vote in local and national elections; voters' registration and absentee voting are provided and stringently monitored by the Cook County Board of Elections. Marriages are also performed by a judge in Criminal Courts on a monthly basis. Detainees, with the encouragement of officers, teachers, and civilian

staff, participate in programs saluting ethnic holidays such as Kwanza and Cinco de Mayo. Professional entertainers and motivational speakers also make frequent presentations at the Department of Corrections.

The Cook County Department of Corrections is the largest (96 acres) single-site county pre-detention facility in the United States. Primarily holding pre-trial offenders, the department admitted 86,110 detainees in 1996 and averaged a daily population of approximately 9,000. The Department of Corrections complex consists of 11 separate Divisions/units, each headed by a superintendent.

**Houston, Texas, City Jail.** The Houston Police Department Jail Division is responsible for booking, housing, feeding and processing all prisoners arrested by the Houston Police Department as well as other local law enforcement entities. Prisoner processing includes the fingerprinting, photographing and electronic identification of all offenders arrested for any charge except those charged with municipal code violations only. The Jail Division also facilitates the appearance of municipal code violators in the municipal court system for both arraignment and trial dockets. The Jail Division, in conjunction with the City Health Department, medically screens all prisoners upon their entrance to the jail facility and provides continuing medical services during the prisoner's incarceration in the jail facilities. One hundred nineteen thousand prisoners were booked into the city's jails during 1998. The Jail Division is primarily staffed with civilian jailers and classified police supervisors. Classified police officers assigned to the Jail Division transport prisoners to various destinations, primarily the county jail, outside the secure confines of the jail facilities.

Central Jail was built in 1951 and occupies space on four floors. Approximately 69,199 prisoners were booked at Central Jail during 1998. Southeast Jail opened in 1993 and is located in the Edward J. Stringfellow South Police Station. There were 49,686 prisoners booked at this location during 1998. Municipal Detention Center was relocated from 8400 Mykawa Road in January 1999. It was formerly referred to as the "Prison Farm" until 1986 when it was placed under the Houston Police Department by council action. The detention center houses only male prisoners who are serving jail time instead of monetary fines assessed by the municipal courts.

#### **New York City.**

**Probation.** The Department of Probation promotes public safety by providing supervision for the thousands of adults and juveniles placed on probation each year by judges in the Supreme, Criminal and Family Courts. In addition, Probation is responsible for preparing thousands of background reports each year that assist judges

in determining appropriate sentences for adult offenders and juvenile delinquents.

The mission statement of the New York City Probation Department is “to protect the community by intervening in the lives of offenders, holding them accountable and serving as a catalyst for positive change. We act in collaboration with the community and other justice partners. We provide information and services to the courts, give victims a voice in the justice system and help strengthen families.”

The Statistical Tracking Analysis and Reporting System (S.T.A.R.S.) is designed to assess the department’s ability to meet stated goals and objectives, strengths and weaknesses in completing the agency’s mission-critical tasks, and standardize reporting of key agency indicators. The S.T.A.R.S. system, based on the system used by the Department of Correction to develop its T.E.A.M.S. process, will improve accountability at all levels of management within the department and reward individual managers for outstanding performances.

**New York City Jails and Prisons.** The New York City Department of Correction (DOC) averages a daily inmate population of between 14,000 to 19,000, more than the entire prison system in any of 35 states. Annually, between 120,000 and 130,000 are admitted to custody. The department employs just over 10,000 uniformed staff and 1,500 civilian staff. The department provides custody of males and females, 16 and older, who after arraignment on criminal charges, have been unable to post bail or were remanded without bail, pending adjudication of their criminal charges. These detainees constitute about two-thirds of the total inmate population.

The department also incarcerates those sentenced in the city to terms of up to one year, parole violators awaiting parole revocation hearings, and persons charged with civil crimes. Persons sentenced to prison terms of more than a year are held pending transfer to the State Department of Correctional Services. The majority of inmates are housed in one of the 10 facilities on Rikers Island, located in the East River adjacent to LaGuardia Airport.

Among the Rikers facilities are a jail for sentenced males, another for sentenced and detainee females, and a detention center for adolescent males (ages 16 to 18). Two floating detention centers are docked off the northern tip of Rikers Island. Each of these converted Staten Island ferries has an inmate capacity of 162 and serves as an annex to one of the seven other jails on Rikers all housing adult male detainees. Rikers facilities other than institutions housing inmates include a bakery, central laundry, tailor shop, print shop, maintenance and transportation divisions, marine unit, K-9 unit and a power plant. The department also operates six borough facili-

ties, 15 court detention facilities and four hospital prison wards.

The off-Rikers borough jails—one each in Manhattan and Queens, and two each in Brooklyn and the Bronx—have a combined capacity of approximately 4,000. One of the Bronx jails is an 800-bed barge moored off the South Bronx opposite Rikers Island. The island, technically, is part of the Bronx although it is zoned for postal purposes with Queens, to which it is connected by a bridge.

The 15 court pens are located in the Criminal, Supreme and Family Court buildings in each borough. In Manhattan, an additional court pen is operated in the special Narcotics Court. These courthouse facilities hold inmates scheduled for the day’s proceedings. Seriously ill inmates and those requiring intensive psychiatric observation are held in prison wards that the Department operates in Elmhurst General Hospital, Kings County Hospital and Bellevue Hospital. The North Infirmery Command on Rikers Island houses detainees with less serious medical problems and persons with AIDS not requiring hospitalization, as well as high security inmates. In addition, the department operates a semisecure chronic care unit at Goldwater Hospital on Roosevelt Island.

Total admissions for FY 2003 were 109,445 with an average daily population of 314,533. The average length of stay was 45.5 days for detainees and 40.7 days for those city sentenced. The average annual Cost Per Inmate was \$58,288. The ethnic distribution of the population is African-American: 58.3%, Latino: 29.9%, White: 9%, and Other: 1.5%.

The Department of Correction’s Emergency Services Unit (ESU) is the elite, tactical team the department relies on during emergencies that rise above the level which any individual facility has the capability to respond to. The primary tool of the ESU has been the Tactical Search Operation, which has made ESU so key in helping the department achieve its unprecedented record in reducing violence levels in recent years.

The NYPD has also established specific units which emphasize reducing gang related criminal activity. These units work hand-in-hand with the NYC Department of Correction’s Gang Intelligence Unit (GIU). As police across the nation respond to gang activity, more and more gang members wind up in the correctional systems. Prisons and jails are quickly becoming concentrated gang environments and recruitment centers. Some estimates in certain areas put gang membership as high as six out of every 10 inmates. DOC has identified 12% of its daily inmate population as known gang members, a figure which has been steadily increasing.

## Miami-Dade City, Florida, County Corrections and Rehabilitation

### *Mission Statement.*

The Miami-Dade County Corrections and Rehabilitation Department serves our community by providing safe, secure and humane detention of individuals in our custody while preparing them for a successful return to the community.

### *Value Statements.*

We will strive to be compassionate and courteous to all persons we come in contact with. We understand that our profession is one of service and we will be responsive to the changing needs of our community. We will be responsible for our conduct, both professionally and personally. We will be diligent, honest, fair and show strength of character. We hold ourselves to be accountable to the highest standards of ethical conduct and strive to be role models for all.

### *Code of Ethics.*

As a law enforcement officer, my fundamental duty is to serve mankind; to safeguard lives and property, to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder; and to respect the constitutional rights of all men to liberty, equality, and justice.

**Facilities.** The Miami-Dade County Corrections & Rehabilitation Department is comprised of five correctional facilities: The Pre-Trial Detention Center, Women's Detention Center, Turner Guilford Knight Correctional Center, Training and Treatment Center, and the Metro West Detention Center. These facilities hold on average 7,000 inmates, who are awaiting trial or are serving sentences of 364 days or less. The department has a Boot Camp Program for youthful offenders, a Work Release Center and a medical unit at Jackson Memorial Hospital.

Miami-Dade Corrections & Rehabilitation Department was officially created on January 1, 1970. From its inception, the department has maintained a continuous pattern of growth and expansion. In order for the department to complete its daily mission, dedicated men and women perform a multitude of duties including security, maintenance, food preparation, training, clerical and many more.

### **Atlanta, Georgia.**

**History.** Atlanta was founded in 1837 at the end of the Western & Atlantic railroad line (it was first named Marthasville in honor of the then-governor's daughter, nicknamed Terminus for its rail location, and then changed soon after to Atlanta, the feminine of Atlantic—as in the railroad). Today, the fast-growing city remains a

transportation hub, not just for the country, but also for the world.

Atlanta has become the best example of the New South, a fast-paced modern city proud of its heritage. In the past two decades Atlanta has experienced unprecedented growth—the official city population remains steady, at about 420,000, but the metro population has grown in the past decade by nearly 40%, from 2.9 million to 4.1 million people. A good measure of this growth is the ever-changing downtown skyline, along with skyscrapers constructed in the Midtown, Buckhead, and outer perimeter (fringing I-285) business districts.

**Department of Corrections.** The Department of Corrections has four operating divisions that are responsible for the management of the Court Detention Center, Grady Detention Center, and City Detention Center. The main jail or Atlanta City Detention Center incorporates the progressive direct supervision model of design and management and was recognized by the American Concrete Institute as the best new high-rise building in Georgia in 1994. It is 17 stories tall and 471,000 square feet in size.

In 2002 the department provided custody for 54,065 offenders arrested by more than a dozen local, state, and federal law enforcement agencies. In 2002 the department managed 6,747 offenders sentenced by city courts to terms of confinement, boarded 939 federal prisoners to generate revenue which offset city costs, and averaged 1,214 offenders in custody per day.

Though a department with a critical and crucial function for the citizens of Atlanta, the Atlanta Department of Corrections finds its existence brief in comparison to other city agencies. The department was formerly known as the Prison Department which managed the City of Atlanta's 700 bed prison farm located within Northeast Atlanta on Key Road. Inmates at this facility, who served sentences for ordinance and traffic offenses, were routinely assigned to farming, livestock, cannery and dairy operation details. This enabled the detainees to benefit from vocational training and contribute to their sustenance.

In 1975 responsibility for the Atlanta jail and Grady Hospital Detention Center, was transferred to the Prison Department from the Atlanta Police Department to promote professionalism of the Correctional System. At the same time, the Prison Department was reorganized as the Bureau of Correctional Services within the Department of Human and Community Development, a reflection of the new emphasis placed on providing meaningful rehabilitative services to the highly recidivistic offender population. The bureau was later realigned to coexist under the Department of Public Safety with the police, fire and emergency management agencies.

In 1981 the city replaced its obsolete, traditional, 136-bed jail on Decatur Street. The new facility (Annex) incorporated a new design in detention facility construction. The design was a second generation podular design with 300-beds located on Peachtree Street in the southern portion of the central business district. In 1987 the Annex was expanded by double-bunking a portion of the cells to attain a maximum capacity of 516 beds. The additional bed space was primarily necessary to accommodate the growth of incarcerated offenders related to the advent of illicit drug usage.

In 1990 the Department of Public Safety was abolished and corrections operations were again configured under a single Department of Corrections. In 1995 the city opened its current high-rise jail. This new facility, the Atlanta City Detention Center (ACDC), is a third-generation jail that incorporates the progressive podular/direct supervision style of design and management. The Direct Supervision methodology allows more interaction between detainee and officer, lowering the number of inmate incidents. Originally providing 1,100 beds, its shell space was built-out two years later to house 1,300 inmates. The adjacent annex remained in operation and in tandem with the ACDC, allowed the consolidation of pretrial and sentenced offenders in one complex. The 50-year-old prison farm, though effective in the past, became too inefficient to manage the change in the detainee population and was consequently closed. During the construction of the ACDC, the city contracted to board 300 federal offenders per day over a 15-year period to generate external revenue which would help offset the debt service associated with the new jail.

In January 2003 the city transferred responsibility for the detention of arrestees charged with state offenses to the Fulton and DeKalb county jails, essentially reducing the scope of city correctional services by approximately one-third. The annex, no longer necessary for detention operations, was leased to a nonprofit organization to service a segment of the homeless population. The department continues to evaluate and revamp itself to address changing detainee demographics, technology advances and programs that assist with the reintegration of detainees to the community.

**Special Units.** Revered as the department's first responder for any life-threatening incident involving detainees/inmates, the Corrections Emergency Response Team consists of a special set of highly trained extremely motivated officers and supervisors, called to action at the hint of danger or emergency.

Fire Safety & Inspections Team Officers are given the responsibility of leaving their posts to respond to any hazardous or fire related incident of the department. Fire Safety Officers' receive specialized training in fire inspec-

tions and how to respond to emergency situations within the Atlanta City Detention Center.

**City and County of Philadelphia, Pennsylvania.** The mission of the Philadelphia Prison System (PPS) is to provide a secure correctional environment that adequately detains persons accused or convicted of illegal acts; to provide programs, services, and supervision in a safe, lawful, clean, humane environment; and to prepare incarcerated persons for reentry into society.

The PPS operates four major correctional facilities—the Curran-Fromhold Correctional Facility, the Detention Center, the House of Correction, and the Philadelphia Industrial Correctional Center—on State Road in northeast Philadelphia as well as several smaller Alternative and Special Detention facilities in various locations of the city. Philadelphia's correctional facilities confine adults who have been committed by the courts and juveniles who have been remanded to the adult penal system through either direct file or certification. In addition, prisoners from other correctional jurisdictions are detained within the PPS while attending court proceedings in Philadelphia.

As a county correctional system, the PPS houses inmates with sentences of two years or less. Some inmates with multiple consecutive sentences are incarcerated longer. About 61 percent of PPS inmates are awaiting trial, and the remaining 39 percent are convicted. To the degree possible, given their physical design, all PPS facilities operate on the concept of unit management, a prison management technique that reduces the need for inmate movement by delivering daily services, such as dining, medication, and sick call, on the housing unit, in an effort to promote safety, security, and inmate programming.

The Curran-Fromhold Correctional Facility and the under-construction Women's Detention Facility are designed, as well, to operate on the basis of direct supervision. Under this system, a correctional officer is assigned to each housing unit and works among inmates with no form of separation, allowing the officer to preempt developing problems. Inmates confined within the PPS have the opportunity to participate in a variety of educational programs conducted by the School District of Philadelphia as well as the PLATO computer-based education program conducted by the PPS. Additional literacy instruction is available through the Hooked-on-Phonics program and through volunteer tutors. Two faith-based programs are conducted by trained volunteers.

The Inmate Services Division provides a host of services to inmates, including counseling; job placement; addiction treatment; individual, family, and group therapy; sex offender services; psychological services; and recreational programs. Inmates have the opportunity to

participate in multi-denominational religious services as well as African American history classes. A variety of self-help programs, including Alcoholics, Narcotics, and Cocaine Anonymous, are conducted by volunteer organizations, and a hospice program is conducted by the PPS.

The PhilaCor Division, of the PPS, administers 12 industrial training programs, and seven additional vocational training programs are provided by Jewish Employment and Vocational Service. Inmates may gain work experience in many other trades by participating in a variety of work and vocational training programs within the PPS. A complete range of medical, dental, and behavioral health services are provided through contract with Prison Health Services, Inc.

The PPS average daily inmate census grew by 7.2 percent from 7,121 in FY2001 to 7,637 in FY2002, before leveling off at 7,695 YTD through March 31 of FY2003. To help accommodate the female population, the city is constructing a 768-bed Women's Detention Facility (WDF) on the PPS campus. Scheduled to open July 1, 2003, WDF will house women of all custody levels. In addition to staff office space, this three-story facility, which will include a 143,000-square-foot housing building and a support building sized 75,000 square feet, will include an intake and discharge area and space for provision of all inmate services and programs. A separate initiative targeted for completion in early FY2004 is the construction of a \$4.1 million 30,000-square-foot multipurpose building, which will house central administrative and support functions of the PPS. The average monthly census in 2002 varied between 7,300 and 7,800 inmates, with an average length of stay—76.1 days. There are approximately 1,750 employees in the entire system.

**City of Las Vegas, Nevada.** The Detention Services Division supervises the Mojave Detention Center. All individuals arrested on a misdemeanor offense within city limits are currently booked into the Detention Center. Individuals arrested by Immigrations and Naturalization Services or the U.S. Marshals Services are also booked into the Stewart and Mojave Detention Centers. Renovation of the Detention Center Intake Unit was completed on June 16, 2002. All functions were relocated to the Detention Center to include: All agency bookings, bail window and records management. The City Hall Jail is no longer operational as a receiving facility.

All inmates sentenced in the State of Nevada are sentenced to labor. Within the City Detention Center, inmates are assigned to a variety of jobs. The Family and Youth Services Community Trustee Crew assists employees at the Clark County Family and Youth Services kitchen with food preparation, service and sanitation.

Some join outside the facility work crews or work crews within the facility, which keep up sanitary conditions throughout the city, including parks, streets, the Downtown Transportation Center and downtown areas.

The culinary facility provides jobs daily for both male and female inmates. Through an agreement between the City of Las Vegas Detention Center and the Clark County Detention Center, 600 Clark County inmates are housed and supervised at the city facility until the county Jail expansion project is completed. While in custody, inmates receive a wide variety of support services including 24-hour medical care, personal and group counseling, weekly religious services, library access, commissary, visitation and recreational activities.

In a coordinated effort between the city of Las Vegas, the city of North Las Vegas and the Las Vegas Metropolitan Police Department, the Special Emergency Response Team (SERT) program was developed to provide a tactical response to emergency situations. The SERT team has proven to be valuable by assisting the three agencies involved in routine and emergency situations. The department's SERT team exists to assist in resolving high risk correctional facility incidents while minimizing the potential for injury or death to those involved. The team receives specialized training and equipment to enhance its ability to bring high risk incidents to a successful conclusion. The team, when called upon, has the responsibility of responding to a critical incident and aiding in its resolution. Officers assigned to the SERT program are assigned regular duties throughout the facility until called upon to serve this special function.

**Georgia.** The Georgia Department of Correction's provides an effective and efficient department through a highly dedicated and trained professional staff, who administer a balanced correctional system. The department's mission is to protect the public, serve victims of crime and reduce crimes committed by sentenced offenders by holding offenders accountable and providing safe and secure facilities, effective community supervision and effective methods of self-improvement for offenders. The department consists of 14,430 employees and is led by Commissioner James E. Donald. The major divisions are: Executive Office, Facilities Division, Probation Division, Human Resources Division, Administration Division, and the Georgia Correctional Industries.

The Corrections Division is responsible for the direct supervision of all offenders sentenced to the Georgia Department of Corrections. The Division operates: 37 state prisons, housing nearly 37,000 inmates, 9 transitional centers, 6 inmate boot camps, 1 probation boot camp, 19 probation detention centers, 13 diversion centers, 5 day

reporting centers (including 4 which will open in the summer of 2004), and 120 probation offices. The Division oversees the custody of state inmates by contract in 3 private prisons and 24 county prisons. Overall, the Division is responsible for nearly 50,000 inmates and 134,000 probationers.

In the last year, 1,853 new Correctional Officers and 75 new Probation Officers graduated from the academy. 2,588 classes were conducted for 35,014 students. The Probation Unit conducted 354 classes for 6,965 students. The Employee Development Unit served 6,296 participants in 216 classes and conferences. The Management Development Unit graduated over 560 students from Agency and college-level courses. The Instructional Systems Unit conducted 391 classes for 5,137 students.

Risk Reduction Services is a unit within the Georgia Department of Corrections mandated to reduce recidivism by providing research-based programs. The goals of Risk Reduction Services is to provide constitutionally mandated or legally required programs, implement evidence based programs that target crime-producing behavior, focus on changing criminal thinking and reducing criminal behavior, and standardize "Best Correctional Practices" in Georgia. Offenders are identified and selected for risk reduction interventions via an assessment process which identifies offender risk and need. The primary targets of effective offender interventions are criminal thinking, substance abuse, education, and employment. A 1% reduction in recidivism results in a savings to the taxpayers of approximately \$7 million.

**Illinois.** The Big Muddy River Correctional Center is a Level 3, high medium-security facility, located 1 mile south of Ina in Jefferson County. The facility opened in March 1993 and was designed to house 1,152 offenders. However, the average daily offender population is approximately 1,860. The facility consists of a total of 20 buildings, which comprise more than 39,000 square feet. The living units consist of four X-type housing units, one Receiving and Orientation Unit, one Segregation Unit and a 15-bed Health Care Unit. The facility sits on a 78-acre site, with 38 acres enclosed by fencing.

The Centralia Correctional Center has been operational since October 1980. It is a medium-security Level 4 facility housing male felons. The facility was originally designed with a rated capacity of 750 inmates. During FY 2003, the facility maintained an average daily population of 1,528 inmates. The architectural concept is unique in that the design is similar to a community college. Buildings and grounds were laid out to provide ample space for programming. Inmate services originate within a core of buildings with the housing units strategically placed around the central hub. This allows for

easy monitoring of inmate movement during participation in programs and services.

In August 1983 the Safer Foundation accepted a contract from the Illinois Department of Corrections to operate a 60-bed male residential facility. The focus of Safer Foundation Crossroads Adult Transition Center is to assist convicted felons in the completion of their incarceration and successfully reenter into the community. There is a higher expectation that these residents will reestablish family contacts in the community and become more prepared educationally and financially upon release. Current capacity is 250 and average daily population is 321.

The Danville Correctional Center is a Level 3 high-medium male facility located in east central Illinois just off I-74 at the Indiana border. The facility received its first inmates in October 1985 and currently houses, on average, 1,814 inmates. The facility contains four X-type housing units, a Receiving and Orientation unit and an 87-bed Segregation Unit. The facility has an operating budget of approximately \$28 million and employs 356 full-time staff in addition to contractual employees of School District 428, Lakeland College, Correctional Industries and Wexford Health Services. Danville Correctional Center was parent to the Ed Jenison Work Camp located approximately 50 minutes south of Danville in Paris. The 200-bed work camp opened in June 1993 and had provided thousands of manpower hours to local communities. The Ed Jenison Work Camp employed 82 full-time staff. Due to budget cuts, the Ed Jenison Work Camp closed its operation on September 30, 2002.

The Decatur Correctional Center is a Level 4 medium-security facility for female offenders that received its first inmates on January 24, 2000. Nearly two-thirds of the offenders have less than 12 months remaining on their sentences. Most of the remaining offenders have no more than 60 months left to serve. The mission of the center includes providing a continuum of programs and services to help female offenders reestablish and strengthen relationships with their children and enhance their ability to grow within the family structure. The facility offers female offenders a variety of programs aimed at achieving these goals that also address the diverse needs of the offenders, including medical, social, psychological and educational needs. All programs are intended to equip the female offender for a successful reintegration into the community.

The Dixon Correctional Center is Illinois's largest medium-security facility and is unique in its diversity. The administration of the facility is divided into specialized areas. The general population of medium-security males is divided into northeast, northwest and southeast housing units, a Health Care Unit housing older inmates

with special needs, a unit for inmates with disabilities and an infirmary. The Special Treatment Center (STC) is designated medium-security and houses both mentally ill and developmentally disabled inmates. The STC's capacity is 520 inmates. The Dixon Psychiatric Unit (DPU) is a maximum-security unit, which serves as Illinois' primary psychiatric correctional facility. The capacity for this maximum-security unit is 212. Both the STC and DPU serve the needs of the mentally handicapped and developmentally disabled offenders by providing programs geared specifically toward a special needs population as well as a therapeutic environment. Dixon Correctional Center is situated on 462 acres of land just north of the city of Dixon, with 125 acres inside the perimeter fence. The facility operates its own power plant, sewage treatment plant, three deep wells and approximately 3.5 miles of underground tunnel systems. The facility sidewalks, signage, parking and other walkway areas are all in compliance with American with Disabilities Act requirements.

Dwight Correctional Center, originally the Oakdale Reformatory for Women, was opened Nov. 24, 1930. The Level 1 facility is situated on approximately 100 acres and houses adult female offenders. Dwight serves a multifaceted population consisting of reception and classification, segregation, protective custody, condemned and mental health units as well as a state-of-the-art medical facility designed to provide care to pregnant and critically or terminally ill inmates. Kankakee Minimum Security Unit (KMSU), a Level 7 facility, is a satellite facility of Dwight Correctional Center. It currently houses 100 offenders with an adult female capacity of 200 on 23 acres of land leased from the Illinois Department of Natural Resources. Offenders housed at Kankakee provide public service work in community-based programs.

East Moline Correctional Center is a Level 6 minimum-security facility for adult males. The facility is located in northwest Illinois overlooking the Mississippi River. The facility was converted from a mental health facility in 1980 and houses an average daily population of 943 general population offenders and 159 offenders in the two work camps located on facility grounds. The facility is designed to provide multiple programs and services to the offender population thereby assuring offenders an opportunity for success in community reintegration. The center is a member of the Quad Cities Chamber of Commerce and works hard to be a community partner. The facility provides support to surrounding communities assisting with storm cleanup and general cleanup. East Moline Correctional Center continues to strive for individual accountability, increased staff performance and delivery of quality programs and services, thus ensuring a safe, secure and holistic correctional environment for staff and the offender population.

Fox Valley Adult Transition Center (ATC) opened in April 1972. In August 2000 the center was converted to a female facility under the Women and Family Services Division. The center consists of eight acres of timber and landscape, enhanced by flowers and other decorative arrangements that foster an environment conducive to self-improvement. Fox Valley ATC offers a variety of programs developed specifically for the female offender. The primary objective of the facility is to provide an integrated system of support and services for the female offender as she reenters the community and workforce.

John A. Graham is a Level 4 adult male correctional facility located 2 miles southeast of Hillsboro on Route 185. Graham is located on 117 acres and has 50 buildings within the facility. Graham was opened in 1980. At that time, Graham housed approximately 750 offenders. Graham currently houses an average daily population of 1,906 offenders. Graham houses several special populations including substance abuse treatment, sex offender treatment and inmates in a kidney dialysis program. Graham continues to offer numerous academic and vocational programs offered by School District 428 and Lake Land Community College. Classes include Adult Basic Education, GED, computer technology, construction occupation, custodial maintenance, auto body and automotive technology.

The Menard Correctional Center was established adjacent to the City of Chester on the banks of the Mississippi River in 1878. It is the second-oldest prison in Illinois and the state's largest maximum-security facility. Menard was originally designed to house 1,460 maximum-security males, but now has an average daily population of 3,315.

The Safer Foundation opened North Lawndale Adult Transition Center on June 1, 2000, under contract with the Illinois Department of Corrections. The center has a 200-bed capacity and is located at 2839 W. Fillmore on the west side of Chicago. The facility and the programs of the North Lawndale ATC are designed for offenders in work-release status transitioning from secure custody and preparing for parole. The security system within the facility enables staff to monitor residents' living areas, common areas, recreation areas and the streets in the area around the facility. From the beginning, North Lawndale adopted a philosophy that good programming is good security and good security is good programming. In practice, that means that residents who are active in programs create far less security problems than those who are not, and where there is structure and order, programs can be effectively implemented.

It has the largest Segregation Unit for a Level 2 facility in the state. Pinckneyville Correctional Center has an annual operating budget of \$32,775,300 with

430 full-time state employees and an additional 60 contractual staff employed by School District 428, Rend Lake College and Health Professionals Limited.

Pontiac Correctional Center holds the distinction of being the eighth oldest correctional facility in the United States having opened in June 1871 as the Boys' Reformatory. It was renamed the Illinois State Penitentiary—Pontiac Branch in 1933 and in 1973 it received the name it bears today. Pontiac Correctional Center is comprised of two units with two security level classifications. The Maximum-Security Unit is classified Level 1 and principally houses problematic offenders in disciplinary segregation with limited privileges, Protective Custody, Orientation, Mental Health and Condemned Unit offenders with a sentence of death. Movement only occurs via direct staff escort. The Medium-Security Unit is classified Level 3 and houses medium and minimum-security status offenders. Average daily population is 1,660.

Tamms Correctional Center consists of a 200-bed Minimum-Security Unit (MSU) and a 500-bed Closed Maximum-Security Facility (CMAX). The facility is situated on 236 acres of land just north of Tamms on Route 127 in Alexander County. The MSU, which opened in 1995, provides work crews to numerous locations in southern Illinois and also serves as a work cadre for the CMAX facility. The CMAX facility, which opened in March 1998, has been designated to house the department's most disruptive, violent and problematic inmates. Inmates approved for placement at CMAX have demonstrated an inability or unwillingness to conform to the requirements of a general population prison. Inmates transferred to CMAX are required to stay for a minimum, predetermined length of time. Positive behavior, or a change in attitude to conform to stated rules and regulations, is considered in determining when an inmate returns to a general population environment. In addition, the state operates 20 additional prisons, correctional centers, work-camps, and other facilities.

**Indiana.** Inmates are 92.8% male, 7.2% female; 53.8% white, 39.2% black, 3.8% undetermined, 2.8% Hispanic, 0.2% American Indian/Alaskan Native, 0.1% Asian/Pacific Islander. The average age at intake is 31.1. There are 5,341 male and 546 female offenders on parole.

*Minimum Security Facilities: (Level 1).* These facilities have the least restrictive security measures. Housing is dormitory style. Offenders in these facilities typically are serving short sentences of nonviolent, non-weapons-based offenses. Also included as minimum security are work release program offenders, who leave the facility for outside employment, but return nightly.

*Medium Security Facilities: (Level 2).* These facilities have a moderate degree of security measures.

Housing is dormitory style. Offenders typically have shorter sentences than level 3 offenders. Medium security offenders are less aggressive than level 3s and 4s, have shorter sentences and a shorter criminal history.

*High Medium Security Facilities: (Level 3).* These facilities have a moderately high degree of security measures. Housing is celled space. Typically more aggressive offenders than level 1 and 2, could be serving longer sentences and have a long criminal history.

*Maximum Security Facilities: (Level 4).* These facilities have very restrictive security measures. Housing is celled space. Level 4 offenders typically have been convicted of violent or weapons based offenses. These offenders require close supervision and tight security to minimize risk to the public, staff and other offenders.

**Iowa.** The Iowa Department of Corrections operates 20 institutions with a combined population of 8,567 and with a design capacity of 6,989. These institutions include work farms, maximum security prisons, medium security prisons, a women's unit, and corrections centers of varying security levels.

Including those on work release, in out of state confinement, and other noninstitutional settings, the total system population is 9,443. The system includes 9 institutions divided into subunits such as treatment, work, farm, and confinement units.

Iowa Prison Industries (IPI) is a self-supporting division of the Iowa Department of Corrections, employs inmates throughout the State of Iowa. The high-quality products and services produced by these inmates are available for purchase by tax-supported institutions, government subdivisions, public and parochial schools, non-profit groups and their employees.

Victim and Restorative Justice Programs encourages victims' input in the criminal justice system by giving them opportunities to participate in decisions concerning an offender's liberty. The Office of Victim and Restorative Justice Programs also provides victims' support, information and restorative justice programs subject to set guidelines. Through the use of victim impact panels, offenders are made to undo the harm they committed, and take responsibility for their actions. The department also provides a number of services to inmates and their families similar to nation standards.

**Kansas.** During much of the past 18 years, KDOC managers and state policymakers have had to address the issue of providing adequate correctional capacity for steady and prolonged growth in the inmate population. In the late 1980s capacity did not keep pace with the population—which, along with related issues, resulted in



a federal court order in 1989. The order was terminated in 1996 following numerous changes to the correctional system. During the last half of the 1990s, increases in the inmate population were matched by capacity increases, but capacity utilization rates remained consistently high. Since FY 1985, the inmate population has increased by 98% and capacity has increased by 170%. In 8 state institutions, the combined capacity is about 9,000 inmates. Of the 18 complete fiscal years up to FY 2004, the June 30 inmate population represented 97% or more of capacity on 14 occasions. Since 1995 the average June 30 capacity utilization percentage has been 98.5%. These institutions employ a staff of 1,135 individuals.

Offenders are employed not only in prison industries, but also in community service work. The system also provides offenders with the following services: Medical and mental health services, Sex offender treatment, Substance abuse treatment, Special education, Vocational education, Academic education, Values-based prerelease, Prerelease, and Work-release programs.

There were 4,216 offenders on parole in 2004, and an additional 4,142 (average daily population) in community correction's programs. There are currently 31 programs receiving state grants under the Community Corrections Act. Some programs serve a single county, while others are multi-county programs. Single-county programs include: Atchison County; Leavenworth County; Unified Government of Wyandotte County; Johnson County; Douglas County; Shawnee County; Reno County; Riley County; Sedgwick County; Sumner County; and Cowley County. Shawnee County and the 2nd District have a common administrator. There are also multicounty programs involving the same institutions.

**Kentucky.** As of January 1, 2003, the total population of the Kentucky Department of Corrections institutions (inmate population) was 15,934, of which, 1,282 (8%) were female. The population is 67% white, 32% black, and 6% Native American. The median age of the population is 33. Among other charges, 39% were incarcerated for violent crimes, 11% for sex offenses, 23% for drug crimes, 22% for drug crimes, and 1% for weapons related charges.

The Department of Corrections, in conjunction with the Kentucky Community & Technical College System, provides an extensive education program that includes a literacy program, adult basic education and GED preparatory classes and testing, in all 12 correctional institutions. In FY2003, a total of 378 GEDs and 293 vocational diplomas were issued during the school year. In addition, there were 546 inmates enrolled in the college program.

The department also offers a variety of vocational training opportunities in 39 different technical training programs. In FY2003, approximately 52% of the inmate population was involved in some type of educational or vocational training program. Comparable academic and vocational programs are also offered at the two facilities with which the department contracts to house inmates.

Kentucky currently contracts to house inmates at two privately owned and managed facilities. Marion Adjustment Center in St. Mary, Kentucky, is contracted to house up to 700 minimum-security inmates, and Lee Adjustment Center in Beattyville, Kentucky, is contracted to house up to 600 medium-security inmates.

Kentucky's Division of Correctional Industries is a self-supporting division of the Department of Corrections that employs approximately 800 inmates in the production of goods and services in 23 operations throughout the prison system.

The Average Daily Population (ADP) of inmates participating in the halfway house program is 565. This reintegration program allows inmates to become reacquainted with their families and community and gives them a head start in seeking employment. In addition, many inmates are enrolled in vocational school and college programs. The Class D Felon Program began in 1992, it allows Class D felons, excluding sex offenders, to be housed in local jails. Sixty-six county jails participate in this program and house over 3,000 Class D inmates. These inmates also provide valuable community service work to Kentucky's counties. Finally, there were 26,063 individuals on probation or parole in FY 2003.

**Louisiana.** In 2003 the Department of Corrections had a total inmate population of 36,612 with average sentence length of 21 years. The average age of the population is 35. Of the total, 27,114 are black, while 9,407 are white with 91 classified as "other." There are 88 inmates on death row, and 3,826 have life sentences, a factor which inflates the average sentence length. There are a total of 12 adult institutions (prisons) together with 11 correctional institutions of lesser security that service the population.

The Division of Probation and Parole-Adult, comprised of twenty-one district offices throughout the state and a headquarters office in Baton Rouge, functions as a community services division. Officers of the division supervise adult offenders who are released to the community on probation, parole, diminution of sentence, or medical furlough. They supervise inmates in ten community rehabilitation centers and the intensive parole cases from institutional IMPACT (Intensive Motivational Program of Alternative Correctional Treatment). Officers in the division provide investigative services to decision makers

in the criminal justice system, including judges, the Parole and Pardon Boards, and the Governor's Office. They oversee collection of various criminal justice fees, supervision fees, and victim restitution.

Several of the state's prisons are host to chapters of the Jaycees, whose members are prisoners seeking to change their lives. The prisons also host a CORE program for inmate reentry into society. The primary components of this are education, training, substance abuse treatment, and value changes.

Examples of institutions include the Dixon Correctional Institute (DCI), located in East Feliciana Parish, opened in 1976 and was the first medium-security satellite prison in Louisiana. In 1993 DCI was accredited by the American Correctional Association and has maintained its accreditation since then. DCI is a multilevel security institution, with a maximum capacity of 1,340 inmates. The main compound is located approximately 30 miles north of Baton Rouge and encompasses 1,549 acres of pasture, 428 acres of timber, and approximately 450 acres reserved for crops in and around Jackson, Louisiana. DCI employs a work force of 556 with a general operating budget of 29.630 million dollars.

In 1976 the Louisiana State Penitentiary (LSP) lifted the traditional lid of censorship giving *The Angolite*, its official prisoner publication, freedom to publish whatever it desired, subject to the same standards governing professional journalism. It represented America's boldest experiment in journalism and freedom of expression in the world behind bars. The result was a provocative bi-monthly newsmagazine that went on to earn some of the nation's most coveted press awards. Various services are offered at the LSP. The Kids Activity Center was designed to encourage bonding between the fathers and the children that come to visit. It was felt that if the children and the fathers could share a book or another similar activity, it would strengthen the bond that had been weakened because of the father's absence from the home. The goal of the Parenting Skills program is to make a sustained lasting impact on crime prevention. This program focuses on educating current and future incarcerated parents, grandparents, and caregivers of methods in which to raise healthier and more nurtured children who will be less at-risk for criminal activity. A parenting skills curriculum is offered to all inmates at LSP who are within one year of release.

There is a large prison industry system manufacturing many products and producing farm goods as well. The Chaplains Department directly supervises all religious programming for the LSP. Many religious denominations are recognized without preferential treatment to any single group. Hundreds of citizen volunteers comprise the heart of religious programming available

daily to the inmate population. The combination of inmate-led organizations and citizen volunteers unite to produce a variety of faith-based rehabilitative programs. Citizen volunteers facilitate bible studies, worship services, and prayer groups on a weekly basis. Inmate organizations with religious agendas create unique local churches led by inmate pastors. Finally, there is a substantial substance abuse program in place.

**Maine.** The Bolduc Correctional Facility has a staff of 65. The primary purpose of this minimum security institution is to promote a safe and healthy work environment for the community, staff and prisoners alike, while providing the necessary opportunities for change and personal growth that will positively affect an individual's reintegration to society.

The Central Maine Pre-Release Center opened in Hallowell in 1979, on the grounds of the former Stevens School complex, under the jurisdiction of what was then the Department of Mental Health and Corrections. The Department of Corrections continues to work very closely with the Hallowell Citizens Advisory Group who were included in the original planning process for this prerelease facility. To date, the department still upholds its pledge that sex offenders who have been convicted of a crime against a stranger will not be housed at the Central Maine Pre-Release Center. Currently, there are 58 minimum security adult males at the Central Maine Pre-Release Center. Prisoners at this unit participate in public restitution work crews and a work release program. During 2002, the aforementioned public restitution program provided approximately 22,000 man hours of free labor to citizens of the greater Kennebec County region. The facility is also the site for phase 2 of the department's residential substances abuse treatment program (Transitional Therapeutic Program). The facility, in conjunction with S.A.D. 16 and Adult Education, also offers approximately 50 hours of educational classes to the inmate population each week. Central Maine Pre-Release Center has developed a crime prevention program, which is designed for presentations in the public schools and other similar forums. The primary focal points of the Right Choices Program are substance abuse and anger related issues. The prisoners' message to the students is a simple one: learn to make better choices by being made aware of the consequences of our poor choices.

The Charleston Correctional Facility is located on the site of the former Charleston Air Force Station in Charleston, Maine. In 2001 the facility was downsized in a major restructuring of the Maine Department of Corrections. The purpose of the Charleston Correctional Facility is to confine and rehabilitate adult male prisoners classified as minimum and community security. The prisoners participate in educational and vocational programs as

well as in paid industries programs and a unique work release program. The facility has a strong public restitution program that is designed to provide public restitution to local communities and the Maine Department of Transportation as part of a total progressive corrections program. The Charleston Correctional Facility public restitution program completes projects for local municipalities, state agencies, and nonprofit organizations annually. A total of 30,485 prisoner and staff hours were expended on projects during 2000. The Charleston Correctional Facility houses approximately 92 male prisoners.

The Downeast Correctional Facility, located at the former Bucks Harbor Air Force Station, was established by the legislature in September 1984. Funds were appropriated to purchase the facility for the confinement and rehabilitation of persons who have been duly sentenced and committed to the Department of Corrections and began receiving inmates in June 1985. The facility is a medium/minimum security institution with a prisoner count of 148.

It is the mission of the Maine Correctional Center (MCC) to improve public safety by decreasing the recidivism of both male and female prisoners by providing opportunities for correctional rehabilitation within a supervised and secure setting, while assuring the safety of the public, the staff and the prisoners. The correctional center is the Department of Corrections' primary Reception Center. Throughout their MCC commitment, prisoners are expected to accept increasing levels of personal responsibility for their conduct and for successful participation in rehabilitative programs. The MCC is a Medium/Minimum Security facility and houses both male and female prisoners. It was established by an act of the legislature on April 4, 1919. An appropriation of \$45,000 was made to purchase land and buildings, located in Windham. Originally called the Reformatory for Men, it was later named the Men's Correctional Center. In 1976 the Stevens School was closed and the women were moved to the Maine Correctional Center (renamed). The population as of April 22, 2004, was composed of 501 males and 115 females. A multipurpose (male and female) housing unit opened in May 1989. A new women's unit (estimated capacity of 70) opened on July 25, 2002.

The mission of the Maine State Prison is to provide a safe, secure, and humane correctional environment for the incarcerated offender. Consistent with the mission of the Department of Corrections, the prison maintains appropriate control of offenders by providing various levels of security necessary to protect the public. This control is effected by utilizing the guiding principles of unit management and direct supervision concepts. The

Maine State Prison balances its security obligation with its obligation to promote rehabilitation by providing and implementing a comprehensive treatment plan for each offender which encourages that offender to reenter society as a law-abiding, productive citizen. The treatment plan includes, where appropriate, the opportunity and incentive for offenders to progress to less secure facilities where they may continue their personal growth and development. The Maine State Prison houses adult male prisoners classified as high risk, protective custody, close, medium, and minimum custody, with minimum custody prisoners held awaiting transition to minimum security facilities. As part of the move to the new facility, the Maine State Prison and the Department of Corrections went under the Unit Management Concept of managing prisoners. Unit Management divides the prisoner population up into smaller units managed by multidisciplinary Unit Teams.

**Maryland.** The Maryland Department of Public Safety and Correctional Services (DPSCS) has the primary responsibility for controlling, supervising, and providing services for defendants and offenders in custody. In addition, DPSCS creates statewide correctional and rehabilitative initiatives, and criminal justice training standards that are the foundation of Maryland's crime control efforts.

The Correctional Options Program (COP), a comprehensive program of graduated sanctions and services was established as a tool to divert carefully screened low-risk, drug-involved offenders from prison. It was designed to safeguard the public; assure that offenders are accountable for their actions; provide substance abuse, educational, vocational, and employment services; and strengthen participants' parenting, daily living, and social skills. COP is a front- and back-end alternative to incarceration which uses a broad spectrum of institution and community-based control mechanisms. As reported by NCCD, participants in COP were 22 percent less likely to return to prison during the 12 months following their release than offenders not participating in COP, and non-participants were twice as likely to recidivate as the result of a new offense.

In the 13 institutions, there are approximately 22,989 males (in 12 institutions) and 1,208 females (in one institution). In probation and parole, it was estimated that there would be 10,000 at the end of 2004, including those supervised in boot camps.

**Massachusetts.** A change in security level occurred in 1991, and the Bay State Correctional Center (BSCC) was designated a medium-security facility housing primarily

“lifers and long termers.” Thirty additional beds were added in 1995 raising the total capacity to 296, where it stands today.

Currently, BSCC is operating as a small general population medium-security facility. BSCC houses both long and short-term inmates, many of whom are elderly. BSCC is a fully handicapped accessible facility. In a collaborative effort with outside agencies, Bay State has always been committed to providing community service through a variety of programs. Many of the programs at Bay State serve to not only teach inmates skills but also to provide a service to the facility, the Department of Corrections and the community. In addition to those programs offered throughout the department, Bay State offers some of the following site specific programs. Prison Voices is an educational community outreach program that confronts school-age children, young adults and other interested members of the community with the reality and the consequences of becoming involved in criminal behavior. Greenhouse serves to enhance the appearance of not only the grounds, but also the office and program areas of the facility. Plants are donated to other institutions, the Norfolk Town Hall and the Norfolk Council on Aging. The program also provides flower arrangements to citizens having their 90th birthdays within the town of Norfolk as well as fresh garden vegetables to the local elderly.

In November 1972, Boston Pre-Release became the first prerelease (level 2) facility established in the Commonwealth of Massachusetts. The Boston Pre-Release Center is a 150-bed community based level three/two (3/2) correctional facility. It is a structured program, which allows gradual transition from prison life to the community by means of reintegration through releases to work, education, and counseling programs. Boston Pre-Release Center also operates several community work crews utilizing level (3) security inmates. These crews provide services to the local community, State Office buildings, and local state police barracks. Boston Pre-Release Center received its reaccreditation in May 2003 by the Commission on Accreditation for Corrections. Boston Pre-Release Center’s Health Service Unit is also accredited by the National Commission on Correctional Health Care for its achievement in providing quality health care that meets the standards for health services.

Bridgewater State Hospital’s mission is the establishment and maintenance of a safe, secure, and humane environment to all persons requiring specialized care and treatment. In all cases, the patients that are admitted to this facility may be charged with or convicted of crimes ranging from misdemeanors to major felonies. Massachusetts General Law requires that individuals

who are determined to be in need of strict security because of the potential for endangering themselves or others be sent to Bridgewater State Hospital.

Each individual admitted to this facility shall be subject to a court-ordered evaluation under an applicable section of Mass General Law Chapter 123. The length of the observation period can range from twenty to forty days, based upon the purpose of the evaluation. Such evaluations are completed in the effort to determine the following: (1) competency to stand trial, (2) determination of criminal responsibility, (3) ability to await trial in a penal environment, (4) ability to serve a sentence in a penal environment, (5) need for further treatment and/or strict security following a finding of not guilty by reason of insanity, and (6) sentencing evaluation. Other programmatic opportunities available include academic and vocational education, structured recreation, leisure time activities, and general law libraries.

The Shattuck Hospital Correction Unit was established in 1974 as a federally funded pilot program to serve as the Massachusetts Department of Correction acute medical care facility. In 1995 the Lemuel Shattuck Hospital began an expansion plan of their own thereby affording the community and the Massachusetts Department of Correction a much wider variety of medical services which now are 33 in number. The increase in clinics triggered a need for more room in the Out-Patient Department Holding Area. In 1995 a major construction project in the Out-Patient Department Holding Area was completed. The capacity has increased from about 40 to 100 inmates. Between 40 and 80 inmates a day are serviced in the Out-Patient Department Holding area awaiting clinic appointments. The Shattuck Hospital Correction Unit has provided medical services to the Department for over a quarter of a century.

The Massachusetts Treatment Center, located within the Bridgewater Correctional Complex is a unique facility containing both civilly committed and sentenced sex offenders. The population consists of a capacity of 350 state inmates and 187 civil commitments. The facility was originally administered by the Department of Mental Health, with security being provided by the Department of Correction. Civil commitments resulted from a criminally convicted individual being legally determined to be a “sexually dangerous person” (SDP) as defined by M.G.L. Ch. 123A, resulting in a “day to life” commitment. In September 1990, the Massachusetts legislature repealed portions of Chapter 123A thereby discontinuing civil commitments to this facility. The administration of the facility became the responsibility of the Department of Correction in July 1995, also resulting from changes in legislation. In May 1997 this facility began admitting 300 state inmates in a new housing unit.

MCI-Cedar Junction is a maximum security prison for male offenders in the Commonwealth of Massachusetts. MCI-Cedar Junction also houses the Departmental Disciplinary Unit, or DDU. In the early 1950s, Department of Correction officials recognized the need to replace the antiquated Charlestown Prison, and the construction of MCI-Walpole began. Work on the maximum security penitentiary was completed in 1955, and the new prison officially opened less than a year later. The original perimeter consisted of a wall with eight observation towers. An additional tower was recently constructed for the new DDU. The wall is 20 feet high, with five strands of electrical wire along the top. In the mid-1980s, the townspeople of Walpole sought a change in the name of the prison, and legislative action resulted in renaming the facility MCI-Cedar Junction—an old railroad station in the town.

MCI-Cedar Junction treatment/program services offers its inmates the opportunity to take part in educational, treatment and reintegration programs. They include mental health, educational, and substance abuse programs, as well as instruction in personal medical care. The inmates also have the opportunity to become involved in employment programs while at MCI-Cedar Junction consisting of Industries, Food Service and janitorial positions. Industries is a correctional program designed to create inmate employment. The Industries Program at MCI-Cedar Junction is involved in the manufacture of motor vehicle license plates. Inmates' wages usually begin at \$.50 per hour. This program enables inmates to develop employable work skills, which is the ultimate goal.

Since 1980 MCI-Concord has been designated as a medium security facility which serves as the Massachusetts Department of Corrections Reception and Diagnostic Center. Effective October 1995, MCI-Concord receives all new court commitments of male offenders.

After a specified period of time following an inmate's initial arrival into the prison system—usually twelve to sixteen weeks—an inmate will appear before the Classification Board, which will determine or recommend both a security rating and an institutional placement. The Classification Board will also make treatment recommendations designed to address the factors which may have led to commission of a crime. Participation in programs including substance abuse treatment, academic instruction, vocational programming, and counseling have done much to help offenders begin the reintegration process.

MCI-Framingham is a medium security correctional facility for female offenders, located 22 miles west of Boston. MCI-Framingham is the Massachusetts Department of Corrections only committing institution for female offenders. It is noted as the oldest female correctional institution in operation in the United States. The

facility houses women at various classification levels, including state sentenced and county offenders, and awaiting trial inmates. The facility consists of four housing units within the compound, plus a two-story 120+ bed modular housing unit. In addition to meeting the security needs of a medium security facility, MCI-Framingham provides numerous program and treatment opportunities including mental health, medical, substance abuse, and family services, as well as educational, vocational, library, religious, recreation, and community service programs.

MCI-Norfolk is a medium security facility just south of Boston, with an average daily population of 1,250 inmates. Though it is rated medium security, MCI-Norfolk has a maximum security perimeter with a wall 5,000 feet long and 19 feet high, enclosing an area of 35 acres. Within the confinement of the wall, there is a minimum security environment of eighteen dormitory-style living units and two modular units divided by a large central grass quadrangle. Other buildings within the perimeter provide space for administrative and security personnel, health services, support staff and services, and other vocational and educational programs. Originally opened as the first “community-based” prison in the United States, the history and background of MCI-Norfolk is detailed and fascinating. The first of the MCI-Norfolk inmates were transferred from the state prison in Charlestown in 1927, and lived in houses in the Oval, which is currently at the southwest corner of the wall surrounding the compound. In its early years of operation, a major portion of the present institution, including the prison wall, was constructed by inmates who lived in the State Prison Colony. The more spacious and campuslike atmosphere and architecture permitted an approach to “community life” that was not available at other institutions, and represented a new step in Massachusetts Penology. In the mid-1950s, the name of the prison was officially changed to the Massachusetts Correctional Institute at Norfolk.

MCI-Norfolk is the largest facility of its type in the Commonwealth of Massachusetts. Eighty-percent of the inmate population at the facility is serving time for violent crimes. Of that 80 percent, approximately 275 inmates are serving life sentences for commission of murder in the first or second degree. The next largest crime category is armed robbery, followed by sex offenders.

MCI-Plymouth is located in the Myles Standard State Forest approximately 10 miles from Plymouth, 52 miles from Boston, and 29 miles from New Bedford. It is a 195-bed, level 3, minimum-security community correctional facility. The facility mission is to provide public safety through sound inmate accountability procedures while offering inmates opportunities for self-improvement to prepare for their reentry into the community.

All inmates work in a variety of job assignments at the facility and in the community on supervised work crews. Job assignments are intended to provide the offender with opportunities for positive behavioral change while developing work skills and dependable work ethics. Programs include the Correctional Recovery Program, Thinking for A Change, Public Safety Transition Program, AA meetings, NA meetings, and various religious services. The facility has partnered with the National Education for Assistance Dog Services (NEADS) which offers inmates an opportunity to train service dogs. NEADS is a nonprofit organization who provides service dogs for children and adults who are hearing and physically impaired.

MCI-Shirley is located approximately 42 miles northwest of Boston on the Shirley/Lancaster Line. The facility maintains 13 inmate housing units, a 28-bed full-service hospital unit, 59-bed segregation unit, gym, recreation areas, school, industries, laundry, vocational area, food services and programs. Although not all inmates in Level 4 are required to work, they do attempt to employ the maximum number in the specified areas. There are currently 485 inmate work assignments in Levels 3 and 4. Inmates are also encouraged to avail themselves to the many department and volunteer-driven programs.

The North Central Correctional Institution at Gardner, as it is now known, is located on 20 acres of hillside near the Gardner/Westminster town line. The dedication of this medium security facility was held on June 18, 1981, with the first ten inmates accepted into the prison two weeks later. Within the facility are eighteen buildings, with a perimeter consisting of two chain-linked fences topped with razor wire. The perimeter is manned by three towers and foot patrols of K9 teams. Reconstruction and renovation of the facility has continued for more than a decade, with many of the projects enabling the prison to increase the inmate population. As a result of these projects and renovations, over 1,000 inmates are now housed at NCCI-Gardner.

Twenty miles northwest of Boston, Massachusetts, is found the Northeastern Correctional Center, established in 1932, located on approximately 300 acres of farmland. The Northeastern Correctional Center is an all male prison that houses inmates for two levels of security (level three/minimum and level two/pre-release). The housing capacity for level three is 182 and 80 for level two inmates. The Northeastern Correctional Center is accredited by the American Correctional Association and managed by the Massachusetts Department of Correction and overseen by the Massachusetts Department of Public Safety.

Level-3 inmates, housed at the Northeastern Correctional Center, provide many hours of community services to the surrounding towns, cities, state, and

government municipalities that is known as the Community Inmate Work Crew program. The prerelease program is designed to screen eligible level-2 inmates who are within eighteen months of their release and provide them with outside employment. The prerelease work program benefits the inmate by providing work with the goal to financially reestablish them once they are released from incarceration. The prerelease program also rewards the employer by offering the Work Opportunity Tax Credit. An employer can deduct 40 percent of the first \$6,000 of gross wages for each inmate hired. A fluctuating staff of 87 correctional officers and administrative support personnel supervised and managed an inmate population that averaged 220 inmates per day in 2003.

Old Colony Correctional Center (OCCC) is a high-tech medium security facility located on 30 acres of land at the Bridgewater Correctional Complex, along with Bridgewater State Hospital, Southeastern Correctional Center, Massachusetts Boot Camp, and the Treatment Center. Since Old Colony is not a committing institution, inmates are transferred there from other Massachusetts Department of Correction facilities.

The actual construction of OCCC began in the summer of 1984, and the facility opened in October 1987. The prison originally consisted of nine cell blocks, six consisting of sixty cells while the remaining three contained thirty cells each. In May 1990, an additional sixty-cell modular unit was added. Each of the sixty-cell units have some double bunking because of a daily count consistently above suggested capacity. The facility has a secure perimeter, which consists of a 14-foot double chain link fence topped with razor wire. Between the double fences are high-tech motion detectors which are part of a microwave system which alerts tower and control room personnel when an intruder passes between the fences. These devices are sensitive enough to detect the motion of rain falling or wind blowing.

Historically, the name of Old Colony dates back to the founding of the United States, and fosters a sense of hope and "new beginning." In keeping with the Old Colony theme, the housing units within the institution are named after Revolutionary War heroes. Blocks are named for William Dawes, who joined Paul Revere in taking to horseback to warn that "The British are coming!" and for Crispus Attucks, a black Revolutionary and the first man to die in the famous Boston Massacre.

Pondville Correctional Center is located 36 miles southwest of Boston in the town of Norfolk, Massachusetts. It has a capacity of 204 inmates, of which 160 inmates are Level 3 (minimum) and 44 inmates are Level 2 (prerelease). The primary mission of Pondville Correctional Center is to protect the public's safety by incarcerating inmates and to provide inmates the

opportunity for responsible reintegration and positive behavioral change. The focus of the facility's operations is twofold. First, inmates are required to work unless a medical condition exists which will require a waiver from work assignments. Second, inmates are provided vocational, educational, and self-help programming opportunities including Life Skills, Small Engine Repair, Violence Reduction, Public Safety Transition Program, Thinking for a Change, A.A., N.A., and various religious services. There are no walls or fences at this facility. Security is maintained through inmate counts and strict accountability procedures. Department policy mandates supervisory spot checks of community work crews, drug and alcohol testing, searches, and police notifications when inmates are in their community.

South Middlesex Correctional Center is a two-hundred bed facility for minimum status and prerelease female inmates within the Department of Correction. Originally, a facility for inmates with pre-release status, SMCC occupied the Hodder House, now a part of MCI-Framingham. On July 1, 2002, South Middlesex Correctional Center's population became all female. As a minimum-security and prerelease facility, SMCC is not within a secure perimeter and there are no lock-in cells. The work release inmate population at South Middlesex Correctional Center hold jobs within the surrounding community, and those workers are paid an average wage of \$7 per hour. Many of the employment opportunities are offered by area fast-food restaurants. In turn, these inmates contribute 15% of their earnings to the Commonwealth of Massachusetts General Fund in order to help offset the cost of room and board.

The Souza-Baranowski Correctional Center (SBCC), located on 18 acres of land at the Shirley Correctional Complex in Shirley, Massachusetts, officially opened on September 30, 1998. This 500,000 square foot, high-tech, maximum security facility consists of 1,024 general population cells, 128 special management cells, and 24 health service beds. The security system is operated by 42 graphic interfaced computer terminals (GUI), which drive a keyless security system. The GUI controls 1,705 doors, lights, receptacles, water, intercom/public address, fire alarms and vehicle gates. Incorporating one of the largest camera matrix systems in the country, 366 cameras record live 24 hours a day. The perimeter surveillance system includes taut wire and microwave detection systems. SBCC offers a full range of educational, vocational, and substance abuse programming. Correctional Industries provides employment opportunities within the confines of the facility. The SBCC was named in the memory of two correctional staff, Corrections Officer James Souza and Industrial Instructor Alfred Baranowski, who were killed at MCI Norfolk in 1972 during an aborted escape attempt by a convicted murderer.

**Michigan.** The Michigan Department of Corrections operates 42 prisons and 10 work camps. Additionally, it operates one boot camp. Total inmate population is 49,439 as of 2003. There is a total of 15,592 individuals on parole, and an additional 55,605 on probation. In Community Residential Programs (CRP), there are 1,132, with 459 in halfway houses, and 673 on electronic monitoring. Of the population as a whole, 35 is the average age for males, while 36 is the average age for women inmates. The population is 54.2% black, and 42.3% white, the rest are labeled as "other." The average cost per inmate per year is \$24,680. In FY 2002 the budget was \$1.6 billion.

The state secure-facilities network supervises a diverse offender population. The physical plants also span centuries, from the Michigan Reformatory in Ionia (built in the late 1870s) to the modern Bellamy Creek Correctional Facility, which was completed in 2001. The prisons are categorized into different security levels. A Secure Level I facility houses prisoners who are more easily managed within the network (even though they may have committed violent crimes). The state's only Level VI prison, Ionia Maximum Correctional Facility, houses prisoners who pose maximum management problems, are a maximum-security risk, or both.

The tools the department uses to protect the public are many and varied. Though it is probably not possible to "rehabilitate" anyone, self-help programs, including education and vocational training, are offered to offenders who want to change. Completion of high school is highly stressed. Services such as medical and mental health care are mandated by court rulings and are considered sound, humane corrections practice. Some programs, including public works, not only benefit offenders by giving them real-world job experiences, they also serve the communities. In addition, there is a large prison industries program which provides training and jobs for inmates.

**Minnesota.** The Department of Corrections operates 10 correctional institutions with a total population of 7,568 of which 449 (5.9%) are female. During FY 2003, 3,973 were released on parole, 156 on intensive supervision in the community, and 629 were discharged, for a total of 4,758 releases. In the same year, there were 5,568 commitments. The average sentence length is 31 months. Of the entire population, 22% were sentenced for drug offenses, 16.5% for sex crimes, 14% for homicide, 11% for assault, 8% for burglary, and 7.1% for robbery. The population is 57.2% white, 34% black, 6.5% Native American, and 2.3% Asian, with 3.3% Hispanic. Only 26.5% have a high school diploma or a GED, while 8.1% have a college degree. The rest of the population have less than a 11th grade education. The average age is 33.8.

The system operates a strong restorative justice component. The department works with interested communities assisting them in development of a restorative justice approach to community safety. Restorative justice is a framework for the criminal justice system that involves the community more broadly in the system. In addition to offender accountability through taking responsibility and making amends, restorative justice seeks to address victim needs, offender competencies, and community responsibility in repairing the harm done by crime. There is also a strong victims program, involving victims in every stage of the process, intervening where necessary, and providing links to other victim services.

Example institutions include the Minnesota Correctional Facility-Rush City, 7600 525th Street, Rush City, Minnesota, which opened in February 2000. The close-custody, level-four facility currently houses 1,011 offenders, most in double-bunked cells. Offender activities are conducted on a strict schedule. These activities include institution support jobs, prison industry jobs, education assignments, religious programming, and recreation and visiting times. The Minnesota Correctional Facility-Stillwater, 970 Pickett Street North, Bayport, built in 1914 as an industrial prison, is the states largest close-security, level four institution for adult male felons. Population is 1,300 as of March 2004. The Minnesota correctional system has a six-level classification structure ranging from level 1, which is minimum custody, to level 5, which is maximum custody. Level 2 is minimum, and level 3 is medium, and level 4 is close.

**Mississippi.** There are three state prisons in Mississippi: Central Mississippi Correctional Facility, Mississippi State Penitentiary, and the South Mississippi Correctional Institution.

The Central Mississippi Correctional Facility (CMCF) was established in 1986 and constructed in Rankin County. CMCF is located on 171 acres and includes thirteen housing units with a capacity of 3,233 beds. Offenders sentenced to the Mississippi Department of Corrections are brought to CMCF where they are processed through the Receiving and Classification unit. Each offender is thoroughly screened and tested for STD, HIV, and other medical conditions, provided a psychiatric evaluation and questioned regarding their educational level. The results of these tests, along with the offender's conviction and institutional behavior, help establish the classification of each inmate. Of the three state prisons, CMCF is the only facility to house female inmates. CMCF houses females classified to all custody levels, including A and B custody (minimum and medium security), C and D custody (maximum security) and death row. All female offenders sen-

tenced to death are housed at CMCF. The prison also houses minimum and medium security male offenders (A and B custody), as well as some maximum security offenders (C custody). All male offenders sentenced to death are housed at the Mississippi State Penitentiary. CMCF III is a special needs facility for male offenders who have medical or physical conditions that require special treatment. CMCF III was the first state facility to achieve American Correctional Association accreditation. CMCF inmates provided more than 17,832 hours of free inmate labor during FY 2003 to adjacent municipalities and counties, as well as assisting other state agencies. There are approximately 646 employees at CMCF. Mississippi Prison Industries (MPIC) operates a tack shop, print shop, and sign shop at CMCF. MPIC employs approximately 82 inmates monthly. During FY 2003, MPIC utilized nearly 21,000 man-hours at these shops using both male and female inmates.

The Mississippi State Penitentiary (MSP) is Mississippi's oldest institution and is located on approximately 18,000 acres at Parchman, in Sunflower County. There are eighteen different housing units at MSP ranging in size from sixty beds at Unit 17 to 1,488 beds at Unit 29 (the major farming support unit). The total bed capacity at MSP is currently 5,768. MSP houses male offenders classified to all custody levels, including A and B custody (minimum and medium security), C and D custody (maximum security) and death row. All male offenders sentenced to death are housed at MSP. All female offenders sentenced to death are housed at the Central Mississippi Correctional Facility. MSP inmates provided more than 104,540 hours of free inmate labor during FY 2001 to adjacent municipalities and counties, as well as assisting other state agencies. There are approximately 1,720 employees at MSP. The majority of the farming activity involving Agricultural Enterprises takes place at MSP. During FY 2000, inmates worked a total of 708,864 hours in the agricultural program. Mississippi Prison Industries operates a work program at the MSP and utilizes more than 34,000 inmate man-hours in its textile, metal fabrication, and wood working shops. On a monthly average, 139 inmates work in these shops.

The South Mississippi Correctional Institution (SMCI) was established in 1989. It is the state's newest state prison. SMCI is located on 360 acres at Leakesville in Greene County. There are 19 housing units at SMCI with a capacity of 2,214 beds. SMCI houses male offenders who are classified to primarily A and B custody levels (minimum and medium security). SMCI also offers housing for approximately 140 offenders classified to C and D Custody level (maximum security). There are no female offenders housed at SMCI.



SMCI is the only state institution with a paramilitary "Boot Camp Program." The Regimented Inmate Discipline (RID) Program seeks to divert offenders from criminal behavior and instill a work ethic by incorporating a variety of rehabilitative and treatment elements as well as community service work projects. The foundation for the RID Program is based on the premise of instilling discipline, respect for authority, and self-esteem through a tough, structured "boot camp" environment. The RID Program consists of four phases lasting approximately five weeks each. There are eight treatment program components offered; five are mandatory and three optional. The mandatory components are: Discipline Therapy, Psychological Counseling, Alcohol and Drug Counseling, Pre Release Counseling, and Aftercare Strategies. Adult Basic Education, Discipleship Study, and Community Service Work Projects are optional treatment components offered. SMCI inmates provided more than 101,641 hours of free inmate labor during FY 2003 to adjacent municipalities and counties, as well as assisting other state agencies.

There are approximately 600 employees at SMCI. The SMCI Vocational Technical Department offers five vocational education programs that will enable offenders to become productive citizens upon their release from this facility. These programs are Auto Body, Auto Mechanics, Electrical, Plumbing and Pipefitting, and Welding. Program length for each program begins at approximately 1,300 hours to 2,650 hours. The SMCI Educational Department offers both Adult Basic Educational and General Education Development Classes providing students access to a full-time counselor. SMCI utilizes inmate labor to farm approximately 25 acres of fruits and vegetables that are used to subsidize food costs associated with feeding inmates.

There are 5 private prisons in Mississippi: East Mississippi Correctional Facility (1,000 beds); Delta Correctional Facility (Capacity is 1,000+ ); Marshall County Correctional Facility (1,000); Walnut Grove Youth Correctional Facility (750); and the Wilkinson County Correctional Center (995).

**Missouri.** As of May 29, 2004, there were more than 30,000 adult felons confined in Missouri's 21 correctional facilities and two-community release centers. The department also supervises 14,566 parolees and 50,702 probationers across the state. In all, the department is responsible for the care, custody, and supervision of approximately 95,000 adult offenders in Missouri. The Algoa Correctional Center (ACC) opened in 1932 and is located 6 miles east of Jefferson City. It is a medium-security (C-2) facility with a capacity of 1,635 male inmates. ACC was selected as one of three facilities to pilot the Long Distance Dads Parenting Program for male inmates.

The Boonville Correctional Center (BCC) is located at the former Missouri Training School for Boys and was constructed in 1889. The facility, located in Boonville, was transferred to the Department of Corrections on July 1, 1983. BCC is a medium-security (C-3) facility housing 1,256 inmates.

The Central Missouri Correctional Center is a (C-2) medium-security facility that houses 1,000 adult male offenders. The institution is located approximately 6 miles west of Jefferson City on Highway 179. It was formerly known as the Church Farm and is frequently referred to by that name also.

The Chillicothe Correctional Center (CCC) is a female facility named for its host city in the northwest part of the state. CCC houses inmates of all custody levels (C-1 to C-5) and has an operational capacity of 525. It was formerly a detention facility for juvenile female offenders.

The Crossroads Correctional Center (CRCC) is a maximum-security (C-5) male facility located adjacent to the Western Missouri Correctional Center in Cameron. It opened in March 1997 with an operational capacity of 1,500 inmates. CRCC was the first Missouri prison to install a lethal electric fence.

The Eastern Reception, Diagnostic and Correctional Center (ERDCC) is a 2,684-bed complex located northeast of Bonne Terre, Missouri. ERDCC serves as the point of admission for male offenders committed by the courts in eastern Missouri to the Missouri Department of Corrections. The ERDCC operates a cook/chill food facility, a unit that prepares and transports all regular and special diet meals to the Potosi, Farmington, and Missouri Eastern Correctional Centers and the St. Louis Community Release Center.

The Farmington Correctional Center (FCC) is a (C-2 & C-4) male facility with an operational capacity of 2,725 inmates and has been a correctional facility since 1986. FCC is situated on the grounds of the former Farmington State Metal Hospital. FCC is home to specialized programs for inmates with mental illness and sex offenses, and young men in the Regimented Discipline Program.

The Fulton Reception and Diagnostic Center (FRDC) is the intake and orientation center for male inmates assigned from central Missouri. The staff is responsible for the evaluation of inmates and their assignment to other correctional facilities custody levels C-1 to C-5. Assigning inmates to an appropriate facility increases public and institutional risk, and individual inmate needs such as aggressiveness, mental health, substance abuse, employment, and vocational. FRDC houses 1,302 inmates. Two hundred minimum-security prisoners are assigned as the facility workforce. The remaining 1,104 are reception inmates assigned transitionally during their evaluation and subsequently assigned to mainstream facili-

ties appropriate to their risk and needs. FRDC also administers two other programs located on the grounds of the Fulton State Mental Hospital. The Biggs Correctional Unit is a 30-day evaluation center for inmates suffering from mental illness. This unit houses 20 male and 10 female inmates. This program is administered jointly with the Missouri Department of Mental Health.

The Missouri State Penitentiary is the oldest continuously operating correctional institution west of the Mississippi River. It was authorized by the General Assembly in 1832 and received its first offender in 1836. One housing unit completed in 1868 is still in use today and is now on the Historic Register of Buildings. The institution is distinguished by a high limestone wall with 15 officer towers surrounding a 47-acre compound. It is a maximum-security (C-5) institution housing nearly 2,000 male offenders. Due to its age and high maintenance costs JCCC is scheduled for replacement by a new facility near the Algoa Correctional Center in 2004.

The Maryville Treatment Center lies on 44 acres purchased by the Department of Corrections from the Sisters of St. Francis in June 1995. The facility began operation on December 3, 1996. The Institution is a minimum-security (Custody Level 2) correctional treatment facility with a designed capacity to house 525 offenders. Its mission is "to return recovering offenders to society as productive, responsible and law abiding citizens." That mission is accomplished by providing the offenders with long-term alcohol and substance abuse treatment in a therapeutic learning environment.

The Missouri Eastern Correctional Center (MECC) is a medium custody (C-3) facility located at Pacific, serving 1,100 male inmates. MECC offers the Missouri Sexual Offenders Program for male inmates with disabilities.

The Moberly Correctional Center (MCC), formerly known as the Missouri Training Center for Men, opened in 1963 and is a (C-3) medium custody institution serving 1,800 male inmates. MCC is home to the male dialysis center for those with special medical needs. The Northeast Correctional Center (NECC) opened in March 1998 housing 1,975 high custody (C-4) male inmates in Bowling Green. NECC also provides special housing and programming arrangements for male offenders under the age of 17.

The Ozark Correctional Center (OCC) is a minimum security (C-2) institution housing 695 male inmates located in Webster County near the community of Fordland. OCC features a long-term substance abuse therapeutic treatment environment program for all inmates. It was formerly a U.S. Air Force Base in the 1950s. An additional 45 inmates are housed at a satellite institution, Camp Hawthorn, located at the Lake of the Ozarks State Park. Inmates at Camp Hawthorn provide

labor for various state park projects in the Lake of the Ozarks area. Camp Hawthorn is a satellite of the Ozark Correctional Center and is located at the Lake of the Ozarks State Park. This facility houses 45 inmates who provide labor for various state park projects in the Lake of the Ozarks area. The Potosi Correctional Center (PCC) is located on 140 acres approximately 2 miles east of Potosi. PCC is where capital punishment executions take place in Missouri. The first facility in the state to be built under the lease/purchase concept received its first inmates in February 1989. The facility was constructed and currently houses 800 capital punishment, maximum security and high-risk male inmates including those sentenced to death.

The South Central Correctional Center (SCCC) is situated on a 205-acre tract site northwest of Licking about 1 mile west of the city of Licking off U.S. Highway 63. SCCC employs 445 correctional professionals when fully staffed and has a capacity to confine 1,596 maximum-security male inmates. The Southeast Correctional Center is located 1 mile south of Charleston on Highway 105. SECC will confine 1,500 maximum-security and 96 minimum-security male inmates and employs approximately 445 correctional professionals at full capacity. SECC opened in September 2001.

The Tipton Correctional Center (TCC) is a medium-security (C-2) facility housing 1,088 male inmates. TCC is located about 1 mile north of Tipton and was formerly a female correctional facility. The Western Missouri Correctional Center (WMCC) is a medium security (C-3 and C-4) facility confining 1,975 male inmates. It is located on 385 acres off U.S. Highway 69 in Cameron. In June 2000, WMCC staff and inmates embarked on an aggressive recycling project to reduce trash hauling costs. In the first ten months of operation, WMCC recycled 438,887 pounds of solid waste such as metal, textile, paper and cardboard. In August 1994 the voters of the state of Missouri approved a general obligation bond that allowed for the conversion of the St. Joseph State Mental Hospital into a correctional facility. The facility opened in 1999, and confines 1,880 inmates. It serves as the intake center for male inmates coming from the western side of the state. Currently, the Park Building Treatment Center currently confines 480 inmates in either a 120-day Substance Abuse Treatment Program or the 180-day Offenders Under Treatment Program. Additionally, 100 inmates participate in community service work at several locations including the city of St. Joseph.

The Women's Eastern Reception, Diagnostic and Correctional Center (WERDCC) in Vandalia received its first inmates in January 1998. This facility confines 1,776 minimum to maximum (C-1 to C-5) female offenders and certified juveniles. WERDCC serves as the intake center for

females entering the department from around the state and also includes a permanent inmate population. This Reception and Diagnostic unit processes female inmates for assignment to permanent population at WERDCC, Chillicothe Correctional Center or the community release center treatment programs for women in St. Louis or Kansas City. Processing includes orientation to prison life, risk assessment educational testing, psychiatric and medical evaluation, AIDS testing and a drug education program.

**Montana.** The Montana Department of Corrections operates 5 institutions and has an average daily population of 9,912, while 277 were on intensive supervision release, 613 at prerelease centers, 2,470 in secure custody, and 6,552 on probation or parole. This represents a 5.2% increase over FY2002. The top offense for 2003 among males was theft and for females, it was possession of drugs. 59% of males and 16% of females in secure custody were convicted of violent crimes while 49% (539) of prison admissions were for new convictions. The average age of adult inmates was 36 in FY 2002. The average age dropped to 35 for females and 35 1/2 for males in FY 2003. During 2002, 22% of the populations at Montana State Prison (287) and at Montana Women's Prison (16) were employed by Montana Correctional Enterprises. At Montana State Prison, 97 inmates passed the GED, 350 completed Chemical Dependency Treatment, and 125 completed Anger Management. Juveniles at Pine Hills Youth Correctional Facility, within 90 days of admission, raised their reading comprehension 1.2 grade levels, their language expression 2 grade levels, and their math computation 1.1 grade levels. At Pine Hills Youth Correctional Facility, 46 juveniles participated in Restitution Programs and 66 in Community Service Programs in FY 2002, paying \$28,560 in restitution to victims. Residents of the Riverside Youth Correctional Facility completed 590 hours of Community Service. Probationers and Parolees made \$1,827,638 in restitution payments.

**Nebraska.** In the fall of 1967, Legislative Bill 569 created the Work Release Program. It allowed a select group of inmates to be employed in the community and housed during nonworking hours in the institutions. A community residential program was established in 1971. The fall of 1991 saw construction begin on a new 200-bed institution. Opened in July 1993, the facility has four housing units (three male and one female) and is designed to house 44 women and 156 men. The CCC-L has been accredited by the American Correctional Association since 1981. Programs include: work detail, work release, educational release, furloughs, community activity passes (e.g. recreation, shopping, religious), ABE/GED and other programming (i.e., family counseling, mental health) may be

arranged through community support programs and agencies. The average population is 284.

The Omaha Correctional Center (OCC) is a medium/minimum security facility located on a 37-acre site in East Omaha, just south of Epply Airfield. OCC was opened on April 24, 1984. At a total cost of approximately \$17 million, the facility has an operational capacity of 731 inmates in single, double, and multiple occupancy rooms. The designed capacity is 396 inmates. Programs include: Mental Health Counseling, ABE/GED, College Courses, College Correspondence Courses, Residential and Non-Residential, Alcoholics Anonymous, self-betterment clubs, volunteer activities, prerelease programs, English as a Second Language (ESL), work programs to include traditional facility work programs, and Cornhusker State Industries. Its average population is 580 with a staff of 178.

The Nebraska Department of Correctional Services Diagnostic and Evaluation Center (DEC) was established by the Nebraska State Legislature in 1976 as part of Legislative Bill 984. Construction was completed in June 1979 and the new institution was opened in August 1979 as a 176-bed, maximum custody, reception, diagnostic, evaluation, assessment, classification and assignment facility. Due to the short length of stay at the institution, there are no industry programs and limited education programs. Each newly admitted inmate, following review of the admission order to ensure legal commitment, begins participation in an intensive medical, psychological, and social assessment process. This process culminates in the finalization of an individual classification study and specific programming recommendations to the Classification Officer relative to custody status and institutional placement. Varied program services are offered and encouraged through recreation and library programs. The maintenance of family and community ties is encouraged through the visitation, mail and telephone programs. Religious programming is also available to the inmate population. Several other opportunities including Alcoholics Anonymous, parenting classes, and a prerelease program are available for inmate participation. The average daily population is 366, with a staff of 142.

The Hastings Correctional Center is a detention center housing persons detained by ICE (Immigration and Customs Enforcement), which is a division of Homeland Security. The Hastings Correctional Center first opened on June 22, 1987. It originally housed community custody inmates, but soon became a minimum custody correctional facility. The Hastings Correctional Center stopped housing inmates and began housing immigration detainees in June 2002. The facility can house up to 185 detainees, with a staff of 80. Programs include: Academic Education (ABE/GED); Remedial Reading and Mathematics;

Pre-employment Training; English as a Second Language; College Level Courses; Industries—Wood Shop, Print Shop; Pre-Release; Non-Residential Substance Abuse; Inpatient Mental Health Program; and Inpatient Sex Offender Program. The average population is 452 and the staff is 232.

The Nebraska Correctional Center for Women (NCCW), located just west of York, Nebraska, is the only secure state correctional facility for adult women. Up to 80% of NCCW's population have self-reported substance abuse problems or history of involvement in domestic violence as an adult or as a child. Rather than merely addressing the symptoms, staff at NCCW attempt to focus on the roots of the problem(s). Education and training that encourages personal responsibility and fosters self-reliance is provided. NCCW houses all classifications levels of female inmates (except community A and B) including new commitments, court-ordered evaluators and safekeepers from county facilities. The average daily population is 274 with a staff of 89.

The Work Ethic Camp program is designed for first-time, nonviolent male and female offenders who would otherwise be prison bound. The program is based on a 120-day stay, but offenders may be kept up to 180 days. The offenders must be convicted as an adult of a felony offense. They will be sentenced to successfully complete the Work Ethic Camp as a condition of intensive supervision probation. Following their stay at the Work Ethic Camp, the offender will be returned to the community, and probation supervision will continue by local probation staff. The average daily population is 252, there is 70 on staff.

The Nebraska State Penitentiary (NSP) located in Lincoln is the oldest state correctional facility in Nebraska, opening in 1869. Until after World War I, it was the only adult correctional facility in the state. The NSP offers a variety of education/rehabilitation programs designed to enhance an inmate's chances for successful community adjustment upon release. These include Educational/Life Skills and Vocational Programs, Self-Improvement (Mental Health and Control Unit Program), Residential Treatment Community (RTC), Religious Programming and Self-Betterment Activities), and Support Services. The NSP is the site of major components of the Agency's Cornhusker State Industries program. The average daily population of the facility is 1,014 with a staff of 453. Also, the facility houses 130 male and 24 female inmates who are classified at Community A or B custody levels. Normally, inmates who are near the discharge of their sentence or pending parole hearings are selected for placement in CCC-O. The institution employs 24 full-time staff members that supervise or manage inmate programs. Programs include: Alcoholics Anonymous support groups, Narcotics Anonymous, Sub-

stance Abuse Counseling, Educational Class, Self-Change Group, Relapse Prevention Group, Aftercare Group, Academic Education Program (GED), Testing, Assessment, Tutoring, Referrals to Community based Counseling programs, and Christian Fellowship.

All inmates at the Tecumseh State Correctional Institution (TSCI) are males adjudicated as adults and classified as medium or maximum custody. (Approximately 30 minimum custody inmates are housed at TSCI for outside grounds, administration building and warehouse jobs.) The institution has a design capacity for 960 inmates, which includes 768 nonspecial management beds, 32 min. B, 32 SAU, 64 PC beds, and a 192-bed special management unit for Administrative Segregation, Disciplinary Segregation and Intensive Management inmates. Death Row inmates will be housed at TSCI, but the death penalty will continue to be administered at the Nebraska State Penitentiary in Lincoln, Nebraska.

TSCI uses a Unit Management concept designed to improve control and staff/inmate relationships by dividing the larger institution population into smaller, more manageable groups and to improve and personalize the delivery of rehabilitative services. Programs include: Mental Health Counseling, ABE/GED, College Correspondence Courses, Substance Abuse Counseling, Residential and Non-Residential, Alcoholics Anonymous, self betterment clubs, volunteer activities, prerelease programs, English as a Second Language (ESL), work programs to include traditional facility work programs, and Cornhusker State Industries. Inmates at the facility are afforded educational opportunities provided by Metropolitan Community College. Additionally, the facility attempts to meet the emotional and spiritual needs of the inmates through the programs and services of the religious activities. Treatment programming is always at capacity due to the sizable number of drug and sex offenders at the Tecumseh State Correctional Institution. The facility is always looking for committed citizens that have an interest in helping our inmates as volunteers. Volunteers are a vital part of the restorative programming. Through programming, the facility has been able to reduce inmate idleness. The average daily population is 858 and the institution has a staff of 391.

**Nevada.** There are currently 8 institutions, 10 conservation camps, and 1 restitution center administered by the Department of Corrections. In addition, there is one privately administered institution in Las Vegas. The state operates a large correctional industry. In 2003 it made a profit of nearly a half million dollars, which was returned to the state. They manufacture mattresses, draperies, printing services, metal products, furniture, and a host of other products.

There is also a large victim-services program. The Victim Services Unit within the Nevada Department of Corrections (NDOC) serves as a point of contact within corrections that is sensitive to the needs of crime victims. Through this office, crime victims, their family members, and interested or threatened parties can receive assistance with any of the following: registration of all crime victims for the notification of release of their offender from custody, victim notification of an inmate's release or escape, advocacy on behalf of victims concerning their particular needs in the correctional process, including but not limited to: situations involving harassment by inmates, compliance with court mandated conditions, general information regarding the status of offenders in the custody of or under the supervision of NDOC referrals for crime victims to other state, and federal and community based services. In addition, the unit provides notification of execution dates along with preparation and orientation for victims who choose to be present at an execution.

The Going Home Prepared program is designed to provide Serious and Violent Offenders in Nevada with prerelease and transitional services. The program was designed through a grant for \$1.4 million from the U.S. Department of Justice and 7 other federal agencies.

Other programs offered at various institutions include educational opportunities, work opportunities, training, counseling, and substance abuse therapy.

The Ely State Prison has a designed capacity for 784, but carries, generally, an inmate population of 969. The Ely Conservation Camp has a maximum capacity of 150, which is its operating capacity currently. The High Desert State Prison is the largest major institution in the Department of Corrections. It is the first institution in what will become a large southern Nevada prison complex. High Desert was designed to incorporate much of the best technology available to corrections to provide for officer safety and the management and control of inmates. The complex totals approximately 1,576,000 square feet of space. The institution opened September 1, 2000, and became the reception unit for Southern Nevada.

The Lovelock Correctional Center contains four 168-cell housing units and two 84-cell units. Each 80 square foot cell has two bunks. There is also a dormitory outside the main compound to house minimum custody offenders who work in the Regional Warehouse and the institutional maintenance shops. The Nevada State Prison (NSP), located in Carson City, Nevada, is one of the oldest prisons still in operation in the United States. Established in 1862 when the Nevada legislature purchased the Warm Springs Hotel and 20 acres of land for \$80,000, NSP has been in continuous operation since that time. Abraham Curry, who owned the hotel, was appointed as the first warden. Its design capacity is 591,

while its operating capacity is 791 inmates. There are a variety of inmate programs, including education, training, counseling, and therapy as well as religious programming. The Northern Nevada Correctional Center in Carson City has a design capacity of 922 and an inmate population of 1,174.

The Stewart Conservation Camp has a population of 240, its design limit. The Warm Springs Correctional Center (WSCC), Northern Nevada Restitution Center (NNRC) and the Silver Springs Conservation Camp, together make up a Tri-Facility Organization.

The NNRC is located at 2595 East Second Street in Reno, Nevada. NNRC is a community-based facility housing approximately ninety-five male inmates that meet stringent classification standards including a requirement that they have no history of violent or sex-related crimes and that they be within one year of probable parole release or expiration. This program offers an opportunity for inmates to establish employment in the community to better prepare themselves for release, address court ordered fees/fines, and meet restitution obligations.

The Southern Desert Correctional Center has a design capacity of 914, but actually houses 1,354 inmates, while the sister institution, Indian Springs Conservation Camp houses a maximum of 228 inmates. The Southern Nevada Correctional Center closed its doors in September 2000 when the High Desert State Prison opened. A maintenance staff of two remains to maintain the institution. The Rural Camp Warden and his administrative staff are also currently housed at the Southern Nevada Correctional Center. The Jean Conservation Camp is immediately adjacent to the institution and remained open as a women's facility when the institution closed. The camp was constructed from modular housing units originally used on the Alaskan pipeline construction project. These units have been replaced by a new 240 bed camp almost identical to the Stewart Conservation Camp.

The Southern Nevada Women's Correctional Facility was designed to hold 291, but currently holds 379 female inmates. Finally, the WSCC was authorized by and constructed through appropriations from the 1961 legislative session and was a women's prison until September 1997 when it was converted to a medium-security men's prison. The institution has been remodeled and expanded four times over the years. The completion of this project in July 1998 brought the budgeted capacity of WSCC from 260 to 510 inmates.

**New Hampshire.** At the end of 2003, there were 2,486 inmates in state prison facilities. The New Hampshire Department of Corrections (NHDOC) operates four

facilities, including one specifically for women. The first prison was opened in 1812 and in that year housed one prisoner. Within 20 years, there were 101 prisoners. The total daily average for the system population in 2003 was 2,433 of which 105 were women. Of the total population, 136 were in community supervision. There are 1,161 employees in the system. Offenders can be charged with 77 various infractions of prison rules, including the possession of tobacco, which is prohibited in all NHDOC facilities.

The system received several grants to support inmate educational opportunities, including college courses taken inside the institution. Grants also support a substance abuse program. The Going Home Reentry Initiative, in the amount of approximately \$1.8 million, was awarded to the DOC to support a pilot project in the city of Manchester designed to assist offenders with successfully transitioning from prison to the community. Services under this grant are available to offenders ages 18-35 that resided in Manchester prior to their incarceration at one of the state's prison facilities. Transition services for these offenders will include assistance in finding housing and employment, access to substance abuse treatment and mental health services, and access to further education and training for employment. The grant supports a total of 8 staff positions, including 4 Reentry Advocates to work directly with offenders transitioning into the Manchester community. The New Hampshire Department of Health and Human Services supports the Family Connections Project with another grant, assisting families of inmates.

Victim services include a number of support services, including notification of inmate custody changes, advocacy and support during inmate reduced custody processes, accompaniment and advocacy at parole hearings, protection from offender intimidation and harassment, outreach, information and referral, tours of correctional facilities, victim-offender dialogue (by victim request), and participation with IMPACT programming. This is an educational, self-improvement program available to inmates at Lakes Region Facility, NH State Prison for Men, and Northern NH Correctional Facility. Correctional staff and volunteers serve as IMPACT instructors. IMPACT classes include discussions, written exercises, and guest presentations to teach offenders about the physical, emotional and financial impacts of crime. The office supported 1,065 victims in 2003.

Community Corrections manages the Probation Academy program. The statewide program began in January 1996 as an alternative sentencing option for non-violent, low-risk offenders. It is a one-year-long intensive and comprehensive program of both punishment and rehabilitation. The participant must satisfactorily complete a core curriculum of: living skills; parenting; stress

management; money management; nutrition; counseling depending on need; educational/vocational courses depending on need; and substance abuse self-help programs.

**New Jersey.** The New Jersey Department of Corrections (NJDOC) is responsible for 14 major institutions—eight adult male correctional facilities, three youth facilities, one facility for sex offenders, one women's correctional institution, and a central reception/intake unit as well as a Stabilization and Reintegration Facility. These facilities collectively house approximately 26,386 inmates in minimum, medium and maximum security levels as of January 2004. This total includes 4,324 in the youth facility. The annual institutional cost per inmate is approximately \$28,000. Approximately 14,000 inmates were committed to NJDOC institutions during the 2003 calendar year. It is anticipated that roughly 1,200 inmates per month will be incarcerated in 2004. Approximately the same number were released each year as are admitted. The median term for NJDOC inmates is six years. Forty-seven percent of all NJDOC inmates are serving terms of one-to-five years; 17 percent are serving terms of six-to-nine years; and 33 percent are serving maximum sentences of 10 years or more. Approximately 40% of all inmates were sentenced for violent crimes.

As of January 2003, 63 percent of all state correctional institutional offenders were African American, 19 percent were Caucasians, 17 percent were Hispanic and 1 percent represented other racial/ethnic backgrounds. (In these tabulations, a Hispanic is an individual of Mexican, Puerto Rican, Cuban, South American, or other Spanish culture or origin, regardless of skin color.)

In order to counter rising gang problems in the prisons, the Security Threat Group Management Unit (STGMU) was established to isolate problem gang members, control their behavior and prevent any activity. DEPTCOR is New Jersey's correctional industry program. An entity within the New Jersey Department of Corrections, DEPTCOR provides products and services manufactured by adults incarcerated in New Jersey's correctional system. DEPTCOR's factories and service industries throughout the state employ over 1,800 incarcerated males and females. These offenders are voluntarily assigned to meaningful work situations that help them develop useable skills and positive work habits. The Stabilization and Reintegration Program (SRP) is a comprehensive blend of military structure and discipline, education, work, substance abuse treatment, cognitive skills training, and intensive aftercare supervision. The role of the Office of Educational Services is to supervise, support and ensure delivery of educational services, recreational activities and law library services to the students it serves. The Department of Corrections provides mandatory

educational services in all 14 of its primary facilities for grades K through 12 for every inmate under the age of 20. Education programs are on a voluntary basis for the remainder of the inmate population. The system also offers work crews to local governments, therapeutic services for inmates, and victim services including alerts and support.

**New Mexico.** Adult Prisons is the largest division in the New Mexico Corrections Department (NMCD) with an overall FY2003 budget of \$165 million for inmate management and control. There are a total of 6,200 incarcerated adult offenders, 518 of whom are women. Nearly 3,500 of these inmates are of Hispanic origin, while 1,355 are white, 588 are Native American, and the rest are scattered over several ethnic groupings. The average daily population in 2004 was 6,607.

These offenders are housed in 10 different facilities: 5 public prisons and 5 private facilities. Security and nonsecurity staff are responsible for providing a humane, safe, secure and cost effective prison system. The Director of Adult Prisons is ultimately responsible for the secure operation of all adult institutions, including inmate initiatives, health service requirements and quality of life issues. Services available for inmates include addiction, education, health services, family services, faith based services, mental health services, and volunteer based services. The Office of Corrections Family Services was established as a central point of contact between the Corrections Department, family members, legislative entities, interdepartmental state agencies and the general public. Corrections Family Services promotes open lines of communication and provides clarification, direction, and resources for keeping families involved and informed. The office responds to inquiries regarding the Department's policies, procedures, and actions, in addition to facilitating problem resolution. The Corrections Industries Division (CID) enhances the rehabilitation, education and vocational skills of inmates through productive involvement in enterprises and public works of benefit to state agencies and local public bodies and to minimize inmate idleness. CID is administered without appropriated funds and is self-supporting. The Division is financed through a revolving fund, from which all operating expenses are paid. As the manufacturing and services arm of the Corrections Department, the Division employs 39 staff and supervisory personnel to manage an average of 375 inmates in 13 programs at eight different facilities around the state.

Community Corrections Programs primarily serve offenders in the community who are judged to be at higher risk to reoffend and thus have greater treatment needs. Community Corrections programs also serve as a diversionary program for probation/parole violators who

would otherwise be incarcerated. Drug courts are designed to provide community-based treatment and supervision to selected offenders who are identified as having substance abuse issues. Drug courts work closely with the judges, prosecutors, defense attorneys, probation/parole authorities and other corrections personnel, law enforcement, pretrial service agencies, law enforcement, vocational rehabilitation, education and housing, and treatment providers.

**New York.** The Department of Correctional Services operates 70 institutions statewide, which hold approximately 70,000 inmates. The department's mission is to provide for public protection by administering a network of correctional facilities that: (1) retain inmates in safe custody until released by law; (2) offer inmates an opportunity to improve their employment potential and their ability to function in a noncriminal fashion; (3) offer staff a variety of opportunities for career enrichment and advancement; and, (4) offer stable and humane "community" environments in which all participants, staff and inmates, can perform their required tasks with a sense of satisfaction.

The number of inmates in New York State prisons stood at 71,472 by the close of calendar year 2000. This represents an increase of 2.1 percent or +1,471 inmates from the previous year and an increase of 489 percent from a low of 12,144 inmates on December 31, 1972. Prior to 1972, the prison population had declined following a series of executive, legislative, and judicial actions which diverted a number of offenders to other agencies. In 1973 admissions exceeded prison releases for the first time since 1963 and the prison population increased. This increase continued annually through 1996. Since 1972 the number of women in prison has risen at a higher rate than the increase for men. At the close of 1999, the female population stood at 3,508. This represents a rise of 784% over the 397 at the close of 1972. The male population has risen at a lower rate, but at a much greater volume, growing by 55,917 (+464%) from a 12,047 low in 1972 to 67,964 by the close of 1999.

There were 16,889 inmates released to parole supervision for the first time on their current sentence in 1999. The average time served by these offenders in combined Department and local jail custody was 36.6 months. Violent felony offenders had the highest average time served at 60.8 months. Juvenile offenders served an average time of 35.1 months, followed by other coercive felons at 33.4 months, drug felons at 29.6 months, property/other felons at 25 months and youthful offenders at 17.7 months. As expected, persons convicted of murder served the longest time, 254.7 months followed by first degree manslaughter at 124 months and first degree rape at 108.3 months. Of the total incarcerated, 51% are black, 16% are white,

31.3% are Hispanic, and the balance is classified as "other" (1.7%). While 8.7% of this population actually holds a college degree, only 47.4% can claim at least 11th to 12th grade education. Over 14.1% cannot claim an education above 8th grade with another 28.9% claiming a 9th or 10th grade education.

The division of Probation and Correctional Alternatives oversees probation and juvenile probation. There are approximately 250,000 individuals under supervision on any given day. Approximately 100,000 new cases are opened each year. The Division of Parole oversees all parolees. There are approximately 70,000 on parole. Parole Officers with institutional assignments conduct an assessment of the needs of each inmate and encourage the inmates' participation in programming in prison which meets these needs. They also provide discharge planning so that, upon release, parolees can be referred to community programs appropriate to identified needs. These Parole Officers conduct inmate group counseling sessions and Parole orientation classes for inmates. Additionally, they interview inmates in advance of their Board release interviews to gather information which is presented to the Board in summary reports together with recommendations for the granting or denial of parole release and possible conditions of release. After a parolee has been granted release, the Parole Officer continues to participate in Parole Board release planning through the Community Preparation Program. The Parole Officer provides the link between the institution and the community both through prerelease interviews conducted with inmates and through ongoing communication with the Field Area Office to which the parolee is to be released. These services are provided to inmates released by decision of the Parole Board and to those conditionally released. Community supervision is at the heart of the Division's mission. The Parole Officer with a field assignment is located in the community supervising offenders released from state correctional and youth facilities as well as those judicially sanctioned. Community protection requires that Parole Officers adhere to strict supervision standards. Additionally, it is essential to ensure that parolees comply with the terms and conditions of release. When the conditions of release are violated, the Parole Officer must take appropriate action.

**North Carolina.** The Department of Correction operates 23 prisons, with three more either planned or under construction. In addition, there are three small private prisons under contract with the state for special populations. On October 1, 2000, North Carolina's two-year experiment with privately run prisons came to an end as the Department of Correction assumed control of Amlico Correctional Institution in Bayboro and Mountain View Correctional Institution in Spruce Pine. Both facilities

were opened by Corrections Corporation of America (CCA) in 1998. CCA continues to own the facilities and leases them to the state. As of July 31, 2004, there was a total of 34,978 inmates in the system, of which 2,350 are women. Whites account for 11,863, while black inmates number 21,017. There are 649 Native Americans, 105 Asians, and 1,300 classified as either other or unknown. The probation population included 26,307 females, and 88,290 males while those on parole number 3,520.

The Cognitive Behavioral Interventions program attempts to change the thinking patterns of offenders. The program addresses concepts such as Cognitive Self-Change, Social Skills, Group Dynamics, Problem Solving, and Presentation skills. Through the Going Home Initiative, the state of North Carolina created a systemic prerelease, community transition and reentry infrastructure. Many services necessary to successful transition and reentry are available, however, they are not systemically coordinated as a seamless system among state and local government agencies, community-based organizations including faith-based initiatives, community-based treatment providers, the offender, the offender's family, victim advocates, or the community at large.

The goal of Job Start II is provide job skills for inmates prior to release, match them with jobs on the outside before release, and attach them to a mentor for follow-up and support. In this manner, reentry will be more successful and sustainable.

**North Dakota.** The Department of Correction and Rehabilitation Prisons Division includes three separate prisons located in three different areas. The North Dakota State Penitentiary was established in Bismarck in 1885, and houses 520 maximum- and medium-security male inmates. The goal of the prison is to keep the public safe, while also offering rehabilitative work, treatment, and educational programs that will effect change in the inmate's behavior. The James River Correctional Center was opened in 1998 on the grounds of the state hospital in Jamestown. This facility can house 160 male and 80 female medium security inmates. The Missouri River Correctional Center (MRCC) located 4 miles southwest of Bismarck, was first established in the 1940s as the State Farm. It has since grown to a 150-bed facility for minimum security males and females. Although some agricultural work is still performed there, the current purpose of the MRCC is to reintegrate offenders into society by offering work release and community treatment programming. The average daily population during 2002 was 1,160, with 823 new admissions and 798 releases during that year. The average sentence across the entire offender population was 43 months.

With the addition of the James River Correctional Center, as of April 1998, the Adult Services Division has



been reorganized. It is now comprised of the ND Department of Corrections and Rehabilitation Prisons Division and the ND Department of Corrections and Rehabilitation Field Services Division (formerly Division of Parole and Probation). As of September 2000, the Field Services Division employs 72 professional staff in 14 district offices around the State of ND and 15 in the central office in Bismarck. The offender population under active supervision is 130 on parole, 2,719 on probation, 33 on community placement and 399 on Interstate Compact for a total of approximately 3,281.

The Corrections Rehabilitation and Recovery Program (CRRP) is a 25-bed male addiction treatment program. It is located at the NDSH in Jamestown. CRRP is a minimum of 100 days in residence for primary treatment with 4 levels of restrictions and earned privileges. The offender's release to the community includes up to 180 days of supervision and transition. This coordinated treatment and corrections strategy is a minimum of 100 days up to 280 days.

The Last Chance Program began during the fall of 1999, in Fargo, for the purpose of giving offenders "one last chance" to remain in the community, to participate and complete programming, and remain crime and violation-free. Though six to eight criminal offenders can reside at the Last Chance house, other offenders are able to participate while remaining in their homes. Placement in the Last Chance Program is restricted to those offenders who, "if not for their participation and successful completion of the program," would have their supervision revoked and face being sentenced to prison. Electronic monitoring systems are utilized by the Division to verify compliance with conditions of supervision such as curfew, house arrest, alcohol use, or home confinement. The division has access to active and passive monitoring systems. There are also a variety of educational, work, and counseling services for inmates.

**Ohio.** The Department of Rehabilitation and Correction currently has 32 institutions confining nearly 44,000 inmates. Three of those institutions house female inmates. The remaining institutions house male inmates of varying security levels. Ohio's first "supermax" prison, the Ohio State Penitentiary, opened in Youngstown in April 1998. Ohio also has two boot camps, one for each gender, aimed at young, first-time, nonviolent offenders. The State of Ohio also has two privately-operated prisons: the North Coast Correctional Treatment Facility in Grafton and the Lake Erie Correctional Institution in Conneaut. There are over 50,000 inmates on an average day, and commitments total over 20,000 per year. The population is almost equally divided between black and white inmates, with a small number classified as Hispanic or Native American.

The Division of Parole and Community Services, the community corrections division of the Ohio Department of Rehabilitation and Correction, consists of four primary areas: The Adult Parole Authority, the Bureau of Adult Detention, the Bureau of Community Sanctions, and the Office of Victim Services.

The community service program allows inmates an opportunity to give back to the community while at the same time supporting the Department's restorative justice initiative of making a contribution to society. The program alleviates boredom and tension in prison, resulting in a safer environment for both staff and inmates. Safer prisons help establish a sense of security within Ohio communities and give offenders a sense of pride and accomplishment as they provide needed services to various organizations throughout the state.

There is a strong victim services program, with support links to national groups, and information regarding inmate status. Beyond notification of inmate status, the office also provides crisis intervention for victims.

**Oklahoma.** The Department of Corrections operates 4 maximum-security prisons, 8 medium security installations, and 16 minimum-security prisons. In addition, it also has 15 work centers and 6 community correction facilities. There are 16,609 inmates in the prisons, 6,249 in private contract prisons, 28,912 on probation, and 4,808 on parole. The system totals 57,015 under some form of supervision. Of the inmate population, 58.4% are white, 28.1% black, and 8.5% are Native American. 90% of the inmate population is male. Of the population on probation, 75% are male and it is 65% white, and 19% black. On parole, 81% are male, 56% white and 31% black. Nearly 5,000 employees make up the system staff.

Services for offenders primarily are religious, educational, training, and alcohol and drug counseling. There is also an active victims program. Victims are notified when the inmate changes locations, is released/discharged, escapes, is recaptured or dies while incarcerated. Other services provided are the development of policy, training advising staff and inmates on victim sensitivity issues, maintaining a resource directory for crime victims, publishing a victim newsletter, supporting the victims at Pardon and Parole Board hearings, educating the public on department services and victim awareness, acting as a central source of information for victims, and assisting victim support groups statewide.

The Population Office is responsible for scheduling inmate movements throughout the Department of Corrections including contract facilities. During calendar year 2000, the Population Office received a total of 12,878 transfer requests, 1,411 requests for transfer to higher security, 6,105 requests for transfer to lower security,

4,329 lateral transfer requests (to same security level) and a total of 1,033 transfer requests were denied by the population office. LARC Case Management is responsible for the case management of all inmates received through the Assessment and Reception Center. During the calendar year 2000, a total of 7,681 inmates were received at ARC, 6,548 males and 1,133 females. A total of 7,767 initial classifications were completed before transfer to the Department of Corrections facilities and contract facilities. Reentry services include the coordination of a continuum of offender services that begin with program assessment at ARC, extends to program assignment at facilities, includes transition services to the community, with after-care services. Reentry coordination includes the facilitation of a transfer of information within the DOC regarding the programmatic completions and needs of the offender. Programmatic information will also be forwarded to other state and local agencies that need assistance with offender re-entry.

**Oregon.** The Oregon Department of Corrections (DOC) was created by the 64th Legislative Assembly in June 1987. The department has custody of offenders sentenced to prison for more than 12 months. Oregon houses offenders in 12 state prisons. The Oregon Department of Corrections is recognized nationally among correctional agencies for providing inmates with the cognitive, behavioral and job skills they need to become productive citizens. Oregon's recidivism rate is about 30 percent, well below the national average. The department currently has 3,704 employees and houses 12,264 inmates, of which 844 are female. There are a total of 11,475 on parole (1,498 women), and 17,389 on probation (4,903 women). The population in each category is overwhelmingly white, with a small number of Asian, African American, Hispanic, and Native American inmates. There are sex offender programs, educational opportunities, and counseling resources for inmates.

The Oregon Accountability Model (OAM) encompasses the simultaneous, coordinated and efficient implementation of many Department of Corrections initiatives and projects that provide a foundation for inmates to lead successful lives upon release. The Oregon Accountability Model has six components. Each of these components stands on its own as a project or a part of the corrections organization and culture. However, woven together, these six separate components strengthens the department's ability to hold inmates/offenders accountable for their actions and DOC staff accountable for achieving the mission and vision of the department.

The department is involved in a statewide project that focuses on transition as a seamless movement of offenders from the community to incarceration to com-

munity supervision. The project limits duplication of services and increases effective and efficient use of partnerships. Seven of the department's prisons have been identified as reentry facilities. These prisons are strategically located to encourage reach-in by the community. Connections with the community before release are important factors in offenders' successes on the outside, and may include work, treatment, religion, and housing. Reentry prisons will be geared to preparing inmates for release during their last six months of incarceration.

**Pennsylvania.** The Department of Corrections operates 26 prisons and 14 community corrections centers in which it manages more than 40,000 inmates and employs 15,000 people. The rate of admission to the system grew by over 37% between 1992 and 2002, with 13,387 admissions in 2002. In that same period, parole violator admissions increased by over 53%. In August 2004, there were 40,524 inmates in the system, putting the system at 108% of capacity. There are also 46 privately operated community corrections centers. In those centers and the 14 state operated centers, there are a total of 2,762 individuals. All inmates are screened upon admission, and currently, more than 70% require some form of alcohol or drug treatment programs, a figure consistent with national averages. Recent outcome evaluations by Temple University suggest that the Therapeutic Community approach employed by the department reduced recidivism by more than 27%, again consistent with national evidence. Over 84% of the inmates participate in the religious services programs and there are 150 chaplains in the system staff. Over 2,700 citizens volunteer their time for various support services for inmates and victims. There are a wide variety of counseling, education, training and work programs available for inmates, and families can have "virtual visits" with the use of network based video conferencing. The Department has started a COR program for inmates just prior to release and following release. The Community Orientation and Reintegration program seeks to provide support services for inmates to make their transition successful.

**Rhode Island.** The mission of the Rhode Island Department of Corrections (RIDOC) is to contribute to public safety by maintaining a balanced correctional system of institutional and community programs which provide a range of control and rehabilitation options for criminal offenders.

The department operates 8 institutions, with two dedicated to female inmates. As of 2003, the capacity for the male system was 3,563 while the average population was 3,209. The female capacity was 340 with the average population at 217.

Correctional industries is a major component of inmate rehabilitation in Rhode Island. Using structured employment and training programs under the supervision of skilled civilian craftspeople, incarcerated men and women work in normal industrial or shop settings, learn various trades and develop good work habits. The tasks inmates perform are meaningful, challenging and demanding.

The Division of Rehabilitative Services is committed to the meaningful reintegration of offenders into the community. Program areas within this Division can be categorized into two sections: institutional or community corrections. Institutional corrections includes programming offered to the offender during incarceration, such as health services, education, substance abuse counseling and sex offender treatment. Community corrections refers to units such as Probation and Parole, Community Confinement, Furlough and Victim Services.

**South Carolina.** The state penal system began in 1866 when the state legislature transferred custody of those convicted of state law from county jails to the new department of corrections. The South Carolina Department of Corrections operates twenty-nine prisons statewide. Male institutions are categorized as either minimum security (level 1), medium security (level 2), or medium/maximum security (level 3); female institutions are categorized as level 4 and provide minimum through maximum security. An institution's security level is determined by the type of internal and external security features, housing within the institution, and level of security staffing. Inmates are assigned to institutions to meet their specific security, programming, medical, educational, and work requirements. There are currently 23,613 inmates in these institutions with an average daily population of 22,845 in 2003. The average age at admission is 30. Over 69% of the inmate population is African American, while only 30% is white. Over 78% are new inmates on admission. The average time served is less than 2 years overall.

The Division of Industries serves the Department of Corrections and the state of South Carolina by employing and training inmates. This training oriented work allows the inmates to return to society with skills that will enable them to become useful and productive citizens. In pursuit of this objective, the cost of incarceration is offset through inmate wages, and quality products and services are provided to qualified businesses and organizations at substantial savings. Products include a variety of furniture and other commodities.

A broad variety of services are also provided to victims of crime. The Division of Victim Services consists of five full-time employees. The program is housed in the Office of Executive Affairs, which reports directly to the

Director. The organizational placement of the program is important. Having Victim Services on the Director's executive staff sends the message throughout the 31 institutions and among the 6,700 employees that they are to carry out their responsibilities with sensitivity and special attention to the rights of crime victims. Elevation of the program to division-level status gave victim services status equal to that of programs for inmates.

Pet therapy has been employed for inmates. The first group of retired racing greyhounds from Greyhound Pets of America (GPA) entered the Camille Griffin Graham Correctional Institution of the South Carolina Department of Corrections on October 21, 2002. This program is the first of its kind in the United States. All funding is handled by GPA. In the first year, 50 greyhounds have been housed and trained at the prison before going to their adoptive homes.

There is also a crime prevention program involving the department. "Operation Behind Bars" is a modified version of the old "Scared Straight" program which utilizes a more realistic approach with the participants rather than scare tactics. The program, targeted toward at risk youth and adults, allows each participant to tour a prison facility and then hear inmates give realistic accounts of actions that led to their criminal behavior, the effects of incarceration and day to day prison life. Currently, there are 11 prisons located throughout the state that participate in the Operation Behind Bars program. There were 71 people on death row in 2003 (34 African American and 37 white), with 2 executed.

**South Dakota.** The Adult Corrections System consists of the three main adult facilities, a prison annex, three trusty units, prison industries and parole. The state also runs local jails. In July 2004 there were a total of 3,052 inmates in the various facilities of the system. Of that, 2,174 were white, 756 were Native American, and 144 were African American. Predictably, the vast majority are male, 316 being female.

The Board of Pardons and Paroles is a nine-member appointed board charged with the authority to make decisions of parole, the revocation of parole, and parole policy and procedure. Three of the board members are appointed by the Governor of South Dakota, three are appointed by Attorney General, and the remaining three are appointed by the South Dakota Supreme Court. One of the appointees by each appointing authority must be an attorney. Each member of the board must be a resident of South Dakota and be appointed with the advice and consent of the Senate.

The prison industries unit produces garments, upholstery, furniture, license plates, data entry, and includes a printing shop and sign shop. Today, more

than 600 inmates are employed in community service work projects statewide. Inmates not only work side by side with state employees on the day to day activities in state government, but also are working in communities, with nonprofit agencies, and with federal government agencies. The work experiences have provided them with the tools and skills to make them productive members of the community when they are released. Inmates are becoming proficient in all facets of the construction trades, office skills, auto body repair, metal fabrication, building maintenance, heating and air conditioning, horticulture, welding, conservation and upholstery.

In order to assist inmates' reentry into society, the department created the FORWARD program. The FORWARD program was created for inmates who are at risk to remain in prison beyond their parole date because they are not able to put together an acceptable parole plan. Inmates who are at high risk for parole violation or recidivism due to life skill deficits are also targeted in the programming. Inmates participate in the Life Skills Programming through FORWARD when they are within one year of release from prison through six months after release. The department also offers a victim's services program including support, offender status notification, and links to other support networks. The department also operates all juvenile programs in the state.

**Tennessee.** The Tennessee Department of Correction was one of the first departments in the country to become fully accredited by the American Correctional Association. Only a handful of departments nationwide are fully accredited. The Tennessee Department of Correction supervises more than 20,000 inmates and employs more than 5,000 people. There are 15 prisons in the state system, three of which are managed privately by the Corrections Corporation of America. Female inmates in the State of Tennessee are housed in two prisons, one which is located in Nashville and the other in Memphis. Male inmates are housed in the 13 other prisons located across the state. Those inmates in need of acute or continuing medical care are housed at the Lois M. DeBerry Special Needs Facility in Nashville.

There are currently 19,139 men and women incarcerated in state institutions, of these, 100 are on death row. There are also 35,636 felons on probation, 975 on ISP, 5,777 on community corrections programs, and 4,105 held in local (nonstate operated) jails.

Statistics show that 97 percent of all incarcerated felons are eventually released from prison. Hence, the department offers programs that will help educate and rehabilitate inmates. Services for inmates include educational opportunities. Currently, there are more than 16,000 inmates enrolled in educational programs. The

department employs 52 academic instructors, 63 vocational instructors, 7 principals and 8 teaching assistants. Treatments include specific programs for sex offenders, anger management, cognitive therapy, and changing patterns of criminal thinking, among others.

In 2003 the department took a major step toward helping inmates reenter society by assigning a full-time prerelease coordinator to each state managed facility. While attending prerelease classes, inmates learn how to change criminal thinking patterns through a 22-session course called Thinking for a Change. They also attend a variety of life-skills classes on topics ranging from money management to parenting. The department, along with the Board of Probation and Parole, was recently awarded a \$1 million grant to be used for an intensive reentry program called Tennessee Bridges.

In 1994 the General Assembly created TRICOR (Tennessee Rehabilitative Initiative in Correction) to put inmates to work in a real-life job setting. Overall, TRICOR offers more than 300 goods and services from office furniture to prison uniforms. Best of all, TRICOR fully funds itself and even generates revenue for the state. Each year, the program saved Tennessee taxpayers an estimated \$3 million in operational costs. All TRICOR industries are located on prison property. More than 1,400 inmates work in support services roles inside all of the prisons.

**Texas.** The Texas Department of Criminal Justice created the Correctional Institutions Division (CID) in September 2003 through a merger of the Institutional Division, Operations Division, Private Facilities Division and the State Jail Division. The Correctional Institutions Division (CI Division) is responsible for the confinement of adult felony and state jail felony offenders who are sentenced to prison. The division oversees state prison facilities, pre-release facilities, psychiatric facilities, a Mentally Retarded Offender Program facility, medical facilities, transfer facilities, state jail facilities, and substance abuse facilities. There are expansion cellblock facilities, additional medical facilities, boot camps, and work camps collocated with several of the facilities mentioned above. The division is also responsible for Support Operations and ministering/monitoring privately operated facilities (private prisons, private state jails, a work program, preparole transfer facilities, intermediate sanction facilities, halfway houses, multiuse facilities, county jails, substance abuse facilities, and additional outpatient substance abuse facilities). There were approximately 18,000 offenders in privately operated facilities monitored by the CI Division during FY 2003.

At the end of 2002, there were a total of 668,226 offenders supervised by the Division. This includes

126,107 in prison, 438,202 in community supervision, 456 on death row, 84,328 on parole, 14,702 in state jails. The Division operates 115 institutions including 51 prisons, 7 private prisons and 17 state jails. Offenders can take advantage, if they qualify, of educational programs, counseling, job training, prison industries, and community service work.

Treatment programs include Inner Change, Freedom Initiative, Sex Offender Treatment Program, Substance Abuse Treatment Program, and Youthful Offender Program. There are also reentry programs, particularly for violent offenders. The division also offers significant assistance to crime victims including offender status notification, support for participation throughout the system (appeals, parole, etc.), and links and connections to other support services, including crime victim funds.

**Utah.** The Utah Department of Corrections consists of Three Main Entities: the Division of Institutional Operations, Utah Correctional Industries (UCI), and Adult Probation and Parole. The Department of Corrections Institutional Division has two prisons. The Central Utah Correctional Facility has a capacity of 1,125 and opened in 1990. The Utah State Prison, built in 1951, has a capacity of 4,500. Utah Correctional Industries Consists of 25 business partnerships, apprenticeships and training programs that help inmates develop skills to earn a sustainable wage upon release. The system offers basic education through high school, GED, literacy, life skills and other programs that educates offenders. Utah Correctional Industries offers a wide variety of training experiences, including computer assisted drafting, printing, woodworking, technical/vocational apprenticeships, and computers. The Utah prison system has increased by more than 500% between 1985 and 2002. At the same time, the state crime rate has dropped only recently, dipping about 5%. Currently, the cost per inmate year is \$24,000 and the recidivism rate is about 60%, slightly better than the national average. Approximately 13,000 offenders are being supervised in communities, at a cost of approximately \$2,000 per offender. The department also operates an independent Correctional Industries operation, which operates numerous manufacturing concerns, training offenders, and offering employment opportunities while incarcerated. They can furnish your office, conference room, library or other work area with industry standard products. Labor intensive services such as community work crews, general construction, roofing, asbestos abatement, and pavement crack sealing are offered as well. At UCI, citizens can purchase clothing, mattresses, interior and exterior signage, and a wide variety of printing services. In an effort to increase inmate employment numbers, the department is constantly looking for new products and services. In addition to the usual training and counseling program, there is an extensive sex offender treatment program.

**Vermont.** The Vermont Department of Corrections has 9 incarcerative facilities and 17 community-based facilities. The community-based facilities, also called field offices, are delineated by the services they focus on providing. There are Court and Reparative Service Units and Community Correctional Service Centers. These offices are sometimes colocated and sometimes at different addresses. In fiscal year 2003, the system had 14,488 inmates. Of that, 9,802 were on probation, and 815 were on parole. Another 1,573 were on intermediate sanctions. A major innovation by the department was creation of the Reparative Probation Program, which implemented Restorative Justice methods for handling some offenders. As of September 1998, after two years of operation, reparative boards had seen 2,421 offenders. 1,146 have successfully completed, and 233 negatively terminated and returned to court. The success rate is nearly 85 percent. Significant achievements include the establishment of reparative boards in every county of the State of Vermont, and the use of the reparative probation order by every court in the state. As of November 1, 1998, 259 Vermonters serve on 39 boards in 19 communities, and the numbers continue to grow.

The department supplies a host of programs and services to offenders, primarily risk management to address criminogenic factors in offenders, including sex offenders, domestic violence, substance abuse, and violence prevention. In addition, offenders are offered educational opportunities, and employment and training through the Vermont Correctional Industries—a separate entity that runs wholly from profits earned from the sale of products and services. In addition to reparative boards, the department employs volunteers for a variety of activities for offenders and victims.

Among others, victims services include: (1) crisis intervention, community referrals and assistance with concerns related to offender under the Department's jurisdiction, (2) information regarding the status of an offender under Department of Corrections supervision, (3) community education regarding policies and procedures of the Vermont Department of Corrections, and (4) referrals to appropriate federal, state, or local community resources, including victim service agencies.

**Virginia.** In 1796 a wave of reform swept the Virginia legislature, and Benjamin Latrobe was engaged to design a penitentiary house. Latrobe's facility was constructed on a site outside Richmond overlooking the James River. The facility, which received its first prisoners in 1800 and was completed in 1804, was known by generations of Virginians as the Virginia State Penitentiary or the "Pen." Today, the department of corrections is an agency of around 31,000 inmates, and nearly 13,000 employees.

2004 marked the 30th anniversary of the creation of the Virginia Department of Corrections. The department offers offenders a number of programs typical for modern prisons including education, training, work, treatment and counseling, and medical assistance.

The department operates 32 institutions, some are major institutions housing maximum to medium security prisoners, while correctional centers house medium- to minimum-security prisoners. There are also two locations with secure medical beds. It also contracts with private firms for transitional housing. The average daily population of the institutions is 25,087. There are also 47,465 on probation or parole including detention, diversion, day reporting, residential and transitional housing. They also house 500 inmates on contract from Connecticut. A unique program is the use of animal therapy in its Pound Puppies program, where inmates assist in the care of animals.

The system offers victim notification services that will keep victims aware of an offender's status. Volunteers play a significant role within the Department of Corrections. They assist in the areas of religion, substance abuse, support groups and counseling, life skills, family life programs, case management and transition programs. Volunteer opportunities exist within prison facilities and community-based correctional programs as well.

**Washington.** The Department of Corrections was created in 1981 by the Washington state legislature. As a partner with victims, communities and the criminal justice system, the department enhances public safety, administers criminal sanctions of the courts and correctional programs. The department consists of the Office of the Secretary and two operating offices, the Office of Correctional Operations and the Office of Administrative Services. The department employs over 7,000 men and women to administer and supervise over 17,000 offenders housed in 15 institutions and 18 work training and prerelease facilities. In addition, there are over 93,000 offender field cases, of which over 61,000 are supervised offenders in the community. There are 5 regions in the state. Each region is administered by a Regional Administrator, who provides oversight to that region's community corrections offices and facilities and reports to the Office of Correctional Operations.

The rated capacity for the 15 institutions in the system is 14,347, while the 2004 average daily population was 16,328, or 118% of capacity. Of that population, 91% are male, and 71% are white, while 20.8% are black, 3.9% are Native American, and 9.6% are of Hispanic origin. In addition, 2.7% are Asian. The average length of sentence is 21.2 months. There are 51,876 in the community corrections system. The system has a unique neighborhood probation program, where the probation officers live in the neighborhoods where their

caseload lives, keeping intense scrutiny on the population. The offending population is offered a wide array of educational opportunities, training, counseling, and medical assistance. Victim assistance includes support mechanisms and a victim notification program to alert victims of offender status.

**West Virginia.** The Division of Corrections, formerly a major division within the Department of Public Institutions, was established under Chapter 70, Acts of the Legislature in 1977. Under the executive reorganization of 1989, corrections became a division of the Department of Public Safety (now the Department of Military Affairs and Public Safety). The commissioner of the Division of Corrections directs the state's adult correctional system. In November 1997 oversight of the juvenile correctional institutions was transferred to the newly created Division of Juvenile Services. There are 13,700 total individuals in the system. This includes 8,300 on probation or parole, and 7,400 incarcerated. The annual cost per inmate is \$20,834 or approximately \$57 per day. Victim-related services include linking victims to support organizations and notifying victims of offender status and movement. Inmates may engage in the prison industries program, which provides income and skill training. The inmates manufacture a host of items including furniture, mattresses, linen, signs, inmate clothing, and welded items. They also provide services such as printing, upholstery, and digital printing. It is the mission of the West Virginia Division of Corrections to provide a safe, secure, and humane correctional system for the public, staff, and offenders. Compared to other state systems, it offers offenders fewer rehabilitation programs though education and work skill programs are offered at some locations. It operates 14 institutions along with several probation and parole locations, the latter of which are divided into northern and southern districts. The institutions include work release centers, as well as traditional medium- and maximum-security institutions.

**Wisconsin.** The Wisconsin Department of Corrections (DOC) operates 16 prisons with security ratings from minimum to supermaximum in locations throughout the State of Wisconsin. The Wisconsin Correctional Center System (WCCS), one of the 16 DOC institutions, is a decentralized network of 16 separate minimum-security facilities located across the state. The correctional centers are similar in that each is small in size (40 to 350 inmates) and are operationally self-contained. Only two of the facilities are fenced, and all are without traditional towers. Inmates are housed in single, double, or multiple occupant rooms. The inmates have general access to the facility's building and the grounds during designated hours of the day. Some of

the correctional centers serve a specific program or population need; such as drug and alcohol treatment, education or boot camp type programming while others focus on work, community service, and similar roles.

Approximately 2,150 inmates are held in these centers. The Division of Adult Institutions operates 20 institutions statewide. In 2003 the population was 21,580 at its largest, in a system with a rated capacity of 17,769. The average age of male prisoners is 33 while the average female is 35. Of the total, 42.8% are white, 46% are black, 7.6% are Hispanic, and 2.7% are Native American. This population is over 10 times what it was in the 1970s. Due to financial constraints, the state has had to mothball new facilities for lack of funds to run them. The department offers services to inmates including educational, employment, and earning opportunities. The Community Corrections Division employs over 1,800 and has 56,652 on probation with another 11,059 on parole. The Juvenile Corrections division operates the state's entire juvenile probation and confinement system.

**Wyoming.** The Division of Prisons is responsible for the supervision control and custody of incarcerated felons located in four state-run correctional facilities, privately run adult community corrections facilities and out-of-state placements. Correctional facilities are located in Rawlins (Wyoming State Penitentiary), Riverton (Wyoming Honor Farm), Lusk (Wyoming Women's Center), and Newcastle (Wyoming Honor Conservation Camp/Wyoming Boot Camp). The division links and works directly with the courts, the Parole Board, Adult Community Corrections, probation and parole, and the public. The total inmate population is well over 1,800, triple the figure in 1984.

The Division of Field Services provides supervision for adults in the community who are on probation or parole, including an intensive supervision program. The division operates 20 field offices covering all 23 counties and also oversees four privately-run community correction facilities located in Casper, Cheyenne, Gillette and Rock Springs. The division provides presentencing investigation reports to assist the courts in the sentencing of offenders and provides staff and budget support to the governor-appointed seven member Board of Parole.

The Adult Community Corrections division contracts with community corrections boards which, in turn, contract for the housing of probationers, parolees and inmates with a private service provider for the operation of community corrections facilities located in Casper, Cheyenne, and Rock Springs and a private nonprofit service provider for the community correction facilities. The facilities provide the courts and parole board an alternative to incar-

ceration or traditional probation/parole supervision and they provide a transition option for the placement of offenders preparing to leave correctional facilities. In FY1998, there was an average daily population of 247 offenders and inmates in the four facilities.

The Intensive Supervision Probation program provides intensive supervision in the community for approximately 170 felony offenders (when the program is fully operational, it will supervise approximately 250 felony offenders). This program provides closer community supervision for those offenders who need it. It promotes public safety by increased surveillance and risk control strategies; promotes accountability to the victim; requires intensive treatment and educational programming focusing on offenders' problem areas; and it provides additional sanctioning options for the district court and the Board of Parole for certain prison-bound offenders. Among other programs, the state has recently reintroduced prison industries for training and cost reduction.

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*Jim Conser  
Gregory Russell  
Ellen Lemley*



# Uruguay

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**Official country name:** Oriental Republic of Uruguay

**Capital:** Montevideo

**Geographic description:** Located in southern South America on the northern bank of the Río de la Plata

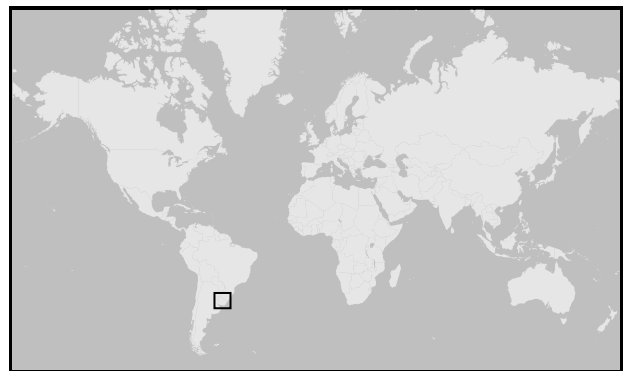
**Population:** 3,415,920 (est. 2005)



## LAW ENFORCEMENT

**History.** The National Police of Uruguay was established in December 1829, a year after the country gained its independence, following the war between Brazil and Argentina. Article 168 of the 1967 constitution gives the president, acting through the minister of the interior, the responsibility for preserving public order. Article 173 authorizes him to appoint a chief of police for each of the nineteen departments, whom he may remove at will. These officers must have the same qualifications as senators.

**Structure and Organization.** The basic responsibility for law enforcement is divided between the National Police and the Maritime Police. The National Police is under the authority of the Ministry of Interior, which has the responsibility for public safety throughout the country except for the coastal areas and the shores of navigable rivers and lakes. The ministry is organized into four operating agencies (Montevideo Police, Interior Police, Highway Police, and National Corps of Firemen), three staff units (General Administration, Immigration Directorate, and Employees' Appeal Board), and a nationwide communications net. The annual police budget is about 5 percent of the national



budget. Approximately 40 percent of the police force is assigned to urban areas, and the remainder to rural settlements. The chief of police of Montevideo controls three paramilitary organizations as well: the Republican Guard, the Metropolitan Guard, and the National Corps of Firemen.

The Republican Guard is a mounted unit with a strength of about 500 men and officers and commanded by an army officer. It is organized into a headquarters and service squadron of about 120 men, and two cavalry squadrons of about 190 men each. Its personnel are armed with sabers. The cavalry units are used for guard duty at police headquarters, for parades and ceremonial occasions, and for riot duty as a backup for the national police.

The Metropolitan Guard is a special elite force, with about 1,000 men in infantry-type units. Its equipment consists of machine guns, gas weapons, and fire hoses, all designed for riot situations and controlling crowds. Its

members are distinguished by special training, and they are assigned as guards at public buildings such as the presidential palace and the General Assembly buildings and as escorts for important foreign dignitaries. The commander and deputy commander of the Metropolitan Guard are army officers.

The Technical Police is a branch of the Montevideo Police and has been in operation since 1945. Working in three shifts, it is on duty twenty-four hours a day. Technical operations include laboratory work, criminal identification, fingerprinting, and photography. The patronymic file contains details of all individuals charged with a crime in the past.

The Montevideo Police also includes the Feminine Police Corps. Formed in 1966 the unit provides assistance to tourists, interrogates and guards female delinquents, and transports them from police custody to the courts or prisons. Another branch is the Quick Action Unit, which undertakes operation against dissidents and guerrillas.

The Maritime Police, organized in 1925 under the Ministry of National Defense, is commanded by a director general, who is usually the second-ranking officer in the navy, and is staffed by active naval officers. The Maritime Police perform traditional Coastal Guard functions.

The National Highway Traffic Police are stationed throughout Uruguay in fourteen outposts called *destacamentos*.

The principal state security agency is the National Directorate of Information and Intelligence (Dirección Nacional de Información y Inteligencia), which consists of a number of specialized departments. It works in cooperation with the military intelligence agency, Antisubversive Operations Coordination Organ (Organismo Coordinador de Operaciones Antisubversivas).

Outside Montevideo there are nineteen police sections, each of which reports to the minister of interior and the chief of police. Each section has patrol zones called *radios*.

**Education and Training.** Police training is provided at the Police Training Academy in Montevideo, which was established in 1943. The training is conducted at two schools, one for cadets and officers and the other for enlisted men. The program for agents lasts for three months, for noncommissioned officers for one year, and for cadets for two years. The in-service qualification course for promotion for both commissioned and non-commissioned officers is for three months. In 1967 regional training courses were introduced.

**Uniforms and Weapons.** Lower ranks wear navy-blue blouses, gray shirts, and matching peaked caps with a high crown. Military-style uniforms are worn by officers.

#### Police Statistics.

- Total Police Personnel: 19,900
- Population per Police Officer: 172

#### HUMAN RIGHTS

Human rights are generally respected. An internal investigative police unit receives complaints of police abuse, but it is understaffed and can issue only recommendations for disciplinary actions. Police officers charged with less serious crimes may continue on active duty, but those charged with serious crimes are suspended until their cases are decided by the courts.

#### CRIME

**Crime Statistics.** Offenses reported to the police per 100,000 population: 3,002. Of which:

- Murder: 7.7
- Assault: 152.2
- Burglary: 52.3
- Automobile Theft: 130.1

#### CORRECTIONAL SYSTEM

The criminal justice system is governed by the penal code of 1889 as revised in 1934 by Law 9155. It consists of three books with a total of 366 articles. Thirty years without parole, rather than the death penalty, is the maximum punishment. A code for minors was enacted in 1934 and revised in 1938. It created the Juvenile Court in Montevideo.

The Ministry of Culture runs three federal prisons and a work colony. Each of the nineteen police departments has a jail for the temporary detention of prisoners, but after sentencing the prisoners are transported as soon as possible to one of the federal institutions, all of which are in the vicinity of Montevideo. Two of the prisons—known as Prison 1 and Prison 2—are for men, while Prison 3, known as the Establishment for the Correction and Detention of Women, is for female prisoners. The other federal facility is known as the Educational Colony for Work.

Article 70 of the penal code provides that inmates of rural minimum-security institutions may be employed in road building, quarrying, draining and clearing of land, and similar projects. Work is mandatory for all prisoners. Prisons are committed by basic regulations to provide training programs in crafts and trades. New prisoners are examined by members of the Criminological Institute, which was created in 1942 and which recommends suitable work or training for them. All inmates are paid wages in accordance with articles 72 and 73 of the penal

code. Payments are not made until the prisoner is released, except for small payments that may be sent to dependents. The payments cannot be garnished for any reason, and they are payable to the heirs of the inmate if he or she dies during incarceration.

The Educational Colony for Work is in San Jose de Mayo, the capital of the San Jose Department, about 50 miles from Montevideo. It has maximum-, medium-, and minimum-security units in an area of 1,800 acres of arable land. There is a prerelease pavilion for prisoners about to complete their terms. Prisoners themselves are in charge of this facility, where inmates may bring their families to live with them. The colony buildings are surrounded by two moats 60 feet wide, with a 30-foot embankment between them and enclosed by a 10-foot wire fence carrying low-voltage electric current. Visits to the minimum-security inmates take place in the open; medium-security inmates are separated from visitors by a glass partition; and maximum-security inmates are separated from visitors by a reinforced glass partition, with telephones for communication. The prerelease pavilion is outside the moats.

**Prison Conditions.** Conditions in Uruguay's prisons have been deteriorating. Human rights groups have filed many complaints of abuse of prisoners, including beatings. There is also considerable overcrowding. A prison riot lasting several days left the Libertad Prison in ruins, but several hundred prisoners continue to be housed there. To relieve overcrowding, prison officials have been housing many prisoners in modified shipping containers

or modular cells. Besides overcrowding, the penal system suffers from understaffing, corruption, and physical violence. The national prison director was convicted of taking bribes in exchange for transferring prisoners to better facilities. Narcotics, weapons, and cell phones are routinely smuggled into cells with the collusion of officials. Family visitors are strip-searched and subjected to invasive searches. Prison deaths rose sharply in 2003, generally from hanging, stabbing, and burning perpetrated by other inmates. Most of the prisoners infected with HIV/AIDS do not receive any treatment. Women are held in separate facilities except for Artigas, where they are held in a separate wing. Minors are held in institutions operated by the National Institute for Minors. Conditions in juvenile prisons are as bad as in those for adults.

#### **Prison Statistics.**

- Total Prison Statistics: 7,100
- Prison Population Rate per 100,000: 209
- Pretrial Detainees: 72.5%
- Female Prisoners: 6%
- Number of Prisons: 24
- Official Capacity of the Prison System: 3,386
- Occupancy Level: 150.8%

*George Thomas Kurian*

# Uzbekistan

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**Official country name:** Republic of Uzbekistan

**Capital:** Tashkent (Toshkent)

**Geographic description:** Located in Central Asia, it shares a border with Afghanistan, Kazakhstan, Kyrgyzstan, Tajikistan, and Turkmenistan

**Population:** 26,851,195 (est. 2005)



## LAW ENFORCEMENT

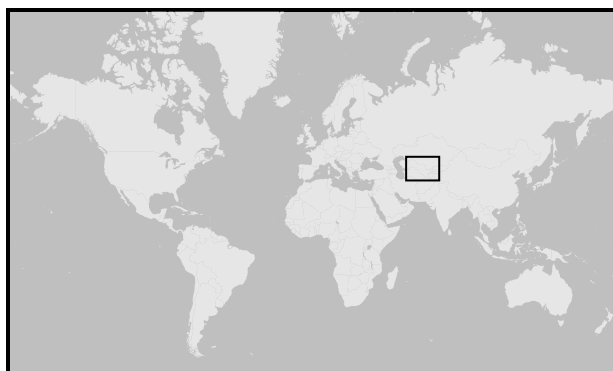
**History.** A former Soviet national republic, Uzbekistan has been independent since 1991.

### Structure and Organization.

#### *Internal Security and the Organization of Police.*

The constitution provides for a presidential system with separation of powers among the executive, legislative, and judicial branches; however, in practice President Islam Karimov and the centralized executive branch that serves him dominate political life and exercise nearly complete control over the other branches. The Oliy Majlis (Parliament) consists almost entirely of officials appointed by the president and members of parties that support him. Despite constitutional provisions for an independent judiciary, the executive branch heavily influences the courts in both civil and criminal cases and does not ensure due process. From the center, responsibilities are delegated to regional departments and then to the next administrative levels—cities or districts, and to districts within cities.

The Ministry of Internal Affairs (MIA) controls the police. The police and other MIA forces are responsible



for most routine police functions. The National Security Service (NSS; the former *Komitet Gosudarstvennoy Bezopasnosti* [KGB; Committee for State Security]) deals with a broad range of national security questions, including corruption, organized crime, and narcotics.

The Uzbekistani police force (called Militia) is estimated to number about 25,000 individuals trained according to Soviet standards. The U.S. Department of Justice has begun a program to train the force in Western techniques. Interaction has also been expanded with the NSS, the chief intelligence agency, which is still mainly staffed by former KGB personnel. About 8,000 paramilitary troops are believed available to the NSS.

Most of the formal structures of law enforcement have survived from the Soviet period, with the MIA at the center. Since 1990 the MIA has grown to become the biggest armed organization in the country and the most powerful of all state institutions. Statistics on personnel

and budget are state secrets, and estimates vary widely. However, human rights organizations suggest that there are probably about 200,000 MIA personnel in the whole country. By comparison, the military has around 70,000 and is due for a sharp reduction. Lawyers and human rights activists say there are 24,000 to 25,000 police just in Tashkent. However, it is believed that the ministry is bloated partly because it includes a variety of functions not related to normal policing, since the regulations state one police official should be deployed per 100 residents, which leads to a national figure of approximately 250,000 police.

Uzbekistan defines its most important security concerns not only in terms of the potential for military conflict but also in terms of domestic threats. Primary among those threats are the destabilizing effects of trafficking in narcotics and weapons into and across Uzbekistani territory. Although the government has recognized the dangers of such activities to society, enforcement is often stymied by corruption in law enforcement agencies.

In addition, the fire service comes under the MIA, as do all issues related to passports (such as issuance and renewal). The traffic police constitute a separate department within the ministry. The Uzbekistan Border Troop Command was established in March 1992, on the basis of the former Soviet Central Asian Border Troops District. In 1994 the Frontier Guard, as it is also called, came under the control of the MIA. The force, comprised of about 1,000 troops in 1996, is under the command of a deputy chairman of the NSS. The Frontier Guard works closely with the Russian Border Troops Command under the terms of a 1992 agreement that provides for Russian training of all Uzbekistani border troops and joint control of the Afghan border. These divisions are reproduced at each level of the MIA.

In general, the two key departments dealing with policing issues are the Service for Preservation of Public Order, which includes the patrol service, the police normally seen on the streets of major cities (usually referred to by their Russian name—*patrolnopolitovaya sluzhba*), and the Criminal Police (*ugolovnyi rozysk*). There is also a special department tasked with combating corruption, racketeering, and terrorism.

In addition, the MIA has armed security forces, which are basically internal military units. It also has special forces that are designed to react quickly to serious security threats. These troops are based in every significant regional center and are for use mainly in cases of internal unrest.

They have also been used against militant groups who have penetrated Uzbekistan from Tajikistan, for example, in the Surkhandarya region in the south in 2000. They tend to be better trained and equipped than the regular army, but have little experience of dealing

with peaceful demonstrators. In the event of any serious unrest, it seems likely that their response would be entirely based on use of force.

There is only limited oversight of the MIA and other security organs from civilian institutions. In theory, there is a parliamentary committee with such functions, but in practice it has no power and little access to information. The MIA has direct access to the presidential administration and does not answer to the government, except in the most formal sense. Oversight comes mainly from rival security and judicial organs.

**National Security Service.** The NSS is a much smaller organization than the MIA and is tasked with challenges to the existing constitutional system and terrorist activities. In practice, it fulfills much of the role of the KGB in the former Soviet Union. It spends a considerable amount of its time monitoring internal dissidents and peaceful opposition to the regime, intercepting communications, including e-mail, and monitoring international organizations and their employees. It reportedly makes wide use of informants, who compensate for its relatively small staff. The security services have political power unparalleled in Central Asia. The interior ministry exists almost as a state within a state, wielding huge influence not just in security policy, but over a range of other issues as well.

To deal with the threat against national security, three agencies—the NSS, the MIA, and the State Customs Committee—share jurisdiction. The international community has sought to provide technical and other assistance to Uzbekistan in this matter. In 1995 Uzbekistan established a National Commission on Drug Control to improve coordination and public awareness. A new criminal code includes tougher penalties for drug-related crimes, including a possible death penalty for drug dealers. The government's eradication program, which targeted only small areas of cultivation in the early 1990s, expanded significantly in 1995, and drug-related arrests more than doubled over 1994. In 1992 the U.S. government, recognizing Central Asia as a potential route for large-scale narcotics transport, began urging all five Central Asian nations to make drug control a priority of national policy. The United States has channeled most of its narcotics aid to Central Asia through the United Nations (UN) Drug Control Program, whose programs for drug-control intelligence centers and canine narcotics detection squads were being adopted in Uzbekistan in 1996. In 1995 Uzbekistan signed a bilateral counternarcotics cooperation agreement with Turkey and acceded to the 1988 UN Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances.

The NSS is used regularly to check on MIA employees, and the bureaucracy has a formal oversight role. In



*Police search the trunk of a car in the suburbs of the Uzbekistan capital Tashkent, May 14, 2005. Heightened security measures were enforced in reaction to a recent outbreak of violence in Uzbekistan. The country's president, Islam Karimov, condemned these violent acts and claimed they were connected to Islamic extremists who hoped to establish a separate Muslim state across Central Asia. AP IMAGES.*

most cases, however, the latter is unwilling to challenge abuses within the police. In general, it works in tandem with them and is often bound to the MIA by corrupt ties and joint responsibility for abuses. There is little possibility for effective civil society oversight of the police.

Besides all different segments of the internal security organization, another one has been introduced based on the traditional establishment of the local community. In Uzbekistan most people in both urban and rural areas live in small communities known as *mahalla*; *mahalla* community bodies serve both administrative and social functions. The chairman of the *mahalla*, who is usually the community's elder, directs a small group of community activists. Increasingly, since the passage of the 1999 Law on the Mahalla, *mahalla* officials have been called on to carry out state security monitoring functions, drawing up lists of suspected religious and political dissidents. The high degree of mutual knowledge and interdependence among community members makes the *mahalla* a highly effective means of exercising pressure against suspects or their families. The *mahalla* can force a detainee, defendant, or convicted person or his or her family to submit to personal humiliation and at hate rallies promote their ostracism from the community.

#### Police Statistics.

- Total Strength of the Police Force: 35,000
- Population per Police Officer: 767

#### LEGAL SYSTEM

The constitution provides for an independent judiciary and states that the judicial authority of the Republic of Uzbekistan works independently of legislative and executive authorities, political parties, and other public associations; however, the judicial branch takes its direction from the executive branch and has little independence in practice. Under the constitution the president appoints all judges for five-year terms and has the power to remove judges. Removal of Supreme Court judges must be confirmed by the Parliament. Judges may be removed for crimes or failure to fulfill their obligations.

The following types of courts work in the Republic of Uzbekistan:

- Constitutional Court of the Republic of Uzbekistan
- Supreme Court of the Republic of Uzbekistan
- Higher Economic Court of the Republic of Uzbekistan

- Supreme and arbitration courts of the Republic of Karakalpakistan
- Regional (Viloyat) and Tashkent City Courts on civil and criminal cases
- Interdistrict district (city) courts on civil cases
- District (city) courts on criminal cases
- Economic Court of the Republic of Karakalpakistan
- Economic courts of regions (Viloyat) and Tashkent
- Martial courts

Courts can be specialized by categories based on the nature of cases. The establishment of extraordinary and emergency courts is not permitted. The legal proceedings in the Republic of Uzbekistan are performed in Uzbek and Karakalpak languages or in the language of most the population of the given district. People participating in proceedings with no knowledge of the language on which the legal proceedings is conducted are given the right of complete acquaintance with materials of proceedings and participation in trial actions through an interpreter and the right to act in court in their native language. The highest body of judicial authority in sphere of economic legal proceedings is the Supreme Economic Court of the Republic of Uzbekistan.

Courts of general jurisdiction are divided into three tiers: district courts, regional courts, and the Supreme Court. In addition, the Constitutional Court is charged with reviewing laws, decrees, and judicial decisions to ensure their compliance with the constitution. Military courts handle all civil and criminal matters that occur within the military. There is a system of economic courts at the regional level that handles economic cases between legal entities.

Decisions of district and regional courts of general jurisdiction may be appealed to the next level within ten days of ruling. Crimes punishable by death are murder, espionage, and treason. Officially, most court cases are open to the public, but may be closed in exceptional cases, such as those involving state secrets, rape, or young defendants. Unlike in past years, when trials of alleged Islamic extremists were often closed, local and international trial monitors and journalists are generally permitted to observe court proceedings during the year.

State prosecutors play a decisive role in the criminal justice system. They order arrests, direct investigations, prepare criminal cases, and recommend sentences. If a judge's sentence does not agree with the prosecutor's recommendation, the prosecutor has a right to appeal the sentence to a higher court. There is no protection against double jeopardy.

In the past judges whose decisions were overturned on more than one occasion could be removed from

office. In 2001 the Parliament repealed this provision of the law, but other institutional controls remained in place, such as the executive's authority to decide which judges to reappoint. Consequently, judges in most cases continued to defer to the recommendations of prosecutors. As a result, defendants almost always were found guilty. Senior officials acknowledged the overwhelming power of the prosecutors and efforts to strengthen the independence of the judiciary continued after legislative reforms were enacted in 2000 and 2001.

Three-judge panels generally preside over trials. The panels consist of one professional judge and two lay assessors who serve five-year terms and are selected by either workers' collectives' committees or neighborhood (*mahalla*) committees. The lay judges rarely speak, and the professional judge often defers to the recommendations of the prosecutor on legal and other matters.

Defendants have the right to attend the proceedings, confront witnesses, and present evidence. The accused has the right to hire an attorney, and the government provides legal counsel without charge when necessary. Nonetheless, the right to an attorney in the pretrial stage is often violated, and judges in some cases deny defendants the right to their attorney of choice. Defense counsel is often incompetent, and effective cross-examination of even the most fatally flawed prosecution witnesses rarely occurs. Prosecutors normally attend only those sessions of the court in which they are scheduled to speak. Court reporters tend to take poor notes and often put down their pens when the defense is speaking. Some courts reportedly refuse to allow defense counsel access to trial transcripts on appeal.

The Uzbek legal system is based on civil law. A new two-part civil code was introduced in 1997. Other codes include the criminal code, the labor code, the civil procedure code, and the customs code. Presidential decrees also play an important part in the evolution of the system.

Investment-relevant laws include:

- The 1991 Law on Denationalization and Privatization, which governs privatization
- The edict On Additional Measures for Development of the Security Market, which created the state commission on securities and the stock exchange
- The 1996 Law on Joint-Stock Companies and the Protection of Shareholders' Rights, which governs the form and rules of the main corporate vehicles
- Two May 1998 laws, which extend and improve previous foreign investment legislation: the new Foreign Investment Law replacing a 1994 version, and the Law on Guarantees and Measures of Protection of Foreign Investors' Rights

On paper the system seems to have traveled some way from its Soviet past, but legal transition is still at an early stage. Bureaucracy and the judiciary's lack of independence mean that, even when the laws are satisfactory, the rules are not necessarily set in stone. Furthermore, the regulatory environment for foreign investment remains too complex and restrictive. And certain types of investment, such as portfolio investment, are unlikely because of the immaturity of the stock exchange.

In principle the 1998 Foreign Investment Law guarantees foreign investments against nationalization and expropriation, except in cases of natural calamities, accidents, and epidemics. In such cases investments may be subject to requisition in return for compensation. The Foreign Investment Law also protects foreign investors from legal change for a period of ten years from the date of their initial investment.

Commercial disputes involving foreign investors can be settled either by international arbitration (if the parties have agreed on this) or by an Uzbek commercial court. Uzbekistan is a party to the 1958 New York Convention on Recognition and Enforcement of Foreign Arbitral Awards. In the case of disputes with the state the country is also a party to the 1965 Washington Convention, so that arbitration can be sought from the International Center for Settlement of Investment Disputes. Outside the framework of these international agreements foreign judgments are generally not recognized in Uzbekistan.

The legal environment has improved tremendously since independence. Investment laws are drafted by professionals; there is a right of appeal from first-instance courts, as well as a right of judicial review of administrative action. However, the drawbacks of the country's political system make their mark on the legal system as well.

For example:

- The judiciary is not independent from the executive. This means that there is a potential for discrimination on grounds of nationalism or insufficient personal contacts. In these circumstances a level playing field cannot be ensured.
- Some basic legal requirements for an investor-friendly environment are not met. This applies especially, though not only, to currency convertibility regulations.
- Some rules are satisfactory in theory, but their implementation is insufficient, as in the cases of privatization or convertibility.
- Some requirements are simply too tight to make the environment viable for smaller investors, such as the minimum charter fund for businesses with foreign participation.

## CORRECTIONAL SYSTEM

Prisons operate under the jurisdiction of the MIA. However, the Ministry of Justice also has limited jurisdiction on the prison system throughout the country. Despite the introduction of bail, accused persons are, with near uniformity, held in custody pending trial in pretrial detention facilities administered by the MIA. Under Uzbek law criminal investigations can be carried out by the police, the NSS, or the prosecution. The prosecution is also responsible for ensuring the legality of arrest and detention and of the investigative process; however, the prosecutorial functions of the prosecution clearly conflicts with its oversight function. No effective oversight mechanism exists to check the power of any of these agencies to abuse detainees' basic human rights with impunity.

Prisons are mainly separated based on gender and age. However, there is another separation implemented based on the type and severity of crime. Accordingly, several maximum-security prisons have been established, including Jaslyk Prison in Karakalpakistan.

Men and women are held in separate facilities. According to the Human Rights Watch, conditions are worse for male than for female prisoners, although a local human rights activist in frequent contact with the families of female prisoners reports that some inmates held in a women's prison in the Tashkent area are in ill health as a result of unsanitary conditions.

Juveniles are held separately from adults. The Human Rights Watch reports that conditions in juvenile facilities are generally much better than in adult prisons, although there are reports of inmates working in harsh circumstances. Pretrial detainees are held separately from those convicted of crimes; many of the worst incidences of abuse occur during pretrial detention. The government also operates labor camps, where conditions of incarceration are reported to be less severe than in prisons.

**Prison Conditions.** According to Amnesty International, prison overcrowding is a problem, with some facilities holding 10 to 15 inmates in cells designed for 4. Overcrowding may have been one of the reasons for annual large-scale amnesties since 2001, but the problem remains severe.

The Organization for Security and Cooperation in Europe's Office for Democratic Institutions and Human Rights initiated a prison reform program in cooperation with the MIA. After a series of delays since 2001, the International Committee of the Red Cross (ICRC) began an intensive regime of prison visits in September 2002. In June 2003 the ICRC reported that it was receiving satisfactory cooperation from authorities. The ICRC's



visits were made on short notice and its teams of investigators were given adequate access to all prison facilities and could meet with prisoners without third parties. As of December 2003 the ICRC had conducted more than thirty visits to prisons and other places of detention, including Jaslyk Prison in Karakalpakistan, and had conducted a number of repeat visits. Foreign observers have also gained access to prisons to meet with individual detainees.

#### Prison Statistics.

- Total Prison Population: 48,100
- Prison Population Rate per 100,000: 184
- Pretrial Detainees: 11.5%
- Number of Prisons: 53
- Official Capacity of the Prison System: 56,300
- Occupancy Level: 113.5%

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*Hakan Can*

# Vanuatu

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**Official country name:** Republic of Vanuatu

**Capital:** Port-Vila

**Geographic description:** Group of islands in Oceania, in the South Pacific Ocean

**Population:** 205,754 (est. 2005)



## LAW ENFORCEMENT

**History.** Until independence, Vanuatu was an Anglo-French condominium known as New Hebrides. Responsibility for public security and maintenance of law and order was shared by the two colonial powers. Operational authority was not necessarily joint nor was it based on a demarcation of specific territories or functions. It was based, rather, on historic protocols. Matters involving French or British nationals were determined by the respective powers. In matters involving both nationalities or with natives, only jurisdiction was assigned to the national authority that took the original action or had a dominant interest in its outcome. Each national force operated independently with headquarters at Port-Vila on Efate Island.

**Structure and Organization.** Following independence, the British and French police authorities were merged to form the Vanuatu Police Force. The force is under a commandant who supervises four ranks of officers and men: superintendent of police, inspector, noncommissioned officers, and unrated constables, besides administrative personnel.

Below headquarters there are four operating territorial units whose headquarters are at Port-Vila,



Santo (Luganville) on Espíritu Santo Island, Lakatoro on Malekula Island, and the major settlement on Tana Island. The Port-Vila district has responsibility for Efate Island and others in the south-central portion of the island group. It is assigned the largest force consisting of an inspector as commander and about forty-five constables. The Santo district covers all the northern islands of the group and has the second-largest force. The Lakatoro district covers all the islands in the north-central portion in the territory. The Tana district operates on Tana and Aneityum islands.

Besides the regular force, there is a paramilitary wing called the Vanuatu Mobile Force, which is under the control of the police commissioner.

**Education and Training.** There are no facilities for training, and trainees are sometimes sent to police schools on Fiji.

**Police Statistics.**

- Total Strength of the Police Force: 800
- Population per Police Officer: 257

**HUMAN RIGHTS**

The government generally respects human rights. There are some instances in which members of the Vanuatu Mobile Force use excessive force against rioters.

**CORRECTIONAL SYSTEM**

Few inmates are confined for long terms. Most serve sentences of a month or less, generally for drunkenness. All sentences are automatically remitted by one-third for good behavior. The prisons, though small, are well run and adequate. All convicted prisoners undergo some form of vocational training.

There is a rehabilitation center at Pialulub. It is a minimum-security facility where prisoners are permitted

to have families and, after a training period, are paid wages and are permitted to participate in a savings program.

**Prison Conditions.** The central prison at Port-Vila is dilapidated and has little security. It holds about thirty prisoners, including one female prisoner.

**Prison Statistics.**

- Total Prison Population: 93
- Prison Population Rate per 100,000: 44
- Pretrial Detainees: 8.6%
- Female Prisoners: 5.4%
- Number of Prisons: 4

*George Thomas Kurian*

# Vatican City

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**Official country name:** The Holy See (State of the Vatican City)

**Capital:** Vatican City

**Geographic description:** Landlocked enclave of Rome in Italy

**Population:** 921 (est. 2005)



## LAW ENFORCEMENT

**History.** The Vatican has two organizations that handle policing duties within the Holy See: the *Guarda Svizzera Pontificia* (Swiss Guard) and the *Corpo della Gendarmeria dello Stato della Citta del Vaticano* (Body of the Gendarmeria of the Vatican City State). While the former has existed since 1506, the latter has only been in existence, formally, since 1970 and was renamed in January 2002. Although the Swiss Guard is today presented as the “Pope’s Army” and is given the title of a “military corps,” the history of the Swiss Guard has changed substantially over the past 500 years. From its origins in 1506 until 1870 the Swiss Guard served as a military force. However, in 1870 the Swiss Guard’s primary function changed from serving as a military force for the Vatican to serving as its guards. In 1929 its primary function was changed again and since that time the Swiss Guard has largely served as a police force, despite maintaining the tradition, history, and lineage of a military corps.

The official birthday of the Pontifical Swiss Guard is January 22, 1506, when 150 Swiss soldiers led by Captain Kaspar von Silenen entered the Vatican under the *Porta del Popolo* and were blessed by Pope Julius II, often



referred to as the “Warrior Pope.” As Pope Julius II’s pontificate was marked by a reassertion of control over the Papal States, he often found himself at war with other countries. Having no soldiers of his own, Pope Julius hired Swiss mercenaries to serve as his army. Because of an impoverished economy in Switzerland, the Swiss greatest export became military soldiers who served for a fee. Pope Julius II had called on these Swiss mercenaries the previous year and because they had served with such dedication and devotion to the pope, he made them a permanent part of the Holy See and designated them as the Pontifical Swiss Guard.

Pope Julius II began using the Swiss Guard to take back Perugia and Bologna and wherever he went, they were always at his side serving as his personal body guards. As their service continued to be exemplary in the eyes of the pope, on July 5, 1512, he bestowed on them the special designation of “Defenders of the Freedom of the Church” and presented them with a standard, bearing

the crossed keys with the inscription “Dominus mihi adiutor; non timebo quid faciat mihi homo” (The Lord is my help; I will not fear that which man can do to me). Toward the end of Pope Julius II’s life, he increased the Swiss Guard from 189 soldiers to 300 and stated on his death bed that “they will remain faithful to us and to the Church of Rome as they always have been” (Serrano 1992, p. 45). Although Leo X, the next pope, could have reversed his predecessor’s inclination toward a private Swiss military, he reaffirmed the Swiss Guard’s presence with a celebration in its honor on April 11, 1513. However, while keeping the Swiss Guard, he dismissed all other Swiss soldiers who were serving as a military force for the Vatican.

During the papacy of Clement VII, Kaspar Roist, the second commandant of the Swiss Guard, served over a Swiss Guard that had been reduced back to the original number of 189 soldiers. In January 1527, because the Spaniards were closing in on Rome, Roist was ordered to abandon Rome and return to Switzerland. Commandant Roist refused and promised to defend the pope. On May 6, 1527, the Spaniards began their sack of Rome and ultimately closed in on the pope and his Swiss Guard. Captain Roist and his 189 Swiss Guardsmen fought valiantly, thereby allowing Pope Clement VII to flee to safety through the secret corridors connecting the Vatican to the Castle Saint Angelo. Only 42 of the 189 Swiss Guardsmen survived the attack. Eventually, Pope Clement VII was forced to surrender and only twelve of the Swiss Guard remained at his side.

The Swiss Guard was reconstituted by Pope Paul III in 1548 and eventually, with the appointment of Commandant Jost Segesser von Brunegg by Pope Pius V in 1566, the Swiss Guard was rebuilt into a well-established force within the Vatican. Throughout the 1600s and 1700s the Swiss Guard remained a force of approximately 120 guardsmen and served under many commandants from the Pfyffer family lineage. One such Pfyffer, Captain Franz Alois Pfyffer, defended Pope Pius VI during the French Revolution, when the pope was deposed and forced into exile in Siena, then Florence, Parma, Turin, and eventually Valence, where he died in 1799 of natural causes at the age of eighty-one. Pope Pius VII was then elected on March 14, 1800, and he returned to Rome with a new commandant, Karl Pfyffer von Altshofen, who reconstituted the Swiss Guard. However, in 1808 Napoléon Bonaparte returned, seized the Vatican, and placed Pius VII under arrest. The Swiss Guard was ordered to lay down its arms. When Napoléon was ultimately defeated on April 4, 1814, Pope Pius VII returned to Rome and Commandant Karl Pfyffer was once again called on to reconstitute the Swiss Guard.

The Vatican fell two more times during the nineteenth century. First in 1848, when a revolution declared Rome a republic and Pope Pius IX was forced to flee, and

again in 1860, when the last of the Papal States were seized and the Vatican was reduced to its territory in Rome and some land on the outlying hills from Rome. Despite a pact with Napoléon III that these would remain papal lands, in 1870 the surrounding territory was taken and all that remained was the Vatican in Rome. At this point the Swiss Guard, although still designated a military force, was limited to guarding the Vatican City and the Pontifical Villa at the Castle Gandolfo (the pope’s summer retreat) and providing personal security to the pope. The military era of the Swiss Guard was over.

During the Guard era (1870–1929) the Swiss Guard performed its duties under commandant’s Alfred von Sonnenberg, Louis-Martin de Courten, Leopold Meyer von Schausensee, Jules Respond, and Alois Hirschbuhl. This time period was largely peaceful and on January 22, 1906, the 400th anniversary of the Swiss Guard was celebrated. World War I did cause some problems for the Swiss Guard as Europe began its “war to end all wars.” Many male Swiss citizens were enlisting to fight in the war, which put a strain on the Swiss Guard. In 1914, for approximately one month, a group of theology students from a German-Hungarian college, who were not Swiss, were called on to fill the gaps while more Swiss males could be brought down from Switzerland.

The Guard era came to an end under the Lateran Pact, a series of three treaties, which were signed by the Holy See and the Kingdom of Italy on February 11, 1929. The pact gave full recognition to the Vatican that it was a city-state with absolute sovereignty. In light of this and its own internal changes, the Swiss Federal Council ruled, “Henceforth the Papal Guard cannot be considered to be a foreign armed-force as described in article 94 of the military penal code, because these troops are simply a police-force. Therefore, any man may join the service, as at present, without authorization from the Federal Council” (Serrano 1992, p. 113). Although the Vatican still recognized the Swiss Guard as a military force, the Swiss government ruled it a police force and this became the primary function of the Swiss Guard.

The police era (1929 to present) of the Swiss Guard has been marked by several events. Protecting the pope during World War II proved problematic with the Nazi occupation, but the Swiss Guard remained by the pope’s side. Another event during this era marked a change in the Swiss Guard when Pope John XXIII set out on a pilgrimage to the Shrine of Mary in Loreto. The Swiss Guard accompanied the pope as a protective service and since then it has provided protective security for the pope whenever he leaves the Vatican. The event that most highlighted this duty came on May 13, 1981, when Mehmet Ali Agca, an alleged Turkish terrorist, shot and

wounded Pope John Paul II as he was waving to the crowds in St. Peter's Square from his "Pope Mobile."

In 1970 two other guard forces, the Pontifical Noble Guard and the Palatine Guard of Honour, were disbanded and their duties were shifted to the Swiss Guard. These were mostly guard duties. That same year the Gendarmeria was formed as a police force largely responsible for traffic and pedestrian control in and around the Vatican City. Today, the Swiss Guard is responsible for security at the Vatican, protecting the pope, and serving in a police capacity within the Vatican City. While the Gendarmeria assist the Swiss Guard in these duties, as does the Rome Police, the Swiss Guard functions more as a police force for which the Swiss Federal Council had declared it in 1929.

**Structure and Organization.** As the Swiss Guard is not a large agency, there are few divisions. It is essentially divided into 33 members who serve in leadership/managerial roles, 2 who serve as official drummers, and 100 who serve as line officers or halberdiers. There are two specific duties for the Swiss Guard: protective detail, which guards the pope on his visits abroad and coordinates with law enforcement agencies wherever the pope is to visit, and the band, which performs at ceremonial functions. There are also several special duties given to certain members of the Swiss Guard and these include coordinating training, archives, Internet, finance, information media, the armory, the annual report, language training, sports and recreation, and the kitchen.

As of 2005 there were 133 members of the Swiss Guard, an increase of 43 members since Pope John Paul II's elevation to the papacy in 1978. The commandant is the commander of the guard and is given the rank of colonel. The captain commandant is given a special designation within the Vatican, as he is listed as a member of the papal household and a gentlemen of his Holiness. The commandant has a sergeant major, who serves at his side in the grade of lieutenant, as well as a chaplain, who serves in the grade of lieutenant colonel. Underneath the commandant is a lieutenant with the grade of lieutenant colonel, a second lieutenant in the grade of major, and another second lieutenant serving in the grade of captain. The next rank down is that of sergeant, and there are four who serve in the grade of second lieutenant. There are ten corporals serving in the grade of adjutant and twelve vice corporals serving in the grade of sergeant major. Finally, the other 100 members of the Swiss Guard are designated as halberdiers, with two designated as drummers, all of whom serve in the grade of sergeant.

**Police at Work.** On any given day in the Vatican two-thirds of the Swiss Guard are on duty in the mounting guard or posted at the entrances to the Apostolic Palace. They have daily inspections and briefings before

going on duty and training is an integral part of their daily routine.

**Salaries.** A new recruit is paid approximately US\$1,000 a month and room and board is provided for by the Vatican. Pay rises commensurate with duties and rank.

**Retirement Age.** There is no officially designated retirement age, but Swiss Guardsmen are granted a pension after eighteen years of service and may serve only twenty-five years in the pope's service.

**Police-Community Relations.** As a large portion of the Swiss Guardsmen's time is spent dealing with tourists, police-community relations is largely based on this type of interaction. The guardsmen are quite exceptional in assisting tourists in multiple languages.

**Local Police.** The Swiss Guard, despite being designated a military force, serves as the primary police in the Vatican. The Gendarmeria, composed of approximately 100 Italian men, also serves as a police force within and around the Vatican City, often assisting with traffic in the vicinity. In addition, both the Swiss Guard and the Gendarmeria work closely with the Rome Police because of the location of the Vatican, as well as with the State Police, which is administered by the Italian Division of Public Security, and the Carabinieri, the Italian National Police, which are administered by the Ministry of Defense.

**Special Police.**

**Traffic Police.** This function is primarily conducted by the Corpo della Gendarmeria dello Stato della Citta del Vaticano.

**Education and Training.** Members of the Swiss Guard must have attended the military school in Switzerland, hence they come to the Vatican already trained. On arrival, they are given additional training on policies and procedures and must become familiar with the Vatican City. The guardsmen are also provided continual training in the martial arts, the Italian language, firearms, protective services, and their religious faith, Catholicism. For those members of the Swiss Guard Band, they continue to receive lessons in their instruments.

**Recruitment and Conditions of Service.** Pope Pius IV in 1565 was the first to establish that only Swiss citizens could be members of the Swiss Guard. It was Pope Leo XII, through the advice of Commandant Karl Pfyffer von Altshofen, who established that only male Swiss citizens who were practicing Catholics between the ages of eighteen and twenty-five and no less than 5 feet 4 inches tall could serve as Swiss Guardsmen. The height requirement was changed to 5 feet 10 inches in the 1880s and in the early twentieth century the age was

changed to nineteen to thirty years of age. Additional admission requirements state that individuals must hold a professional diploma or high school degree, they must have attended the military school in Switzerland, and they must demonstrate they have a good moral and ethical background by obtaining a certificate of good conduct from an ecclesiastical and a civil authority. In terms of marriage, Swiss Guardsmen may not enter the service married and to marry they must be at least twenty-five, have completed three years of service, and serve in the grade of corporal. Above all, they must also affirm that they are a faithful and practicing Roman Catholic.

On May 6 of each year, the day the Swiss Guard defended the pope in the sack of Rome, during the swearing-in ceremony, the chaplain reads an oath in the German language. Then, all new recruits are called forth one by one to place their left hand on the Swiss Guard Flag and raise their right hand splaying their thumb and first two fingers, which symbolizes the Holy Trinity of the Father, the Son, and the Holy Spirit. They are then asked to confirm their oath of office in their own native language by stating, "I, . . . , swear I will observe faithfully, loyally, and honorably all that has now been read out to me. May God and his saints assist me."

**Uniforms and Weapons.** The most noticeable aspect of the Swiss Guard is its dress uniform. The uniform that is most noted is a bright and attractive uniform with vertical stripes in the traditional Medici blue and yellow and complemented by red stripes on the sides of the uniform and red cuffs. In addition, a bright white collar is worn at the neck and a brown leather belt with a short saber and scabbard is worn at the side. The beret is the primary headgear worn with the uniform and its color signifies the soldier's grade.

Although the colorful uniform has long been attributed to Michelangelo, this appears to be a myth with no support in the historical record. In fact, it would be more likely that Raffaello had some involvement in the design as he was most instrumental in influencing Italian Renaissance fashion. The colorful uniform actually dates back to the fifteenth and sixteenth centuries and was a common uniform for foot soldiers, for which the purpose of the bright uniforms was to allow them to be recognized in the midst of battle. It is not known what the original uniform looked like and it has undergone many changes over the past 500 years.

The Swiss Guard also expands this uniform for special occasions, such as May 6, by adding ceremonial dress plates, white gloves, and a white pleated wrap around the neck. The beret is replaced with a metal helmet adorned with a colored plume, white for the commandant and

sergeant major, purple for lieutenants, red for the halberdiers, and yellow/black for the drummers. In addition, the commandant's uniform is similarly designed, but is a darker crimson red uniform denoting his position.

Finally, it should be noted that while the colorful uniform of the Swiss Guard is the general image most people have, the guardsmen actually have an everyday uniform that is all blue and is complemented by a beret.

The boarding pike or what is often called a halberd, the traditional weapon of the Swiss Guard that dates back to its origins, is still the primary weapon today. The weapon is a 7-foot-long pole that comes to a point and approximately 1 foot down from the point is an axlike configuration. In addition, the Swiss Guardsmen carry about their waist a short saber during the performance of their duties while in dress uniform. Although not openly noticed, all members of the Swiss Guard are also trained in the use of handguns and various automatic and semi-automatic rifles that are kept available for emergencies and are carried during protective details.

**Police Officers Killed in the Line of Duty.** It is difficult to determine the number of Swiss Guardsmen killed in the line of duty, for in their early history they served more as a military and often faced death to protect the pope and defend the Papal States. There are, however, some noted deaths of Swiss Guardsmen killed in the line of duty. The first notable death was that of the first commandant of the Swiss Guard, Captain Kaspar von Silenen, who led the papal army against the Duke of Urbino, who had crossed the border into Rimini, Italy, with over 6,000 mercenaries. The odds were six to one, but Commandant von Silenen led the defense and died defending the Papal States. He was buried with honors in Rome on August 26, 1516.

The most tragic and honored day of the Swiss Guard was May 6, 1527. On this day the Spaniards began their infamous sack of Rome and 189 members of the Swiss Guard under the leadership of Captain Kaspar Roist defended the pope, which enabled him to escape to safety. One hundred and forty-seven Swiss Guardsmen were killed in the line of duty that day including Captain Roist, who was injured, taken by the Spaniards, and then executed in front of his wife, Elizabeth Klingler. This day remains the highest day of honor for the Swiss Guard and on the same day each year, the pope holds a ceremony to induct new members into the Swiss Guard.

The Swiss Pfyffer family during the seventeenth and eighteenth centuries provided a number of commandants for the Swiss Guard and then sustained an absence during the late nineteenth and early twentieth centuries. During World War II, after almost 100 years, a Pfyffer, Commandant Heinrich Pfyffer von Altshofen, was



***An Italian police vehicle and two Swiss Guards patrol an entrance to the Vatican the day after a Swiss Guard commander was killed, May 5, 1998. Colonel Alois Estermann, 43, Swiss Guard Commander, his wife, and a non-commissioned officer were all found shot to death in Estermann's apartment near the Vatican. Estermann had recently been nominated for commander of an elite division of the Swiss Guard by Pope John Paul II and was scheduled to have a special meeting with the pope that day.***  
AP IMAGES.

placed in charge of the Swiss Guard. His leadership came to an end when on March 12, 1957, while on duty in St. Peter's Basilica, he suffered a heart attack and died.

The most recent Swiss Guardsman killed in the line of duty was Captain Commandant Alois Estermann, who was murdered along with his wife, Gladys Meza Romero, in their apartment on May 4, 1998, several hours after having been promoted to the position of commandant. They were murdered by Swiss Guardsman Corporal Cedrich Tornay. Although controversy still surrounds this murder, the official report states that Tornay was upset because Estermann had passed him over for a decoration. In addition, he was reported to have had traces of cannabis in his blood system and a large cyst on his brain, which may have impaired his judgment. Estermann was the first Swiss Guardsman to reach the pope after he was shot in May 1981.

**Transportation, Technology, and Communications.** Although the size of the Vatican does not necessitate vehicles for nearly all duty is performed on foot, the

Swiss Guard has access to vehicles and equipment when needed in terms of its protective detail for the pope.

The Swiss Guard has access to much of the latest technologies from satellite communications, cell phones, and protective detail communications to computers, Internet access, and its own Web page within the Vatican's Web site.

#### **HUMAN RIGHTS**

The protection of human rights is a requisite part of the Swiss Guardsmen and they are trained on the theology of human rights found in Catholic doctrine.

#### **CRIME**

**Crime Statistics.** The Vatican does not often experience a wide variety of crime. The primary offenses tend to be larcenies from pickpockets who prey on tourists. In 2002, for instance, there were 608 penal offenses mostly for simple larcenies. In addition, 397 civil proceedings were filed, most dealing with traffic offenses.



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*Willard M. Oliver*

# Venezuela

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**Official country name:** Bolivian Republic of Venezuela

**Capital:** Caracas

**Geographic description:** Located in northern South America, bordering the Atlantic Ocean and the Caribbean Sea

**Population:** 25,375,281 (est. 2005)



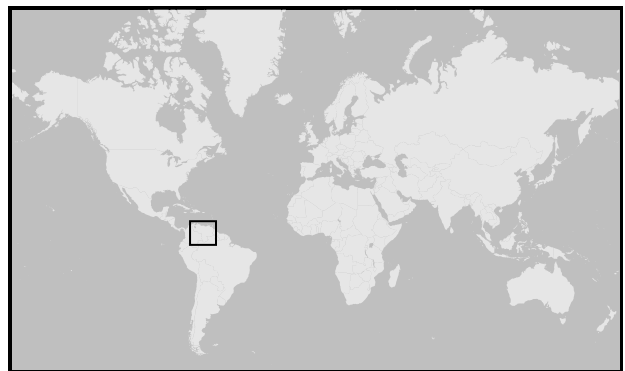
## LAW ENFORCEMENT

### History.

**Guardia Nacional.** The earliest antecedents of today's Venezuelan police date back to March 10, 1810, when the Supreme Junta of Caracas recommended the creation of an armed group to guard the Congress. On March 9, 1811, the Guardia Nacional (GN; National Guard) was created for this purpose. Later, the GN was also assigned to rural posts to combat incidents of theft and robbery. The original GN was disbanded in 1839 because of a lack of funds.

Under the aegis of General Antonio Páez, a new GN was formed on May 4, 1841. The new GN was charged with ensuring security and order, especially in the country's rural areas. The second GN shared the same fate as its predecessor: it was disbanded on March 12, 1847, because of a lack of funds.

On December 17, 1935, General Eleázar López Contreras became president of the republic. López urged state leaders to form police units in their jurisdictions to ensure security. A decision was reached to model the new police force after the Spanish Civil Guard (Guardia Civil



Española). On August 4, 1937, the new police unit was created.

**Cuerpo de Investigaciones Científicas, Penales, y Criminalísticas.** After General Marco Pérez Jiménez was unseated from power at the beginning of 1958, the provisional government conceived the creation of a police unit that specialized in the investigation of crimes, the apprehension of criminals, and the examination of evidence. On February 20, 1958, the Technical Unit of the Judicial Police was created as an auxiliary unit of the judiciary. The unit began with only twelve people. However, guerrilla warfare in the 1970s and assessments of the unit by Chilean and English experts served as a catalyst for the unit's rapid expansion. This unit has operated under a variety of names, the most recent of which was given in 2001: Cuerpo de Investigaciones Científicas, Penales, y Criminalísticas (CICPC; Scientific, Penal, and Criminal Investigative Unit).

*Dirección de los Servicios de Inteligencia y Prevención.*

The Dirección de los Servicios de Inteligencia y Prevención (DISIP; Directorate of Intelligence and Prevention Services) had similar beginnings as the CICPC when the provisional government was striving to achieve an acceptable level of national security. The predecessor of the DISIP was created on April 29, 1959. Known as the Dirección General de Policía (DIGEPOL; General Police Directorate), this unit was charged with exercising and coordinating police functions to preserve order in the national territories. During this era of Venezuelan history a volatile political climate contributed to the DIGEPOL's characterization as a police unit more than an intelligence unit. In 1969 the unit received its current name and was moved from the Ministry of Relations to the Ministry of Interior and Justice.

**State Police.** According to the Venezuelan constitution, the states are autonomous entities granted the right to organize their own police forces on the state and municipal levels. The police of the state of Aragua have the official title "Unit of Security and Public Order of Aragua State." In 1991 the Aragua state police began a tradition of in-house promotions in which police officers were able to ascend the ranks of the organization. Other state police agencies have since followed suit.

**Structure and Organization.** Venezuela has seven distinct branches of police:

1. Guardia Nacional, a completely volunteer force organized along military lines
2. Directorate of Intelligence and Prevention Services, a nonuniformed force termed by some analysts as the political police
3. Judicial police
4. Technical and judicial police, in charge of investigative work
5. Traffic police
6. Dirección de Identificación y Extranjería (DIEX; Directorate of Identification and Immigration)
7. State and municipal police forces of which there are 450

**Guardia Nacional.** The GN is unique in that it is purely a police agency but constitutes one of the country's four armed forces (similar in style to the Spanish Civil Guard from which it was modeled). Interestingly, this observation leaves a void in the constitutional requirement that the executive branch forms a uniformed national police agency. The GN has both police and military characteristics.

The GN has a variety of responsibilities including internal security. This activity involves guarding refugees and prisoners of war during states of emergency. Additionally, the GN serves as the country's border patrol. Other security functions can be broken down into six different areas:

- Security of installations including those that are considered of strategic importance
- Frontier security including the checking of foreign agricultural laborers
- Rural security that includes conducting operations to reduce incidents of drug trafficking
- Actions to ensure public order when other police agencies' resources are deemed insufficient for the task
- Penal security
- Transport security

**Cuerpo de Investigaciones Científicas, Penales, y Criminalísticas.** In the government hierarchy the CICPC is directly subordinate to the Ministry of Interior and Justice. In legislation that sets forth the agency's mission, the CICPC is charged with collaborating with agencies of citizen security in the formation of control mechanisms and criminal records databases so that agencies can share information in the areas of drug trafficking, terrorism, and the disappearance of persons.

**State Police.** Twenty-two of Venezuela's states have a police force (Vargas state has no state police force). The state police are responsible for patrol work and public order, arrests, and community service. In many cases the GN plays a role in the selection of police commanders at the state level. Each state police force is regulated by a local police code.

The constitution establishes the state governor as the maximum authority over state police agencies. In the case of Aragua state the chain of command takes the following pattern after the state governor: governor secretary, commander general of security (ostensibly holds the rank of chief commissioner), and second commander of security (holds the rank of commissioner).

**Caracas Metropolitan Police.** Although Caracas has long counted on the presence of the police to ensure security and maintain public order, it was not until the city rapidly expanded in the 1960s that the Metropolitan Police took on its present form. The growth experienced in Caracas in the 1960s catalyzed the decision of the federal district governor of Miranda state (where Caracas is located) to create new city zones and to completely restructure the police. By 1970 the Caracas Metropolitan Police had 8,000 officers. By the end of the 1970s the



*Police officers in Venezuela read an unofficial list of victims presumed dead after a chartered jet crashed approximately 400 miles west of Caracas, in the Western Zulia State, August 17, 2005. The plane was a tourist flight returning from the French Caribbean island of Martinique and all 160 people on board were killed. AP IMAGES.*

police in Caracas established the country's first motorized unit, using jeeps to reach otherwise inaccessible neighborhoods. In 1979 a K-9 unit was also established.

**Police-Community Relations.** A number of different police agencies in Venezuela are involved in projects designed to strengthen ties to the community. The projects range from improving literacy in remote areas to the formation of neighborhood committees. In Aragua state the Brigada de Prevención y Rescate para Niños y Adolescentes (Brigade for the Prevention of and Rescue of Children) was formed on October 6, 2001.

The brigade's objective is to aid in the development of juveniles (ages five to fifteen) in such areas as human resources, sports, culture, and self-esteem. At least 290 juveniles are involved in this brigade.

**Special Police.** The Cuerpo de Vigilancia de Tránsito Terrestre (Land Transit Unit) is charged with organizing, directing, and controlling land transit in all of Venezuela's territory. This agency's chief responsibility is to maintain a healthy traffic flow and ensure that vehicles meet national standards. In addition, this unit supervises and controls the

activities of the Land Transit Volunteer Brigade and advises government officials on matters pertaining to land transit.

**Education and Training.** Basic training is provided for police entrants and officers at the Police Academy in El Junquito near Caracas. Training lasts for three years for judicial police and the GN, one year for traffic police, and six months for state and uniformed police. State, municipal, and traffic police have a two-tier entry and promotion system in which agents, corporals, and sergeants constitute the first tier and subinspectors to chief commissars make up the second tier. Judicial and political police only have the supervisory ranks while military police and the GN have military ranks.

**Transportation, Technology, and Communications.** The GN is responsible for some of Venezuela's most high-tech policing strategies. To combat drug traffickers who use planes for transport, the GN has developed an early warning system along the southern border and the Atlantic coast. The system consists of a network of

air-based sensors placed at an altitude of 4,600 meters that send information to a substation on the ground. This warning system will be able to send information to six different stations once the project is completed and is likely to have a variety of other applications.

**Police Statistics.** The number of police officers at all levels is directly related to the jurisdictional size of Venezuela's police agencies. Thus, the GN has 35,000 officers. The police of Aragua state have 2,589 officers. Most officers in Aragua state are assigned to patrol duties (2,250), while the rest belong to other units such as the K-9 unit and the vehicle unit.

- Total Strength of the Police Force: 80,309
- Population per Police Officer: 316

## CRIME

**Criminal Identification and Forensics.** In Venezuela forensics is the domain of the CICPC, which relies on three primary tools to conduct and maintain records on forensic investigation:

- Automated Identification System, which uses unique numerical identifiers
- Integrated Ballistics Identification System
- Automated System for the Identification of Fingerprints

The CICPC also works with the DIEX, which is part of the Ministry of Interior and Justice.

**Crime Statistics.** The Central Office of Statistics and Information publishes the annual report "Anuario Estadístico de Venezuela." The report is based entirely on information provided by the CICPC. In theory the CICPC receives crime reports from all Venezuelan police agencies. However, full cooperation is a goal that has yet to be reached.

## CORRECTIONAL SYSTEM

The Venezuelan prison system consists of 29 prisons, of which 19 are pretrial facilities and 10 are for sentenced prisoners. It is headed by a director general who is in

charge of custody and rehabilitation. There are three types of prisons: 17 judicial detention centers for those awaiting trial, 7 national jails and penitentiaries for convicted felons, and the National Institute for Female Reorientation located in Los Teques. Each prison, however, has separate wings for each kind of inmate. Minors are interned in separate institutions under the custody of INAN, an institute under the control of the Ministry of Health.

**Prison Conditions.** By law prisoners have the right to receive an opportunity to work, a basic education, and adequate medical attention. However, because of overcrowding they receive none of these. Most of the prisons have no place or program for work. As a result, most prisons breed corruption and crime. The large Caracas prison has a wing that houses homosexuals exclusively. Conditional liberty is granted to any prisoner who has completed three-fourths of his or her sentence or has reached seventy years of age and completed half of his or her sentence.

Prison conditions are harsh because of corruption and scarce resources. There is also considerable guard-to-prisoner and prisoner-to-prisoner violence. In the space of a year there were over 340 deaths and 1,419 injuries as a result of deliberate acts of violence. Gangs operate within prisons with the complicity of the guards. Inmates have to bribe guards for basic necessities such as food, space in a cell, and a bed. Gang-related violence and extortion are fueled by illegal trafficking in arms and drugs.

## Prison Statistics.

- Prison Population Total: 21,432
- Prison Population Rate per 100,000: 83
- Pretrial Detainees: 26%
- Female Prisoners: 6.6%
- Number of Prisons: 29
- Official Capacity of the Prison System: 15,550
- Occupancy Level: 117%

*George Thomas Kurian*

# Vietnam

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**Official country name:** Socialist Republic of Vietnam

**Capital:** Hanoi

**Geographic description:** Easternmost country in continental Southeast Asia, bordering the South China Sea

**Population:** 83,535,576 (est. 2005)



## LAW ENFORCEMENT

**History.** During French colonial rule public-order functions and institutions were patterned after those of metropolitan France. For police purposes, the region was divided into three areas: Tonkin (north), Annam (central), and Cochin China (south). Control was exercised by a French director general of police and public security stationed in Hanoi.

Overall responsibility for public order and safety in each region was in the hands of the Sûreté, which was directed by a regional chief of police responsible to the director general for technical and operational matters and to the regional governor for the disposition of the police forces. Ordinary police duties, such as patrol work, were performed by local policemen. All important command and administrative positions were held by French nationals. The French Sûreté Nationale supervised recruitment and training.

At the beginning of World War II large cities, such as Saigon, had municipal police departments administered by the mayor. After the Japanese occupied Vietnam in 1941 they permitted the old French police establishment to continue to function under the Vichy French administration. After the fall of Vichy France in 1945 a



short-lived nationalist government was formed under the former playboy emperor Bao Dai, who retained the French connection. This regime was tolerated by the Japanese, but as Japan's position in the area deteriorated, Communist Viet Minh forces in the north, led by Ho Chi Minh, increasingly took control. In 1945 Bao Dai abdicated in favor a Viet Minh government. Meanwhile, the British, who at the Potsdam Conference in 1945 had been designated to accept the Japanese surrender of Vietnam, exercised police powers until the French Expeditionary Force arrived. During this interregnum, the country experienced much disorder. Communists infiltrated key positions in the military and the police. Most criminal files were lost and destroyed.

French efforts to reestablish police control over their colony were unsuccessful and were constantly thwarted by the Viet Minh. By June 1954, when the Indochina War ended with the partition of the country along the demarcation line, the police had ceased to be effective

even in the cities. Bao Dai, who had been restored to power in the south, had turned over control of both the Security Police and the Municipal Police to the Binh Xuyen, a racketeering organization. It was given a monopoly of police functions, along with the right to run gambling, opium traffic, and prostitution in the metropolitan areas. The group also collected fees for visas and licenses and controlled the sale of rice, fish, and pork. Two large politico-religious sects, the Cao Dai and the Hoa Hao, controlled large areas of the countryside, maintaining their own police and security forces.

With the election of Ngo Dinh Diem as president, the state of near-anarchy began to mend. By April 1956 the armed forces of Binh Xuyen, Cao Dai, and Hoa Hao had been defeated and scattered. Americans began to be actively involved in rebuilding the police forces of the south. At first a police advisory group from Michigan State University replaced the French law enforcement personnel and later the U.S. Agency for International Development took over many of the operational functions.

In 1962 President Diem signed a decree integrating all the existing police forces into a single police agency, called the Directorate General of National Police, under the command of the director general of the National Police within the Department of the Interior. The Directorate General was composed of the headquarters proper, six regional directorates, and a municipal directorate, which included the Saigon Metropolitan Police and the surrounding province of Gia Dinh. The regional directorate headquarters were at Hue, Nha Trang, Ban Me Thuot, Bien Hoa, My Tho, and Can Tho. They were charged with the supervision of the police units located within the provinces making up the region, as well as the municipal police forces in the larger towns, such as Hue, Da Nang, Nha Trang, Cam Ranh, Da Lat, and Vung Tau. Each province was under a police chief.

The headquarters of the director general was in Saigon, where he was assisted by a staff consisting of a deputy director and four assistant directors, one each for administration, intelligence, telecommunications, and operations. Also at the assistant director general level were the chiefs of the two major counterinsurgency operations: the National Police Field Forces and the Resources Control Service. Directly under the director general were the Internal Activities Division and the Internal Affairs Branch, the latter concerned with irregularities within the police departments.

The assistant director for operations was responsible for supervision of the activities of the Judicial Police, Administrative Police, Rehabilitation Service, Immigration Service, Uniform and Traffic Police Service, and Order Police, formerly the Combat Police.

Each of the six regional directorates was a scaled-down version of the Directorate General and was headed by a director whose immediate assistants were a deputy director, a chief of administration, a chief of uniformed police, and a chief of special police. The Saigon Municipal Directorate enjoyed a special position within the system as the largest—with about 10,000 men—and as dealing with the most severe law enforcement problems. It was organized into a headquarters, eight precincts, the Harbor Police, the Airport Police, the Traffic Police, and the Gia Dinh Provincial Police.

In the north the People's Police Force took over the law enforcement functions from the French. The centrally controlled force, known as the Bo Cong An, was organized under the minister of public security. The force was organized hierarchically, with the chain of command running down to the smaller territorial units—provinces, cities, districts, and villages. Larger cities, such as Hanoi and Haiphong, were divided into wards, stations, and posts. After the conquest of the south in 1975, the northern police system was extended to the vanquished south.

**Structure and Organization.** As in other Communist states, the police structure and operations are never released to the public and have to be pieced together from scattered accounts in the press. At the provincial level, there is a police force branch organized into several sections to deal with matters pertaining to political conformity, internal security, passports and identity cards, counterintelligence, and administration. Smaller groups having similar responsibilities are maintained at the district level. A group of special agents, subdivided into cells, is concerned with counterrevolutionary activities. Each village administrative committee has a security section composed of trusted party members charged with the surveillance of suspects. The security sections receive considerable information through complaints and denunciations made by local people—a practice encouraged by the Communist Party and the constitution as one of the duties of a good citizen. Villages also maintain their own local watchmen for patrol and guard duties.

The rank structure for officers and noncommissioned officers is prescribed in the decree of law of July 16, 1962. It indicates a strong military influence on the service. The decree prescribes three ranks for officers. The highest is the general's rank with two additional grades for lieutenant general and major general; field rank has four grades (senior colonel, colonel, lieutenant colonel, and major), and the company rank has four grades (senior captain, captain, senior lieutenant, and lieutenant). Noncommissioned officers are divided into three ranks: senior sergeant, sergeant, and corporal. A temporary rank called aspirant comprises those preparing for

promotion to officer rank. The equivalent of a military private is referred to as a policeman.

Included in the commissioned ranks are the following:

- Army officers who are graduates of the Officers School who are transferred to the police force
- Party cadres and specialists and cadres in public service who are transferred to the police force
- Graduates from police cadre training schools of the Ministry of Public Security
- Reserve police officers who are recalled to active duty
- Noncommissioned policemen who have distinguished themselves in service or have shown outstanding loyalty to the party or have accomplished some notable feat in the discharge of their duties

The 1962 decree stipulates that the appointment of officers and men is based as much on their political record and on the "services rendered to the revolution" as their professional skills. Nominations to aspirant and commissioned ranks are made by the minister of public security and to the noncommissioned officers' ranks by the Council of Ministers. Nominees for lieutenant must be graduates of a police cadre training school or non-commissioned officers or soldiers with a distinguished record of valor, skill, and proficiency in combat.

Promotions are based on the needs of the police force, political records, achievement records, and the length of service in grade. The service normally required in each grade is 2 years from corporal up to lieutenant, 3 years from lieutenant to captain, 4 years from captain to lieutenant colonel, and 5 years from lieutenant colonel to higher grades. The same authorities who are authorized to appoint are also authorized to promote or demote. In emergency cases, a police unit commander with the rank of a senior captain or higher may dismiss a subordinate two ranks below him and nominate another officer as replacement. Age limits for different ranks are 38 to 48 for lieutenant, 43 to 53 for captain and senior captain, 48 to 58 for major, 53 to 63 for lieutenant colonel and colonel, 55 to 63 for senior colonel, and 58 to 65 for major general.

The 1962 decree accorded broad powers to the police force for enforcing state political, military, and economic policies. Their political duties include the defense of the socialist regime and the destruction of counterrevolutionaries. Their specialized duties include the apprehension of hooligans, bandits, thieves, embezzlers, speculators, and other criminals; control and reform of counterrevolutionaries; safeguarding of public property; ensuring security of land, river, air, and sea transport; census enumeration; issuing of passports and

travel permits; control of production, sale, and use of radio and television sets; control of hotel, printing, engraving, and other trades; and control of weapons, poisons, and explosives. Periodically, policemen and officers receive awards for exceptional performance of any of these duties.

Nonprofessional law enforcement units are reported in the press. They include People Protection Squads, Enterprise Protection Force (active in factories, government buildings, and communes), Municipal Security Protection Force, Neighborhood Protection Civil Guard Agency, Capital Security Youth Assault Units, Township Public Security Force, and Civil Defense Force.

**Armed Public Security Force.** Founded on March 3, 1959, the Armed Public Security Force is a second police agency functioning under army control. Although its responsibilities overlap those of the regular police in some areas, its functions are more specific and specialized, such as protecting ports and coastal areas, borders, factories, construction sites, communication and transportation centers, public utility installations, mines, and cooperatives. It is the training agency for the district police and the militia. It also engages in public works and civic projects. It helps farmers during planting and harvesting seasons, combats floods and droughts, constructs communication routes and irrigation works, conducts rescue missions, clears jungles, builds canals, camps, and access roads, and even helps to deliver babies in rural areas. These ostensibly public-spirited missions in fact help to reinforce its primary task of maintaining constant surveillance over the population.

The Armed Public Security Force is organized along military lines into sections, platoons, companies, battalions, and larger formations, depending on the availability of personnel and the security requirements of the region.

**Education and Training.** All men of military age are eligible to join the police force if they can pass basic literacy, intelligence, and health tests and if their loyalty is vouched for by a party official. Former soldiers who become reservists at the expiration of their service terms and soldiers discharged on reaching age forty-five form the core of the force. Officers are obtained mainly from the army either by direct transfer or by granting commissions to graduates from army officer training schools. A majority of the enlisted men have some previous military training.

Training is carried out under the supervision of army officers. The courses are limited to military subjects, such as those commonly given to infantry units and include marksmanship, grenade throwing, reconnaissance, and





*A traffic officer directs vehicles in front of the Hanoi Stock Market building during its official opening in Hanoi, Vietnam, March 8, 2005. It was the opening of the country's second stock market, following the debut of the first one in Ho Chi Minh City five years before. AP IMAGES.*

tactics. Pervading all types of training is political indoctrination and ideological awareness-raising.

**Uniforms and Weapons.** Uniforms are similar to those used in the military. Collar tab insignia for officers and noncommissioned officers have a green base instead of the red base found in army uniforms. Shoulder boards also have a green base instead of the brown base used for army officers and the gray base is used for army non-commissioned officers.

Armament and weapons are similar to those in the army infantry units. The principal weapons are submachine guns, automatic rifles, rifles, pistols, and hand grenades.

#### HUMAN RIGHTS

As in other Communist states, Vietnam has a deplorable human rights record. Security forces commit serious abuses including arbitrary detention and beatings of religious and political dissidents. The government restricts or abridges a number of civil rights, including the right to free speech, free exercise of religion, the right to gather and

to travel, and the right to privacy. Many of the restrictions are based on grounds of national security or societal stability. Citizens are arrested and detained arbitrarily if the authorities believe that they are a threat to national security or have publicly dissented from official policy.

#### CRIME

**Crime Statistics.** Offenses reported to the police per 100,000 population: 74. Of which:

- Murder: 1.5
- Burglary: 8.5

#### CORRECTIONAL SYSTEM

The penal code consists of a body of decrees, legislation, and rulings, some of which date from the colonial period. Judicial concepts and practices combine Vietnamese, Chinese, French, and Soviet-era elements. In the absence of a uniform code of criminal law, sentences vary greatly for the same offense, and political considerations often intrude on judicial decisions. Crimes against the state are dealt with more seriously than other types of crimes.

## *Vietnam*

Information on the prison system is scanty. Prison installations and facilities, with only a few exceptions, consist almost entirely of those inherited from the French. The major prisons are in Ho Chi Minh City, Hanoi, Haiphong, Nam Dinh, and the prison island of Con San, 140 miles south of Hanoi. The Chi Hoa in Ho Chi Minh City is considered the largest. Each provincial and district capital has a detention center and a jail to confine prisoners during interrogation. There are some Soviet-style labor camps in outlying areas.

**Prison Conditions.** Vietnamese penal philosophy emphasizes isolation of offenders—rather than punishment—as a prelude to rehabilitation and reformation. As in other socialist countries, prisoners are exposed to relentless indoctrination to determine whether they are salvageable. Punishments tend to be harsh. Those in solitary confinement are stripped and locked in a small, windowless cell

for days or weeks at a time and are given one small bowl of rice for lunch and dinner and one bucket of water. Police sometimes beat suspects while arresting or interrogating them. Conditions of pretrial prisoners are reportedly even more harsh. Some political and other prisoners are denied visitation rights. Prisoners are required to work, but are denied wages. Political and religious prisoners are held in remote prisons, such as Z30a at Xuan Loc in an isolated part of Dong Nai province.

### **Prison Statistics.**

- Total Prison Population: 55,000
- Prison Population Rate per 100,000: 71
- Female Prisoners: 5.5%

*George Thomas Kurian*

# Yemen

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**Official country name:** Republic of Yemen

**Capital:** Sanaa

**Geographic description:** Consisting of the southeastern littoral of the Arabian Peninsula, bordering the Arabian Sea, the Gulf of Aden, and the Red Sea, between Oman and Saudi Arabia

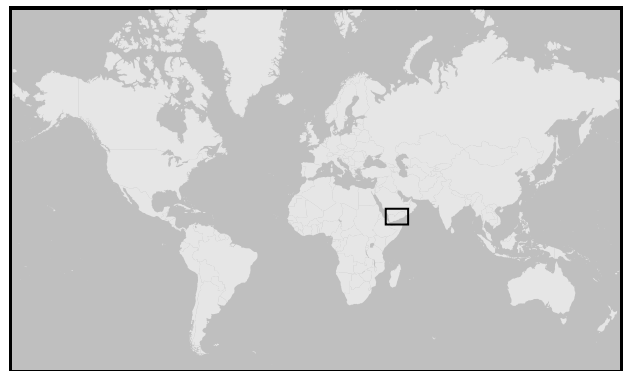
**Population:** 20,727,063 (est. 2005)



## LAW ENFORCEMENT

**History.** Yemen represents the fusion of two different entities: North Yemen and South Yemen. North Yemen was liberated from the Ottomans in 1918 and went through several political stages to become a republic in the 1960s. South Yemen was a British protectorate until 1968. The first police force in South Yemen was the Aden Police Force set up in 1939 by the British. After the Marxist takeover of the country, all traces of British influence were purged from this force and a new Public Security Force was set up in its place. Policing in North Yemen was more a tribal than a government matter until the fall of the imams and the establishment of a republic.

**Structure and Organization.** There are three main divisions of the Public Security Force: Criminal Investigation Department, Riot and Security Police, and Rural Police. The national police are divided into four zones: Central at Sanaa, Eastern at Ta'izz, Southern at Aden, and Western at Hodeida. They are under the Ministry of the Interior, but there is provision for dual control and administration at the governorate level. The Public



Security Force and the Armed Police are quasi-military mobile forces armed with light, crew-served weapons and small arms and equipped with radio. The Rural Police are scattered over more than 100 police posts. Many of the policemen lack professionalism and training and are designed only to undertake token law and order functions. In towns like Sanaa, Aden, and Hodeida the urban police also respond to public requests for medical and other emergency assistance and carry out other routine police duties. Beyond the Public Security Force there is an internal security unit under the Ministry of State Security.

In the northern and central Zaydi areas internal order and security are the responsibility of the tribal sheikhs.

**Education and Training.** The Police Academy for officers is located in Sanaa, and there are three training units for enlisted personnel in Hodeida, Ta'izz, and Sanaa. Officers and senior enlisted personnel are sent to police schools in Saudi Arabia, Kuwait, and Egypt.

## *Yemen*

### **Police Statistics.**

- Total Police Personnel: 9,318
- Population per Police Officer: 2,224

### **CRIME**

**Crime Statistics.** Total offenses reported to the police per 100,000 population: 63. Of which:

- Murder: 5.3
- Assault: 3.2
- Burglary: 1.2
- Automobile Theft: 3.6

### **CORRECTIONAL SYSTEM**

Before independence crime was not a major problem and was handled in accordance with tribal justice. The principal jail in the south is the Al Manusrah Prison in Aden. In the north the major prisons are at Sanaa, Hodeida, Ibb, and Dhamār.

**Prison Conditions.** Prison conditions are poor and do not meet internationally recognized standards. Prisons are overcrowded, sanitary conditions are primitive, and food and health care inadequate. The cells lack bedding or mattresses. Inmates rely on relatives for food and medicine. Prison authorities exact bribes from prisoners or refuse to release prisoners who have completed their sentence until family members pay a bribe. Tribal leaders use the prison system to lock up their enemies. Conditions are equally deplorable in women's prisons, where children are incarcerated with their mothers. Female prisoners may be released from prison only if so authorized by their male relatives. Female prisoners are also subjected to sexual harassment and violent interrogation.

### **Prison Statistics.**

- Total Prison Population: 14,000
- Prison Population Rate per 100,000: 83

*George Thomas Kurian*

# Zambia

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**Official country name:** Republic of Zambia

**Capital:** Lusaka

**Geographic description:** Landlocked country in southern Africa, east of Angola

**Population:** 11,261,795 (est. 2005)

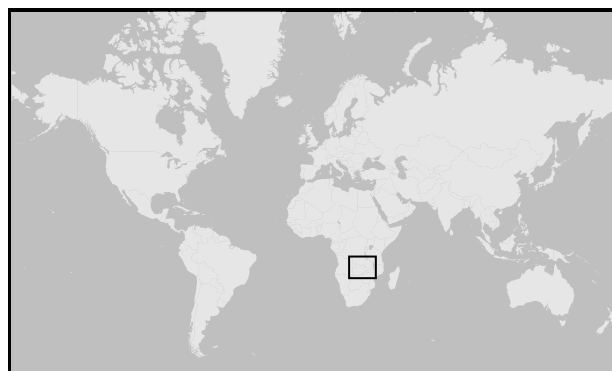


## LAW ENFORCEMENT

**History.** Before independence in 1964 Zambia was known as Northern Rhodesia, and the Northern Rhodesia Police Force set up by the colonial authorities were responsible for law enforcement in the towns. The Native Authorities were charged with law and order in rural areas, but in most cases the only police presence outside of the main towns consisted of an unarmed messenger serving court summons. In serious situations the Northern Rhodesia Police could be called on by the Native Authorities. At the time of independence the national police force had a strength of 6,000.

In 1964 the Northern Rhodesia Police Force was transferred to Zambia and became the Zambia Police Force. Most European and Asian officers remained with the force for many years thereafter, allowing an orderly transfer of functions to native Zambians.

**Structure and Organization.** The first Zambian constitution established the Zambia Police Force as one of the public (civil) services administered by the Public Service Commission. The 1973 constitution removed the police and prison services from the jurisdiction of the Public Service Commission and established the Police and



Prison Service Commission consisting of a chairman and between three and six members. In 1979 the Police and Prison Commission was combined with three other commissions under the title of Civil Service and placed under the supervision of a minister of state in the Office of the Prime Minister. The actual line of command flows through an inspector general of police, whose staff includes a commissioner, a deputy commissioner, and a senior assistant commissioner. Criminal investigations are under the command of a senior assistant commissioner, while all other departments are under the command of another assistant commissioner. Administrative control of the force is vested in the Ministry of Home Affairs.

As the sole national law enforcement agency, the strength of the Zambia Police Force has grown from 6,000 at independence to over 18,000, and is augmented by over 2,000 members of the Zambia Police Reserve. Its main headquarters is in Lusaka. It has five functional

departments: Administration, Staff, Criminal Investigation, Communications, and Training. Operationally, the force is broken down into nine territorial divisions that are coterminous with the provinces. Provincial units are commanded by an assistant commissioner or senior superintendent. There are also four special divisions: the Mobile Unit, headquartered at Kamfinsa (near Ndola); the paramilitary battalion, headquartered at Lilayi (near Lusaka); the Police Training School, also at Lilayi; and the Tazara Police, headquartered at Lusaka. The last is a special security force that protects the Tanzania-Zambia Railway.

Subordinate units include divisional police, district police, and police posts established in towns and villages. Grade structures conform to the colonial pattern and are grouped into three basic categories: superior officers, subordinate officers, and other ranks. In the larger towns the subordinate officers supervise the activities of sergeants and constables and manage the so-called charge offices, where public complaints are received and police records are maintained. Subordinate officers, sergeants, and constables participate in beat duty and operate motorized patrols.

In dealing with major unrest the police are assisted by the Mobile Unit or the Paramilitary Battalion. The latter is divided into four operational companies, each of which consists of four platoons with a total strength of 1,000. The Mobile Unit has a similar structure.

The Mounted Section is often visible on ceremonial occasions, when it escorts the president. Besides ceremonial assignments, it also combats cattle rustlers. The Marine Service operates a variety of small boats and craft in antismuggling patrols along the lakes Tanganyika and Mweru in the northeastern part of the country and anti-infiltration patrols on Lake Kariba in the south.

A rather unusual feature of the Zambia Police Force is the Prosecutions Branch. Almost all criminal prosecutions in magistrate courts are conducted by police prosecutors under the general supervision of the director of public prosecutions. Police officers above the rank of subinspector are appointed as public prosecutors after a nine-month course, at the end of which they must pass an examination in criminal law and procedures and rules of evidence. The Prosecutions Branch is headed by a senior superintendent attached to the Lusaka headquarters.

**Education and Training.** The Police Training School at Lilayi provides initial training for new police recruits and offers promotion courses, refresher training, motor vehicle and motor cycle courses, traffic courses, and instructor training for all ranks. The school is commanded by a senior superintendent. Basic training for recruits lasts 26 weeks. To be accepted as a recruit, a candidate must be between 18 and 25, at least 5 feet 6 inches tall for men and

5 feet 2 inches tall for women, and have a form-three school certificate. The training school includes a dog training school with a large kennel that has trained German shepherds.

**Uniforms and Weapons.** The uniforms of the lower ranks consists of a gray shirt and khaki shorts worn with a black fez. The officers wear khaki shorts and trousers with a blue peaked cap. Sergeants and corporals wear chevrons on the upper arms. Officers wear badges of rank on the epaulettes. The Zambia Police Force is authorized to carry weapons in the performance of its duties, but the law places explicit restrictions on the use of firearms.

#### Police Statistics.

- Total Police Personnel: 18,442
- Population per Police Officer: 611

#### HUMAN RIGHTS

Police personnel commit unlawful killings and frequently beat and otherwise abuse those in their custody. The lack of professionalism, investigative skills, and discipline in the police force are serious problems. There are reports that the police release prisoners in exchange for bribes, detain debtors in private monetary disputes in exchange for a portion of the payment owed, and extort money from drivers and truckers at unauthorized roadblocks. A Police Complaints Authority has been established under the amended Police Act. A Police Professional Standard Unit has also been established to investigate cases of police corruption, arbitrary arrest and detention, and other unprofessional conduct by police personnel. The Police Training School provides human rights training for new recruits as well as serving officers.

#### CRIME

**Crime Statistics.** Offenses reported to the police per 100,000 population: 666. Of which:

- Murder: 9.8
- Assault: 9.5
- Burglary: 153.5
- Automobile Theft: 9.6

#### CORRECTIONAL SYSTEM

The basic source of Zambian criminal law is the penal code, which is divided into two parts: general provisions and crimes. The code states that the "principles of English law" apply in Zambia's courts. For example, the burden of proof in a criminal trial rests on the government, proof

beyond any reasonable doubt is required, and an accused person may not be placed in double jeopardy. Children under eight cannot be charged with a crime and those between eight and eighteen receive less severe punishment if convicted. The range of punishments is carefully defined, although the courts generally have some latitude in sentencing. Conviction for murder carries a mandatory death sentence. Corporal punishments are prescribed in certain cases and consist of whipping with a rod or cane.

The responsibility for prisons is vested in the Prison Service of the Ministry of Home Affairs. The minister is advised by the constitutionally appointed Police and Prison Service Commission. There are fifty-three institutions under the control of the Prison Service. Twelve prisons are distributed among the provincial capitals and are designed to house male inmates only. Kabwe, a maximum-security prison, is designated for hardened criminals; Kasama Prison in Northern province is for female convicts whose sentence exceeds three months; and Katambora Reformatory, near Livingstone, is for juvenile offenders. Prison staff are trained at the Training School in Kabwe.

**Prison Conditions.** By law adult inmates are separated from juveniles, males from females, and first-time

offenders from recidivists. Prison conditions are harsh. Severe overcrowding, combined with poor sanitation, inadequate medical facilities, meager food supplies, and lack of potable water result in serious outbreaks of diseases. In 2003 more than ninety-one inmates died from tuberculosis or dysentery. In some prisons starvation occurs because the prison service has inadequate funding for food.

**Prison Statistics.**

- Total Prison Population: 13,200
- Prison Population Rate per 100,000: 122
- Pretrial Detainees: 38.6%
- Female Prisoners: 1.5%
- Juvenile Prisoners under 19: 0.7%
- Number of Prisons: 53
- Official Capacity of the Prison System: 5,500
- Occupancy Level: 240%

*George Thomas Kurian*

# Zimbabwe

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**Official country name:** Republic of Zimbabwe

**Capital:** Harare

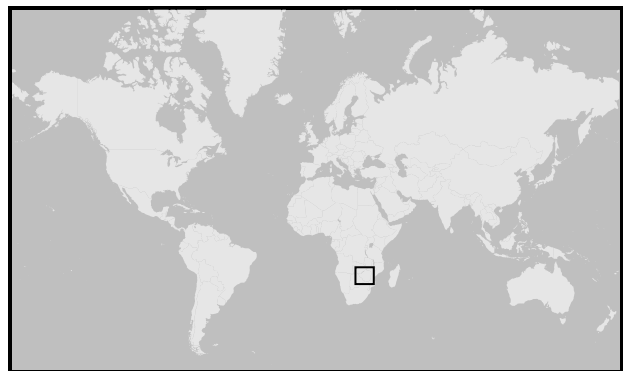
**Geographic description:** Landlocked country in southern Africa, between South Africa and Zambia

**Population:** 12,746,990 (est. 2005)



## LAW ENFORCEMENT

**History.** When the British South Africa Company settled in and eventually annexed Mashonaland, it organized a private police force, the British South Africa Company Police. In 1896 it became independent of the company as the British South Africa Police (BSAP), which was both an unarmed constabulary and a standing army. When an army was finally created in 1939, the BSAP gave up its military duties, but retained its paramilitary functions until the creation of Rhodesia and Nyasaland in 1953. When the federation was dissolved in 1963, the BSAP had an approximate strength of 8,000. It included a reserve of 35,000 partially trained policemen, three-fourths of whom were white. Most of the African recruits were from the minority Ndebele, who had strong military traditions. They wore military-style uniforms and made considerable use of their authority to bear down on the citizens. They increased their meager income by extracting bribes, by playing confidence games on the gullible, and by outright theft. A large stick or *sjambok* (whip) was the policeman's symbol of authority, and it was freely used. On independence in 1980 the BSAP became the Zimbabwe Republic Police Force (ZRPF).



**Structure and Organization.** The central headquarters of the ZRPF is in Harare, where the headquarters of the Criminal Investigation Department (CID), the Forensics Laboratory, and the Traffic Branch are also located. There are three provincial headquarters—Harare North, Harare South, and Mashonaland South—and three district headquarters—Harare Central, Harare South, and Harare Rural. Other district headquarters are at Gweru, Kwekwe, and Mutare. The Police Reserve headquarters is at Morris Depot, Harare.

Bulawayo, the headquarters of Matabeleland, houses the Matabeleland provincial headquarters, three district headquarters (Bulawayo Central, Bulawayo Western, and Bulawayo Rural), a CID branch, and a provincial training and reserve headquarters. Police camps exist at Gweru and Mutare.

The force is commanded by a commissioner, who is assisted by two deputy commissioners, one for administration and the other for crime and security. Operationally,



there are eight branches: a uniformed branch dealing with patrol, crime prevention, accident investigation and highway patrol, a woman's branch, an administration branch, a criminal investigation department, a dog section, and a signals branch.

Territorially, the force is divided into six provinces, each with between one and five districts that, in turn, are divided into stations. The number of stations in a district may range from seven to fourteen. Provinces are commanded by senior assistant commissioners or assistant commissioners, the districts by chief superintendents or superintendents, and the stations by chief inspectors or section officers. In the field there are several grades: patrol officer (senior grade), patrol officer, sergeant major, sergeant (senior grade), sergeant, and constable.

**Education and Training.** The main training facilities are the Willowvale Police Training Center, the Morris Police Training Depot, and the Tomlinson Police Training Depot, all in Harare.

**Uniforms and Weapons.** The basic uniform in winter is a khaki tunic and trousers, worn with a leather belt. In summer shorts and a bush jacket are worn with leather leggings and boots. On occasion a short-sleeved gray shirt is worn in place of the bush jacket. Normal headgear is a khaki peaked cap. Women wear a royal-blue dress or tunic and skirt with a dark-blue Robin Hood hat. The force is normally unarmed but may be supplied with rifles, pistols, and shotguns during emergencies.

#### Police Statistics.

- Total Police Personnel: 15,160
- Population per Police Officer: 841

#### HUMAN RIGHTS

Zimbabwe has one of the worst human rights record in Africa. There is a systematic government-sanctioned campaign of violence and intimidation against persons opposed to the rule of President Robert Gabriel Mugabe. Security forces routinely kill and torture political opponents and white farmers whose farms are unconstitutionally expropriated. Supporters of the Zimbabwe African National Union (ZANU), the ruling party, occupy white-owned commercial farms and abduct, torture, rape, and kill their owners as well as any one who protests these illegal actions. There are reports of politically motivated disappearances. Youth militias consisting of ruffians and thugs are organized by the government to threaten its enemies. The government has packed the

courts and undermined the independence of the judiciary. According to the Zimbabwe Human Rights Forum (ZHRF), in 2002 fifty-eight political activists opposed to Mugabe were killed and thirty-five were abducted and never heard from again. Human rights groups report that there are torture chambers in government offices, police stations, and schools to brutalize opposition supporters. The ZHRF reported 1,061 cases of torture during 2003 as part of a government-inspired campaign of violence. In a number of rural areas ZANU supporters conduct *pungwes* (forced nightly political gatherings) in which hundreds of villages are rounded up, driven to remote areas, and forced to renounce opposition to the president.

#### CRIME

**Crime Statistics.** Offenses reported to the police per 100,000 population: 5,619. Of which:

- Murder: 9
- Assault: 198.4
- Burglary: 435.9
- Automobile Theft: 1.4

#### CORRECTIONAL SYSTEM

The corrections system is administered by the Zimbabwe Prison Service under the Ministry of Justice, Legal, and Parliamentary Affairs.

**Prison Conditions.** As a result of overcrowding and unsanitary conditions, the prisons breed all kinds of diseases, such as cholera, diarrhea, and HIV/AIDS. HIV/AIDS contributes to many deaths in prison—1,051 since 1998. The number of female prisoners has been growing for crimes of prostitution, embezzlement, fraud, and petty theft. There are an estimated 2,000 women in prison. Many of these women are obliged to raise their children in prison. Juveniles are held separately from adults and pretrial detainees from hardened criminals.

**Prison Statistics.** The prison service runs 41 prisons and penitentiaries with a total population of 21,000, of whom 29.6 percent are pretrial detainees, 1 percent are juveniles, and 4.8 percent are foreigners. The prisons are designed to hold only 16,000, and the occupancy level is 131.3 percent of capacity.

*George Thomas Kurian*

## *Appendixes*

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## *Police Codes of Ethics*

<p>Member Code of Ethics 1101 <i>International Association of Chiefs of Police</i></p> <p>The Policing Principles of the Metropolitan Police 1104 <i>Public Information Department, Metropolitan Police, 1985</i></p> <p>Global Standards to Combat Corruption in Police Forces/Services 1128 <i>Interpol Group of Experts on Corruption (IGEC), 2002</i></p> <p>Ethics Handbook 1130 <i>U.S. Department of Justice, 2002</i></p> <p>Ethical Standards in Law Enforcement 1135 <i>Law Enforcement Association on Professional Standards, Education, and Ethical Practice (LEAPS), 1973</i></p> <p>Ethical Standards in Law Enforcement 1137 <i>American Academy for Professional Law Enforcement, 1976</i></p> <p>Police Code of Conduct 1140 <i>International Association of Chiefs of Police</i></p> <p>The Evolution of the International Association of Chiefs of Police's Law Enforcement Code of Ethics 1142</p>	<p>Law Enforcement Code of Ethics of the International Association of Chiefs of Police 1142 <i>International Association of Chiefs of Police, 1957</i></p> <p>IACP Law Enforcement Code of Ethics 1142 <i>International Association of Chiefs of Police, 1991</i></p> <p>Canons of Police Ethics 1143 <i>International Association of Chiefs of Police, 1991</i></p> <p>Code of Practice for Police Computer Systems 1144</p> <p>The Data Protection Act: The Data Protection Principles 1145 <i>Association of Chief Police Officers, 1998</i></p> <p>The Data Protection Act: Interpretation of the Principles in Part I 1145 <i>Association of Chief Police Officers, 1998</i></p> <p>Recommendation of the Committee of Ministers to Member States on the European Code of Police Ethics 1147 <i>Council of Europe, 2001</i></p> <p>Declaration on the Police, Resolution 690 1151 <i>Council of Europe, 1979</i></p> <p>Code of Ethics of the Office of the Sheriff 1153 <i>National Sheriff's Association, 1987</i></p>
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## MEMBER CODE OF ETHICS

SOURCE IACP Constitution.

**INTRODUCTION** *With some 14,000 members in the United States and 67 other countries, the International Association of Chiefs of Police is the most universally representative police association. Responding to a proposal by a Vice President, Lee Brown, that the IACP develop a code tailored to the professional enhancement of police executives, the IACP Staff and Parliamentarian Francis Looney drafted a code that was extensively discussed before being adopted by the Board of Officers and then ratified by the Executive Committee. It is incorporated in the Association's Rules as Rule XXXIV.*

### CODE OF ETHICS

The members of the International Association of Chiefs of Police collectively adhere to the principle that a standard of professional conduct for its membership is desirable and that through vigilant enforcement of these standards, the professionalism and performance of police executives internationally will be enhanced.

#### Basic Tenets

##### **Section 1:**

The membership of the International Association of Chiefs of Police (hereafter IACP) is dedicated to the principles of effective and democratic government through the appointment of police executives by appropriately constituted elected or appointed officials. Members will maintain a constructive and practical approach to their duties within the parameters of the policies set by the governing body and appropriate statutes and ordinances.

##### **Section 2:**

IACP members shall be dedicated to the highest ideals of honor and integrity to maintain the respect and confidence of their governmental officials, subordinates, the public, and their fellow police executives.

- a. Members should conduct themselves so as to maintain public confidence in their profession, their department, and in their performance of the public trust.
- b. Members should conduct their official and personal affairs in such a manner so as to give the clear impression they cannot be improperly influenced in the performance of their official duties.

##### **Section 3:**

IACP members shall adhere to the highest standards in application and maintenance of employment.

- a. At all times, members shall completely and accurately represent their credentials, including prior employment, education, certifications, and personal history.
- b. Members seeking a police executive position should demonstrate professional respect for incumbents and those seeking the same position. Professional respect does not preclude honest differences of opinion. It does preclude attacking a person's motives or integrity in order to be appointed to a position. Members should not seek employment in a jurisdiction having an incumbent chief law enforcement administrator who has not resigned, retired, or been officially notified of termination.
- c. Members who officially accept an appointment as chief law enforcement administrator should not fail to report to that position. This does not preclude the possibility of a member considering several offers or seeking several positions at the same time; but once a

bona fide offer has been accepted, that commitment should be honored.

- d. Members should commit to at least two years of service in any position, barring any unforeseen actions by the governing body or severe personal problems. This minimum period permits implementation of programs and opportunity for their effectiveness to be realized.

**Section 4:**

Members of the IACP represent that the primary function of the police executive is to serve the best interests of a respective jurisdiction and the law enforcement profession.

- a. Members of the IACP are committed to fair and impartial enforcement of laws and ordinances and respect for fundamental human rights.
- b. Members of the IACP are dedicated to innovative and participative management, at all times seeking to improve their departments, increase productivity, and remain responsive to the needs of their jurisdiction.
- c. Members of the IACP shall continually strive to improve their personal knowledge and abilities and that of their fellow chiefs through independent study, courses, meetings, and seminars. This responsibility extends to the members of their department.
- d. Members of the IACP believe that all supervision and management should be fair and equitable for all levels of employees and that all statutes and personnel regulations should be honored. All actions relating to selection, retention, promotion, and transfers should be based on ability and equal opportunity.
- e. All policies, procedures, and rules regulating conduct of officers should be in writing and available to all personnel. This includes disciplinary and grievance policies and operating procedures of the department.
- f. Members of the IACP shall encourage friendly and courteous service and strive to improve communications with all members of the public, at all times seeking improvement in the quality and image of public service.
- g. Members of the IACP shall be committed to advancing the principles of respect for individual dignity and respect for constitutional rights of all persons with whom their departments come in contact.
- h. Members of the IACP recognize that they should refrain from participation in the election of the employing governing body and from all partisan political activities which would impair their ability to serve all segments of their community. This standard is not to be construed to prevent any

member from voting or expressing a personal opinion where appropriate.

- i. Members of the IACP recognize that their position requires them to provide leadership by example, including adherence to all governmental and departmental written directives as applicable.
- j. Members of the IACP represent that their function is to administer their agencies within the framework of the policies articulated by their governing body and state and national law. Any actions directed toward change in those policies, including lobbying, shall be conducted in an open and constructive manner with the knowledge of their employers.

**Section 5:**

Members of the IACP believe that professional standards include the regulation of personal and financial conduct.

- a. Members shall not seek favor or personal gain through misuse of confidential information or their public time or facilities.
- b. Members shall not directly or indirectly solicit any gift, or accept or receive any gift, whether in the form of money, services, loans, travel, entertainment, hospitality, promises, or in any other form, under circumstances in which it could reasonably be inferred the gift was intended to influence them, or could reasonably be expected to influence them, in the performance of their duties or was intended as a reward for any official action on their part.
- c. Members shall not invest or hold any investment, directly or indirectly, in any business, commercial, or other private transaction which creates a conflict with their official duties.
- d. Members shall not disclose to others, or use to further the personal interest of themselves or others, confidential information acquired by them in the course of their official duties.
- e. Members shall not engage in, solicit, negotiate for, or promise to accept private employment or render services for private interests or conduct a private business when such employment, service, or business creates a conflict with, or impairs the proper discharge of, their official duties.
- f. Members shall not, acting in their official capacity, endorse commercial products by agreeing to the use of their picture, endorsement, or quotation in paid advertisements, whether for compensation or not. Members further should not permit any endorsement of commercial products by department employees acting in their official capacity, whether for compensation or not.

**Enforcement**

The following procedures will be adhered to in all actions arising under this code of ethics:

**Section 6:**

The President will appoint an Ethics Committee of at least three members of the Executive Committee and/or Past Presidents to hear alleged code violations. The President shall name one of the three members to be Chair of the committee.

**Section 7:**

- a. The Chair of the Ethics Committee will be designated to receive all complaints. Complaints regarding IACP members' conduct can be brought by any member of the IACP or by any responsible individual or organization outside of the membership. The Chair will review all complaints and conduct whatever investigation and inquiry deemed necessary to determine whether sufficient cause exists to conduct a hearing into the allegation. If there is an apparent or possible violation of the code of conduct, the Chair will make a written recommendation to the Executive Committee that a hearing be conducted. The Executive Committee will approve or disapprove the Chair's recommendation.
- b. Complaints of a frivolous or an unfounded nature may be dismissed by the Ethics Committee, with the written concurrence of the President. All dismissals of frivolous or unfounded nature shall be in writing and supported by the results and conclusions of the Chair's investigation. Consistent or repeated frivolous complaints by an IACP member against other members may subject that member to disciplinary action by the IACP upon motion by the committee, with the written concurrence of the Executive Committee.

**Section 8:**

IACP members will be held to the standards of behavior set forth in Rule 4, Basic Tenets of this Code, and specifically, but not exclusively, to the standards set forth in Rule 4, Sections 2, 3, 4 and 5. This includes adherence to the laws they are sworn to uphold.

Members will also be subject to disciplinary action for behavior other than that specified in the aforementioned provisions that brings disrepute upon their department or their profession.

**Section 9:**

Upon receiving the Executive Committee's approval to initiate disciplinary action, the Chair will schedule a hearing before the Ethics Committee.

**Section 10:**

The alleged violator will be notified by registered letter by the Chair at least two weeks before the meeting. The

alleged violator may request a continuance for a specified duration upon written motion to the Chair of the Ethics Committee. No IACP member shall be granted more than two such continuances. If the alleged violator does not request a continuance, the hearing may be conducted in the alleged violator's absence.

**Section 11:**

The date, time, and site of the hearing shall be determined by written order of the President.

**Section 12:**

The hearings shall be conducted as follows:

- a. The Chair shall conduct the hearing.
- b. The hearing will be conducted in a formal manner approximating a governmental administrative legal proceeding. The degree of formality will be determined by the Executive Committee depending on the nature of the allegations.
- c. Attendance at the hearing will be restricted to the alleged violator, members of the Executive Committee, and members of the Ethics Committee. Witnesses will not be permitted to the hearing room except when offering testimony.
- d. The alleged violator may present witnesses on their behalf. The party alleging the violations may testify or present witnesses on their behalf, or may offer testimony by means of affidavits submitted to the Chair of the Ethics Committee prior to the date of the hearing.
- e. Either party may examine and cross-examine witnesses. In addition, members of the hearing panel and the Executive Committee members may ask questions directly of the witnesses.
- f. All hearings shall be recorded or transcribed verbatim.

**Section 13:**

- a. The Ethics Committee, after hearing all information, shall recommend one of four potential courses of action. Any action taken requires an affirmative two-thirds vote. Decisions will be based on a standard of the preponderance of the evidence.
- b. The four possible courses of action are:
  1. Unfounded. The alleged violation did not occur. An unfounded determination will be considered a dismissal of all charges with prejudice.
  2. Exonerated. The incident occurred but was not a violation of the standards set forth in this code.
  3. Sustained. The preponderance of the evidence presented to the hearing board supports the allegation, and the violation is a breach of the standards set forth in the code.

4. Deferral. The hearing has been deferred due to the unforeseen unavailability of information or witnesses.

**Section 14:**

In the event of a sustained classification, the Executive Committee shall levy one of three sanctions, based on the nature and severity of the violation and the recommendations and findings of the hearing panel contained in the Chair's written report to the Executive Committee. The Executive Committee may levy one of the following three penalties under Article 2, Section 12, of the IACP constitution.

- a. Censure. A letter to the violator citing the section of Rule 4 violated and the Association's disapproval.
- b. Suspension. A letter to the violator, citing the section violated, and advising the violator that they are suspended from IACP membership and privileges for a period of time determined by the Executive Committee, after which the individual may apply to the Executive Committee for readmission to IACP. No public notification will be made by IACP except with the express approval of the Board of Officers or the Executive Committee.
- c. Expulsion. A letter to the violator, citing the section violated, and advertising that the violator is expelled permanently from IACP membership and privileges.

## THE POLICING PRINCIPLES OF THE METROPOLITAN POLICE

SOURCE *From The Principles of Policing and Guidance for Professional Behaviour. New Scotland Yard, London: Public Information Department, Metropolitan Police, 1985.*

INTRODUCTION *The Principles represent the first major attempt of the London Metropolitan Police to restate the "Primary Objects of Police" that were enunciated on its formation in 1829. Sponsored by the incumbent Commissioner, Sir Kenneth Newman, they represent the most significant articulation of police standards that has thus far been attempted, combining maxims and commentary in a sustained and coherent statement. Handsomely produced, but poorly marketed, The Blue Book, as it was popularly called, failed to win internal acceptance, and by 1990, it had been superseded by what came to be the nationally sponsored Association of Chief Police Officers (ACPO) "Statement of Values and Common Purpose."*

## THE POLICING PRINCIPLES OF THE METROPOLITAN POLICE

### The Police Objectives

The primary aims and duties of the Metropolitan Police are to uphold the Rule of Law, to protect and assist the citizen and to work for the prevention and detection of crime and the maintenance of a peaceful society, free of the fear of crime and disorder. They will carry out these aims and duties in consultation and cooperation with others in the community.

### The Rationale

This rationale explains and expands the main phrases in the statement of police objectives, that is to say: "upholding the rule of law" "protecting and assisting the citizen" "cooperation with others" "maintenance of a peaceful community" and "fear of crime and disorder."

### Upholding the Rule of Law

The aim of "upholding the Rule of Law" encompasses two distinct but inter-related duties: the duty of upholding the law of the land (as enacted by Parliament or as established by common law) and maintaining The Queen's Peace; the related duty of keeping strictly within prescribed powers, abstaining from arbitrary action and respecting the individual rights and freedoms of all citizens.

### The Law and The Queen's Peace

In discharging the duty of maintaining a state of public tranquility. Where a conflict arises between the duty of the police to maintain order and their duty to enforce the law, the solution will be found in the priority which is to be given in the last resort to the maintenance of public order, and in the constant and commonsense exercise of police discretion. Priority will also be given to dealing with those crimes which most harm or cause anxiety to the public.

In upholding the law, the main emphasis of policing will be upon prevention. This principle has obtained since the establishment of the Force in 1829 when the primary objects were formalized as follows:

It should be understood at the outset that the principal object to be attained is the prevention of crime. To this great end every effort of the police is to be directed. The security of person and property, the preservation of the public tranquility and all other objects of a police establishment will thus be better effected than by detention and punishment of the offender after he has succeeded in committing the crime.

This statement remains a valid description of the police function and one which will continue to guide

the Metropolitan Police. But in the light of rapid social and cultural changes in recent years, there is a need to expand the statement and to develop the interpretation of the “prevention of crime” and the “preservation of public tranquility.” The revised scope of these concepts should take account of developments within the community in broad-based consultation and participation in the control of crime.

“Prevention” is the chief concern of the Metropolitan Police and one which will govern decisions on how manpower and equipment is allocated. Skill in the “detection” of offenses is also important in deterring offenders and in protecting life and property. It will be the aim of the Metropolitan Police to enhance their effectiveness in detection by improving the collation of intelligence and analysis of crime, as well as the preparation and presentation of cases.

### **Respect for Individual Rights**

In carrying out their duties, police will be governed by the following principles, which are central to the Rule of Law:

- a. That a respect for citizens’s individual rights and freedoms and the avoidance of arbitrary or unlawful action are fundamental to the constitutional meaning of the Rule of Law and thus to the whole meaning and purpose of police duty;
- b. That The Queen’s Peace will be endangered if citizens perceive police action to be inconsistent with the fundamental values of British society. These values emphasize a just balance between order and freedom and mark an abhorrence of unfair or arbitrary action by the State or its officials;
- c. That the fundamental values of British society are underpinned by procedure and legal rules and assumptions. Of particular importance in the context of police duty are: the presumption of innocence; the right to free speech; the right to free association; restrictions on powers of arrest and detention; the right to silence; the right of access to legal advice; the prohibition of discriminatory behavior towards individuals, classes of person and minority groups; the observance of suspects’s rights; the requirement of reasonableness when acting upon suspicion; integrity in the collection and presentation of evidence; respect for human dignity; the need to use only such force as is necessary to accomplish a legitimate purpose; and the thought that in safeguarding these principles, the constitutional facet of the Rule of Law is an unifying theme in the regulation of police conduct; if upholding the Rule of Law is a primary aim of police, then observance of the principles must follow;

- d. That the British ideal is that policing should be shaped by the consent of the population. Such consent is conditional upon the observance by police of the individual’s rights and liberties. Only in this way will the respect of the public be retained and the duties and functions of police be capable of being effectively discharged;
- e. The effectiveness of the police will be undermined if their actions are perceived to be inconsistent with the Rule of Law;
- f. That respect for the law is intimately connected with the public’s perception of police standards and behavior. It is, therefore, essential that in both word and deed, police officers reflect the fundamental values of British democracy, demonstrating total impartiality to all, regardless of race, color, creed or social position.

### **Protecting and Assisting the Citizen**

The police have a duty to: protect persons and property; befriender anyone who needs their help; assist with major or minor emergencies; control road traffic and advise local authorities on related matters; assure the safety of the Royal Family and maintain security at a wide variety of public events; and undertake a variety of regulatory and supervisory duties, on behalf of Government departments and others.

### **Cooperation with Others**

There is now abundant evidence that police action alone is insufficient to reduce crime. The aim of gaining the cooperation of others, therefore, goes beyond earning respect and approval for policing and extends to involving the active assistance of the public in preventing crime and helping to preserve the peace.

It is a principle of British law that the police are only members of the public who are paid to give full attention to duties, many of which are incumbent on every citizen in the interests of community welfare and orderly existence. It is, therefore, the duty of every citizen to cooperate with the police in the prevention of crime. In modern circumstances, however, there is a need for an organized framework for promoting positive cooperation between the police and the public for reducing crime, and the continuing aim of the Metropolitan Police must be to work with others to develop collaborative strategies against crime and disorder. This aim includes invoking the assistance of statutory and voluntary agencies and local authorities. Many of the apparently isolated incidents to which police are called are symptoms of more general substantive problems with roots in a wide range of social and environmental conditions. The aim of the Metropolitan Police will, therefore, be to work with



other agencies to develop what is known as a “situational” or “problem-solving” approach to crime prevention, where, rather than merely dealing with individual acts of law-breaking, careful analysis is made of the total circumstances surrounding the commission of types of crime, taking account of wide-ranging social and environmental factors, in order better to understand, and counter, the causes of those acts.

In pursuance of this aim, the police will endeavor to work closely with consultative committees with a view to: sharing information and jointly analyzing crime and public order problems; anticipating trends of crime and disorder; identifying and discussing alternative means of reducing crime and disorder; identifying community interests and helping to co-ordinate the activities of formal and informal groups within a neighborhood; and implementing and monitoring specific courses of action.

In summary, the Metropolitan Police aims to be forward-looking as well as outward-looking, considerate of the present and future needs of the community and helpful towards schemes of social development and renewal, while at the same time requesting a constructive contribution by others to the solution of those aspects of the problems encountered by the police.

Cooperation and consultation with others is, however, circumscribed by the fact that the police have a duty impartially to uphold the law. They are not subject to political control in operational matters nor in individual prosecutions. The Metropolitan Police does, however, fully recognize the importance of consultation and cooperation with the community in discharging its duties.

### **Maintenance of a Peaceful Community**

In pursuing the aim and duty of maintaining a peaceful community, members of the Metropolitan Police will view their role as one involving cooperation with others in the creation and maintenance of a way of life in communities which strikes the optimum balance between the collective interests of all citizens and the personal rights of all individuals. The creation of this kind of community requires a collaborative effort by all social agencies organized within the framework of a clear social policy which seeks out alternative or complementary options to conventional law enforcement.

In cases of potential riot or disorder, police will think first in terms of mediation, short term intervention and the prevention of physical conflict. If, despite these efforts, disorder erupts, police will act firmly and decisively, meeting force with such force as is necessary and reasonable in the circumstances to prevent crime and to protect life and property. It will be the policy of the Force to develop professional skills with a view to containing disorder with the least possible injury to all the

people involved. The safety of citizens is paramount, but the police response will be governed also by the policy that police casualties will be avoided, as far as possible, by the use of reasonable force against people who threaten to injure police officers.

### **Fear of Crime and Disorder**

The Metropolitan Police will pay special attention to the phenomenon of the fear of crime and disorder. Research suggests that the fear of crime has emerged as a distinct causative factor in the process of neighborhood decline, and its accompanying destabilization within the community.

There is now evidence that citizens’s fear of crime is connected not only with actual crime rates and with persons perceived as potential criminals, but also the appearance of a neighborhood. Perceptions are based on the features of the physical environment such as vandalism, litter, graffiti and derelict or abandoned property. Perceptions are also formed by the sight and experience of disorderly people such as those suffering from drink or drugs, as well as from any generalized flouting of laws designed to maintain the well-being of the community.

In areas where this menacing, disorderly or lawless atmosphere grows apparent, retail profits become depressed and shops and businesses are inclined to move elsewhere; property declines in value and the municipal rate base is eroded. Such “disinvestments” feeds on itself, and, joining with other factors including the fear of crime, accelerates the spiral of decay. The impression given is that nobody cares for the area; apathy is fostered which, because it undermines public will to become involved and cooperate, lowers the effectiveness of the police.

Local authorities can reinforce public confidence and tranquility by tackling dereliction and can reduce opportunities for crime in many ways. The police should help and advise them in such crime prevention activity.

Addressing the fear of crime has important crime-preventive significance. Therefore the Metropolitan Police will endeavor to work with others:

- i. to place crime in accurate perspective (fear being based often on exaggerated assessments of danger);
- ii. to promote public self-help and confidence through the medium of consultative committees, crime prevention panels, neighborhood watch schemes and victim support schemes;
- iii. to make police action supportive of, and complementary to, borough improvement schemes;
- iv. to cooperate with local planners in schemes for “designing-out” crime and promoting informal social controls;

- v. to deploy police foot patrols where they will help to reinforce other measures designed to stimulate confidence and self-help;
- vi. to improve analysis and assessment of environmental factors which give rise to crime, fear of crime and neighborhood decline.

### **Organizational Implications**

This revised and updated statement of the purpose and philosophy of the Metropolitan Police implies the need for complementary changes in organization and direction within the Force. Whilst many of the principles set out in the police objectives are of an enduring character, the organizational implications will change in response to a constant appraisal of the police environment. The Metropolitan Police is, therefore, pursuing a program of carefully managed change to achieve a strategy harmonious with community needs. The focal points for this strategy are at divisional level where objectives and priorities will be identified in partnership with consultative committees and social agencies.

### **Organization and Direction**

The organization and direction of the Force should:

- i. Provide for strategic policy-making to guide the Force consciously and systematically towards future goals and should involve the entire organization in that process;
- ii. allow for sufficient devolution of responsibility to divisions to permit operational commanders at these levels to respond flexibly and effectively to local needs and priorities;
- iii. allow for such decentralization of decision-making and allocation of resources as will facilitate problem-oriented rather than incident-oriented strategies against crime and disorder at divisional level;
- iv. ensure that subordinate officers in divisions are fully involved in the strategy so as to encourage their commitment to it in terms of actions and attitudes;
- v. give priority to those functions involving direct contact between police and public;
- vi. limit specialist units to functions requiring continuity of experience and superior expertise and encourage the deployment of “generalist” personnel;
- vii. achieve at all levels by good management a continuous improvement in the cost-efficient and effective use of resources, wherever possible measuring performance against planned objectives;
- viii. ensure by maintaining good internal and external communication that policies are clearly understood, that police problems and Force performance are

properly appreciated and that the Force is sensitive and responsive to the needs and feelings of the public;

- ix. at all times encourage and reward professional competence and integrity and foster these qualities, and adherence to professional excellence, by careful recruitment, development and motivation of staff;
- x. encourage in its officers the lawful and compassionate exercise of individual discretion;
- xi. acknowledge mistakes willingly and openly, learning from them and taking remedial action.

Overall, the organization and direction of the Force should be aimed at creating an outward-looking service with an appreciation of the connection between policing functions and those of other public agencies and readiness to adapt to changing social and cultural conditions.

## **GUIDANCE FOR PROFESSIONAL BEHAVIOR**

### **PART ONE**

#### **Our Duty as Constables**

*A constable is a citizen, locally appointed, but with authority under the Crown to protect life and property, to prevent and detect crime, to preserve the Queen's Peace, and to prosecute offenders under the law.*

*Training School Definition*

#### **The Office of Constable**

The office of constable is an ancient and honorable one, with a rich and colorful history. Since the passing of the Metropolitan Police Act there has been further legislation to clarify the powers and duties of the office much case law has appeared, much Parliamentary debate has taken place and, especially in recent years, much thought has been given and much writing has been published, which emphasizes that those who occupy the distinguished office are operationally independent in that they are held to law to have full discretion over whether or not to exercise their power providing that they act reasonably.

This curious operational independence, which brings with it a high degree of personal independence, and therefore a high degree of personal responsibility, is very important to you and me for it places upon us obligations to our fellow citizens which have flourished in modern times and which show no sign of diminishing.

The fact that the office you hold is unique and that it has a clear legal base, is borne out by the terms of the Constable's Oath or Declaration. When you and I joined the service we swore or declared: *I solemnly and sincerely declare and affirm that I will well and truly serve our Sovereign Lady the Queen in the Office of Constable without*

*favor or affection, malice or ill-will, and that I will, to the best of my power, cause the peace to be kept and preserved, and prevent all offenses against the persons and properties of Her Majesty's subject, and that while I continue to hold the said office I will, to the best of my skill and knowledge, discharge all the duties thereof faithfully according to law.* You will see that this declaration, which binds you throughout your service, has three main parts.

Firstly, it defines your principal duties as being to keep the peace and to prevent crime. Secondly, it obliges you always to be impartial by acting without favor or affection, malice or ill-will—the very root of your operational independence. Thirdly, it indicates clearly that as a servant of the Sovereign you own your duty to the community as a whole and to every individual member of it.

Thus it is clear that, though not a Government servant, you are a public servant, and you are charged with performing all the duties of your office whatever they might by law become from time to time, and that you are pledged to strict impartiality.

This may seem as an onerous responsibility. We must see what principles we can define for ourselves, which will help us to form our judgments and to guide our conduct and attitudes. One basic principle can be defined very easily, and straight away. It arises out of our place as citizens in a free society.

### **The Important Role of the Constable in our Free Society**

As a result of the history and traditions of our country, we all enjoy many freedoms which we would be wise to cherish, even if only as a matter of self interest as citizens. And as police officers we are obliged as a duty by a benign exercise of our powers, to sustain constantly and if possible to enhance, the democratic rights and freedoms which we all share.

One of the basic characteristics of a democracy is, of course, that government is carried out with the consent of the majority of those governed—consent in the sense that people have the power to change it if they disapprove, that they support the laws made on their behalf by the government and, equally importantly, that they consent to the way in which those laws are enforced.

Therefore, in the context of our consideration of the contribution which the citizen-constable makes to the public good, it is important that we should not look upon the enforcement of the law as an end in itself. Enforcement serves many ends, one of the most important of which is to assist in creating that state of civilized tranquility which enables individuals to enjoy their rights and attain their lawful aspirations. To do this we need the help of the public.

Throughout our history this has been accepted as a wise attitude for us, as constables, to adopt. Experience, some of it bitter, has taught us that our fellow citizens do not take at all kindly to officiousness on the part of anyone. They avoid the zealot and the bully, and they are far too robust, and love their freedoms far too much, to put up for long with any fervent or unrelieved control—as many an enemy in the past has discovered to his cost.

This means that any unreasonable, abrupt and over-zealous action by us will not achieve an orderly society, except perhaps in the very short term, but will rapidly lose for the Force its public support. And, since a police service without public support will not be able to police by consent, and in the long term will not be able to police at all, one of the very cornerstones of democratic government will have been put at risk.

On the other hand, by acknowledging always that you are a friend, a guide and a servant of your fellow citizens, and never their master, by adopting an appropriately firm but conciliatory and helpful manner to everyone you meet, and by acting always in ways which are manifestly fair and lawful, so naturally attracting public acceptance of police activity, you and your service colleagues can help to sustain our democratic way of life and build up a store of public goodwill to be drawn on in the future.

It is vital therefore that you are aware constantly of the potential that each of your actions has for good or harm and of the importance for the success of policing and of democracy, not only of those actions themselves but of the style you adopt when going about your business. You are part of the complex machinery by which this country remains democratic and free—and an understanding of that should color your every action.

So, although we will go on to deal with some other aspects of our society and develop maxims from those, we can discern even at this early stage of our discussion a general principle which we should keep in the forefront of our minds—that is, that policing is a public service and not just a law enforcement task; the way in which we perform that service makes an important contribution to our democratic and free way of life. A clear duty can be defined from this: “It is your duty to act always for the general public good, as a helpful and reasonable public servant, and not merely as an enforcer of the law.”

### **The Importance of Discretion**

A constable, though he must obey lawful and reasonable orders from any senior rank, does not hold his office and exercise his powers at the behest of a more senior officer, who in any case, whatever his title, is constitutionally a constable also. Nor is he answerable to any government official, or to the Home Office or to Parliament. He is

answerable to the law and holds his office independently of anyone else; on taking his declaration of office, he has assumed obligations which accrue to him personally.

You will see from this that in making your declaration you have taken on a personal duty which you cannot then betray and an individual discretion which you must exercise with wisdom and skill.

We must therefore discuss whether there are any principles which can be followed to help us exercise discretion sensibly. To do this in a way which can be followed by all members of the Force, we had better start with some basic issues. Initial police training ensures that newly appointed constables have a level of competence adequate to enable them to deal with everyday police problems. They will know, for example, when dealing with an assault of a trivial nature, that any possible injury should be noted, that names and addresses should be exchanged, and that the parties should be advised of their legal remedies. Basic knowledge of this sort brings technical competence, and much of the instruction given to the Force is aimed at increasing the general level of technical competence—by defining as clearly as possible the correct legal procedures to be applied in a particular set of circumstances.

But police officers cannot do their full duty to their fellow citizens by applying standards of technical competence alone. Dearly, if all offenses brought to the attention of police or discovered by police were to result in legal action, courts and police officers would spend most of their time dealing with minor matters at the expense of more serious ones, and the public, and those in other parts of the criminal justice system, would be quick to voice their dismay. Informal action, outside the courts, is often a more effective way of keeping the peace and maintaining order, and is therefore much more in the public interest. And as there are several categories of offences which are often not best dealt with by formal criminal proceedings, it is a cool head, good judgment and a tolerant attitude which are of greatest importance to you.

So, even the youngest and most inexperienced must use sensible discretion when patrolling the streets, in deciding which offences to report, which to warn an offender for, and, on occasions, which to allow to pass without action.

These decisions, which have to be taken often without the advantage of guidance by a supervisor or more experienced colleague, are for you only. They are the first stages in the prosecution process, and are therefore very important matters, demanding fine judgment on your part.

The importance of recognizing that an officer must in certain circumstances be free to decide an issue for himself was acknowledged when the first instructions were issued

to the Metropolitan Police in 1829. These were the opening words of the contemporary Instruction Book:

*The following general instructions for the different ranks of the Police Force are not to be understood as containing certain rules of conduct applicable to every variety of circumstances that may occur in the performance of their duty; something must necessarily be left to the intelligence and discretion of individuals.*

The basic responsibility of your position has not changed in any substantial way, then, in the hundred and fifty or so years since professional policing began; in that time many millions of decisions about whether or not to institute proceedings have been made by individual constables, and the lives of many millions of individual members of the public have therefore been affected to one degree or another.

On the whole the standard of decision making has been remarkably high, although there have been occasional examples of gross ineptitude or malpractice by police when exercising their powers, which have caught the public eye—sometimes spectacularly. Nevertheless, the great majority of decisions are seen by most as being closely in step with public attitudes to different classes of crime and offenses, and with public opinion about how different kinds of offenders should be dealt with. And the standard has been very consistent over the years, too, notwithstanding that changes in the extent and complexity of the law, and in the aspirations and attitudes of society, and in the very pace of life in our great city, have made the exercise of your discretion so much more demanding a task than that which faced your predecessors.

Because the exercise of police power has such an important effect on everyday affairs, it has been from time to time a central issue in cases heard at the Court of Appeal. The result of these cases is that a constable is deemed to have full discretion over whether or not to start the legal process by reporting or arresting an offender, and the decision he takes in any particular case will be supported by the law, provided it can be shown to have been lawfully taken on reasonable grounds. What may amount to reasonable grounds is discussed later.

Thus, yours is not just an individual discretion, it is also a wide discretion—and that brings with it a very wide responsibility.

It may in addition bring much difficulty for you, because the discretion, though wide, is certainly not unfettered and the limits are not all that easy to discern, particularly for younger officers.

On the one hand, for instance, if you were to decide to take an offender before the court for a minor offence in respect of which there were many mitigating circumstances, either known to you or to be discovered by

simple enquiry, you may be sure that you would attract disfavor. The least you might expect for your unreasonableness is a hearty rebuke from the court and you might suffer some other kind of discomforts also—from your senior officers, or even, if it could be thought that you had acted maliciously, in the form of some legal action taken against you by the victim of your over-zealousness.

On the other hand, a decision by you not to take any action in circumstances where reasonableness demands clearly that you should do so, can amount to a neglect of duty under the discipline code. In exceptional circumstances your inaction could amount to a crime, that of neglect by a public officer, if you fail quite unreasonably to prevent a crime.

Deliberate and culpable neglect by a public officer (in this context the term includes a constable) of any duty imposed on him by statute or common law, can amount to a criminal offense of misconduct. It is, as we will see, the duty of every police officer to prevent crime; he must not, willfully and without reasonable justification, neglect to carry out that duty, since it is one which is imposed by common law upon all those who hold the office of constable. A recent example of gross neglect of that sort is given in the case of *The Crown against Dytham* in 1979. A constable saw a man being kicked and beaten in the gutter outside a club from which the man had just been ejected. The man was kicked to death but the constable did not attempt to intervene and stop the attack or to summon assistance. Instead he was heard to say something about it being time for him to finish duty, and he left the scene. This was a disgraceful neglect which rightly led to his conviction and punishment. Of course, such extreme neglect is exceptional, and amounts to rather more than a failure to exercise reasonable discretion. Indeed no discretion arises in a case of that kind, for the duty to act should in the eyes of any reasonable person be so clear, and the surrounding circumstances so unequivocal, as not to give rise to choice.

On the face of things then, it would appear that the exercise of reasonable judgment is all that is required in normal circumstances to keep you comfortably within the bounds of your discretion. But, although that is generally so, there are more problems with this than at first meet the eye, as your experience will show you.

What may be thought entirely reasonable by one person, may not be seen in the same light by another. The issue of whether or not a particular offense should be pursued, and if so with what vigor, is potentially of such importance and public interest, that it is sensible for us to consider it further.

### **Reasons for Exercising Discretion**

*Discretion is the art of suiting action to particular circumstances. It is the policeman's daily task.—Lord Scarman*

Police discretion is certainly an art rather than a science; it would be impossible to describe, with anything like scientific accuracy, all of the factors you should have in mind when exercising judgment. Nevertheless, you may find it helpful if we discuss some examples, in order that we can identify the principles which underlie the art. They are very simple examples, perhaps, but they will enable us to identify the kinds of principles you must weigh in your balance before deciding what to do.

Let us suppose that you are an officer in uniform, leaving the police station. You pass a number of cars parked in contravention of a waiting restriction. Should you trace and report the drivers, or should you not? There are a number of factors which will influence your decision, depending on circumstances. Here are some of them:

1. Are the cars on your beat? (If they are not, and you can reasonably foresee that the officer who patrols that beat will deal with them, or that they will be dealt with in another way, for instance by Traffic Wardens, and there are no aggravating circumstances, then this becomes a reason for taking no action, and for getting on with your own duty).
2. If they are on your beat, do you have another more important or more urgent duty to perform? (If you have, then that is a reasonable factor for you to weigh. Police business amounts all too often to striking a balance between pressing and conflicting priorities).
3. Are the cars causing such obstruction or danger that they require removal? (If they are, you might need to discount some other consideration, like having other business to get on with, and do something about the cars).
4. How long is it before the parking restriction expires? (If the time is nearly over, you are not likely to achieve any great public purpose by engrossing yourself with such minor offences. Nor are the motorists likely to thank you for your trouble.)
5. What is the feeling of local people about the illegal parking of cars? (If you know the feeling is high, it may be sensible, despite your having other work to do, or despite anything else, to do something about the cars).

We could go on, for there are many other questions and factors which may arise, even in such a simple example as this. None of them is likely to clinch the issue on its own, and each will have some weight depending, as always, on the circumstances. Your problem in a case of this particular kind will be solved largely by your skill in balancing conflicting policing priorities together with your knowledge of what the public regards as important.

Let us take another very simple example. A boy is playing with his football in the street. He is fooling about generally and deliberately throws the ball through a nearby house window, out of which one of his friends

is grimacing and hurling gleeful insults. You are passing and are satisfied that what you have seen amounts to criminal damage. Should you take action against the boy? In this case your judgment will depend more on your understanding of the boy and the people involved. While our first problem was one of priorities, this is much more a human problem.

You will first want to establish, as far as possible, what the owner wishes to do about his window, where the offending boy lives, whether he or his parents are willing to pay for the broken window, and whether this will placate the owner. The boy's history will also be very relevant. Is this something he has done before—perhaps even been convicted for it? What is the best way to stop him offending again if there are indications that he is the type of boy who may do so?

Having ascertained and considered all these things, you may very well decide that you should not proceed against the boy; perhaps much more is likely to be achieved by resolving the matter in a neighborly way between the parties at the scene, if that can be done, than by any other course.

Certainly, if you were to have reported the drivers of the cars, or taken proceedings against the boy, without thinking about any of the factors which we have mentioned, you would have been failing properly to exercise your discretion, and thus to perform your duty; in exactly the same way, you would have been neglectful if you had merely walked away from the cars, or ignored the boy. And therein lies perhaps the only principle that can be laid down for you, with certainty, about every incident you deal with: whatever confusion and lack of definition there may be in the factors surrounding an incident, and however unsure you may be about the weight which should be given to a particular factor, your clear duty, whenever time and the pressure of events allow, is to consider them as honestly and reasonably as you can. If necessary and if it is possible you may seek such advice as you can get from others, and then decide the issue by using your judgment to the best of your ability.

There is a further source of help for you. The Attorney General has issued guidelines to all those involved in the process, to indicate the range of factors which should be borne in mind when deciding whether a prosecution should be initiated or continued. Arising from this, a procedure has been developed by which adults who have been arrested for an offence may in appropriate circumstances be cautioned, released and no further action taken.

Some of the advice contained in the Attorney General's guidelines is not directly relevant to the decisions which you may have to take on the street, it is germane more to later decisions, taken about sometimes

very complex matters, after reports and investigations are complete. But other parts are very relevant to all cases, such as the requirements to consider: the relative triviality or seriousness of the offense, the attitude of the complainant towards prosecution, the character, age and mental or physical condition of the accused person, the staleness of the offense, the attitude of the public towards the offense alleged, the prevalence of the offense in that area.

You should study the guidelines. They are an important aid to the proper use of your discretion.

And whatever else you may find it right to take into account, you should always include that general question which arises from your prime duty to prevent crime—which course of action will most effectively prevent a repetition of this offense? And also the general question which arises out of your office of constable—which course will be seen by my fellow citizens as humane, reasonable and in the general public interest?

From this first part of our discussion about discretion we can glean another Duty: It is your duty when exercising police powers, to avoid peremptoriness; to weigh carefully all surrounding factors, and to judge these in the light of the Attorney General's Guidance.

But that cannot be the end of it, for there are some occasions when the incidents you are faced with on the streets do not call for any contemplation, but for action. When you see a serious offense, a robbery, or an act of violence, or a breach of the peace, you do not need to hesitate in order to contemplate earnestly upon the likely reaction of victims, or to debate for long with yourself the best way to serve the public interest in these particular circumstances—you get on with it, and arrest those responsible.

In some ways, and certainly in the context of the exercise of careful and tolerant judgment, incidents such as these are relatively easy to deal with. But you must take care to ensure that the requirement for you to show resolution and decisiveness in cases of this kind, which can, if you are successful, lead very rightly to public acclaim, does not lead you to arrogant over-confidence, or to take an unduly dismissive attitude towards the possible plight of the offender, or of others involved. As we shall see in due course, the offender as well as anyone else is entitled to careful and sensitive handling by you.

Of course, crimes such as unprovoked serious assaults, robberies and other violent thefts, are so appalling and seemingly so indefensible, that only the interests of the victim and of public justice need trouble you at the time you take your initial action. But first impressions are not always accurate, and after the detailed circumstances and individual motives of a case have been explored, a different picture can sometimes emerge. It is not unknown for an act of violence or a breach of the peace,

or even what was on the face of it a quite disgraceful crime, in the end to be revealed as an indication as much of the offender's misfortune as it is of the victim's.

There is a distinct requirement here for you to be humane and to strike a careful balance of attitudes not just towards those directly involved in any incident you come across, victim of offender, but towards the interests of the general public also. Moreover it is your clear duty to strive to increase your professional skill and your understanding of others, so as to do it all the better.

That is a tall order, the younger and less experienced may think. But there is no need to be over-anxious. Time helps all of us and we can take comfort from the fact that there are sometimes so many conflicting influences surrounding even a relatively simple incident that the most experienced and wise of us has difficulty in deciding the issue. Moreover, none of us can ever be confident that our decisions will always be right, although good judgment comes more easily as learning and professional skill grow, and as experience widens.

The events which influence an individual police officer's character, and mould his judgment, will have been experienced at different times and with different intensities; it is likely therefore that views in the service, about what is correct in a particular case and what is not will conflict, even between contemporaries. You will find that these differences of view are sometimes quite sharp, and occasionally confusing. But they are not necessarily out of place in a service as broad based and as complex as ours.

For instance, one officer, though performing his duty quite conscientiously, may think that having a drink before driving is not in itself always a reprehensible matter; he may consider it unnecessary for him to explore that aspect of a case unless the circumstances in which a driver is discovered indicate that the driving may have been impaired. Another officer, perhaps with extensive personal experience of the pain and tragedy of road accidents, may think that drinking and driving is a cause of so many of them, that whenever there is the slightest evidence that drink has been taken he must exercise his powers.

Differences of that kind, which have as their basis differing attitudes to individual culpability or different opinions about the degree of gravity in a class of offenses, are matters which can, for the most part, be settled by Force organization and by the checks and balances inherent in our prosecution system. Training, too, can play an important part in encouraging common attitudes where this is necessary, though it is not the purpose of training to seek to abolish all differences of attitude amongst police officers. Some differences, providing of course that they do not distort police activity in an unfair way, are

not only tolerable, but healthy, and can contribute to productive debate within the service and to the progressive development of policy.

In this context you may wonder whether your own stance must always be consistent, and whether, when off duty, you are entitled to adopt an attitude to offenses and offenders different from that which governs your thinking when on duty. The answer is yes, for good reasons which a couple of simple examples will again show us.

If you are off duty and driving your car at 30mph in a road restricted to that speed, and you are overtaken by a car traveling at 40 mph, should you attempt to stop the car and report the motorist for speeding? Providing there are no aggravating circumstances, such as danger to other road users, quite clearly you should not. Apart from the inadequacy of any evidence of speed you may be able to give to a court and the possible danger involved in one private car stopping another, your action might be seen by the motorist, and any interested bystanders, as officious, or worse. Unreasonable of them you may say, and you may be right; nevertheless confrontation is a distinct probability and your intervention might well lead to an unseemly row. Neither you, nor the motorist, nor the service, would be the better for that.

When off duty, proper use of your discretion requires you to overlook such traffic offenses and other minor infringements of the law. Inaction in such cases would not be neglectful—it would be good sense. Of course intervention would be appropriate, indeed would be a matter of duty, if human life was at risk, a serious offense was imminent, or peace was seriously endangered and your action could preserve it, but careful restraint and prudence should be your rule at all times.

For a second example we can take a subject on which there is a variety of views among many responsible members of society, which is reflected in the views of police officers: the smoking of cannabis. What should you do if you see that people, at a party, are smoking a substance which you think may be cannabis? This is a very difficult decision for anyone to make. It is much easier to advise what you should not do; you should not attempt to arrest as many cannabis users as you can see. Indeed, prudence may tell you that you should not take any action at all at the party, because you will not be able to take effective action. Your decision, in this, as in all things, on or off duty, should be made with a sharp eye to what is feasible, and likely to achieve your purpose, as well as to what is strictly legal or morally correct.

Depending on how flagrant the smoking has been, whether there was encouragement given to others to smoke, or whether there was any attempt to sell cannabis, you may decide to stay, and attempt to identify any person who might have been supplying cannabis so that

action can be taken against him later, if that is appropriate. On the other hand, if it was clear that the smoking was not widespread and took place merely for the personal satisfaction of a few, and you were, in any case, not sure that the substance was a controlled drug, you may decide to do nothing except perhaps, leave a note for a collator or a drugs squad officer, outlining what you have seen or suspect.

You would also not want to neglect your obligation to your host in all this. Your decision about how, if at all, to approach him, would of course be influenced by the extent to which you knew him, how sure you could be of his good reputation and intentions, and what evidence there was of foreknowledge on his part. Certainly, if you were to have taken some action thoughtlessly about his party without telling him of it, he would be bound, on discovering that, and if he was free of guilt himself, to question your purpose. He would regard you as uncivilized to say the least, and this would be so, particularly if the party had taken place at his home and had comprised principally his close friends or family. It is only if there was some clear ground for suspecting complicity by your host that you could, in such circumstances, justify taking action behind his back. Much the best course, if the situation allows it, would be to tell him what you have seen and explain carefully what action you propose to take. His reaction to that can be an important factor for you when deciding how to handle things.

As is nearly always the case with the exercise of police powers, none of the above courses of action could be judged to be wholly wrong or wholly right in the circumstances described. It is quite possible that another person, who was present or who learned afterwards of your action or inaction, could take a view different from yours.

But if challenged about what you did or did not do, you would be able to say with some justice that you had assessed the issue as sensibly as you could, that you had considered as a priority what was practicable and would serve the public interest, and had given no more weight than was reasonable to your personal view of the culpability of the offenders and the seriousness of the offense. No one could contradict you; you could be content that you had reasonably discharged the functions of your office, even though, you might yourself think afterwards, with the marvelous wisdom which hindsight brings to us all, that it would have been better to have done things in a slightly different way.

From this discussion we can see that many of the differences in approach to situations in which there is scope for discretion are dependent on whether an officer, by reason of experience and understanding of human nature, tends on any occasion more towards zeal or towards indulgence. Minor differences of opinion in this

area are understandable, but major ones are not and a generally correct balance must be maintained. Both overzealousness and undue tolerance are wrong, the former leading to conflict through the unnecessary use of authority, the latter to public dissatisfaction about a lack of police action. These extremes must be avoided when making difficult personal decisions, and we shall see later, when we come to discuss our duty as a Force, how important this principle can be for the maintenance of public tranquility.

We are able here to discern another three principles to be followed when we are contemplating the exercise of our powers: to be humane, having regard to public interests in addition to those of victim and offender; to be prudent and restrained, paying full regard to what is practicable, particularly when off duty; and to avoid equally undue zeal and undue tolerance.

It is necessary to show confidence and sure-footedness in another matter. You must be free of improper influence when exercising your powers and, just as importantly, you must take pains to be seen to be free.

As a police officer you are very much in the public eye and your fellow citizens will be quick to notice, and to comment upon, any activity of yours, on or off duty, which they perceive as being likely, however remotely, to affect your honesty and your impartiality.

There are some provisions of the Police Regulations and the Discipline Regulations which are very relevant here. For instance, you will know that you must not engage in political activity. You may not do other things, such as acquire a business interest, without the consent of the Force. Disciplinary rules prescribe that you discharge promptly any lawful debt and avoid any pecuniary liability. Force instructions require you to decline, and report, any gratuity or reward which is offered to you.

These instructions, and others like them, are intended to help you maintain your impartiality and to give the public a clear indication that this is what the service is determined its members should do. There can be no doubt about this. The Police Regulations tell us:

*A member of a police force shall at all times abstain from any activity which is likely to interfere with impartial discharge of his duties or which is likely to give rise to the impression amongst members of the public that it may so interfere.*

The rules may be simple and clear enough for everyone to understand, but the reality of life is often much more subtle, so that reasonable compliance with the rules, in such a way as to avoid a clumsy or pompous attitude to those offering genuine friendship and warmth, is not at all easy. Sometimes you will find that careful thought, and not a little shrewdness, are required if you



are to differentiate between kindly and disinterested acts, and those which are more sinister, being designed to test for weakness on your part. And, as always with these things, the older and more experienced you are, the easier it will be to recognize the difference between the two. A few more examples might help in teasing out the principles.

One clearly defined perquisite for police, which is acknowledged by all involved, is the facility which enables you to travel free, if you wish, on most London Transport services by using your warrant card as a "season ticket." This has been considered to be in the public interest because you carry a particular responsibility to help keep order and to enforce the transport regulations when you travel in this way. The public knows that this facility exists, knows the reasons for it, and is therefore content that your integrity and honesty of purpose are not thereby put at risk.

Other forms of benefit are offered by reputable organizations to the police, without thought of advantage. Travel firms or insurance companies, will sometimes offer substantial discounts to police officers because they want to attract reputable customers who will (indeed must) promptly pay their debts and who are a better commercial risk in other ways—for example, as safe drivers or prudent property owners.

Then there are other firms which offer a form of "discount" to almost any customer who asks for it, without any expectation of favor in return. These should give you no trouble, and taking advantage of these concessions is no more than your right in the market place.

There are, however, some firms or businesses which are not so scrupulous and which try to inflate their commercial reputation by implying a police connection in their titles, in their advertising, or in the course of pressing their services on their customers. You need trade only once with such people to do the favor required, allowing them afterwards to boast of your custom as evidence of their reliability or soundness. This is not a small point; a transaction of that kind may not compromise you, indeed you may not know what is done or said afterwards by the business, but your reputation, and that of the service, can be seriously damaged if other customers receive short measure or shoddy service.

So, if a discount or other advantage is offered to you, and not to others, without any discernible and reasonable justification for singling you out, take great care, lest unwittingly you are "led by the nose" for someone else's advantages of this kind.

You must be sensible about other advantages also. Of course the casual offer of a cup of tea, and the like, by a local resident or trader is innocent enough, and cordiality here can help to cement a healthy relationship

with local people, thus enhancing your understanding of local affairs and problems. But things can get gradually more significant almost without your noticing it, and you must take care not to stumble in this difficult area.

Such things as an offer of free food at an eating place, free services from a local trader, or free drinks from a licensee, are quite a different proposition and they are potentially more difficult to handle if, as is sometimes the case, the "offer" takes the form of reluctance, or refusal, to accept payment when you proffer it. An "offer" of this sort must not be accepted, even if you believe that it does not have any ulterior motive, and stems only from kindness, or genuine admiration, for you and the service.

There may be many who see what you do, or do not do; any onlooking member of the public is bound to regard the incident as an improper inducement to influence you in the donor's favor. Not to put too fine a point on it, it will be seen as a bribe. And so would you see it that way, if you were in the same position. There will be many, too, who learn afterwards of what happened, the "innocent" donor has no need to be quiet, the "guilty" has every reason to boast, and will condemn your taking advantage of your office.

You must put the maintenance of your good reputation before all else, and refuse. Of course you must do this as gracefully as you can, and careful steps are sometimes needed so as not to accuse unfairly or dismay those involved. Quiet firmness is required in the form you employ for your refusal. No fuss is necessary. Tact and good humour, the thoughtful police officer's constant companions, will help you to avoid giving offense to a person who might be merely well motivated and kindly.

What matters most of course is not so much the manner of your refusal, though this is important, but the substance of your decision. This must always be clearly expressed so that there can be no confusion about your attitude. If you keep in mind your constable's declaration of impartiality, you will not find it difficult to make decisions of this sort. After all, you and I would not have the slightest doubt about what should be done in more serious cases which clearly enter the world of criminality. If, for example, we were to be offered a sum of money to refrain from arresting someone, we would know without hesitation what to do; indicate that we were not to be bought, then take action quickly. Failure to do that would be, as we know, a criminal offense on our part, and, if discovered, we would rightly be held in great contempt both by the public and by our police colleagues alike.

It is clear then that we must take care that we are not bought, bit by bit, for there is no difference in the end. Downfall will be equally disgraceful whether it comes as a result of conscious corruption on our part, or by a

gradually increasing carelessness about personal standards leading, even inadvertently, to our abusing our powers and positions. Selfishness in police officers, and a pursuit of personal advantage, is not only reprehensible in themselves but carry the distinct danger that they will undermine the honesty of purpose which our fellow citizens demand of us.

But again that is not the end of it. There are other, less substantial, and less easily discerned, factors which we must take into account. The public forms an opinion, good or not, about the standard of police integrity not only by considering how police officers are seen to behave in regard to material things such as we have mentioned, but also on a number of other factors.

First there is the public view of how insular or how public-spirited are the internal relationships and loyalties which police officers build up with each other within the Force, and whether these affect police judgment. These relationships are germane more to the way we perform our duties as a Force and therefore can be dealt with later when we discuss those duties.

A second consideration is very relevant here; the way the public regards links which individual police officers might build with individuals or groups outside the service.

Of course a police officer, like every other citizen, is a free agent—When off duty, friendships, acquaintances, and social activities are not normally a matter for the Force to bother about, or for any colleague to concern himself with. Indeed, we serve in a Force which is seeking to introduce greater freedom and participation, both in its management and in the way it embraces public aspirations and opinions. And in recent years the society we serve has come more and more to value openness and frankness and the ability to associate freely without undue interference. We are just as entitled, of course, to those freedoms.

But the declared promise we gave as constables to exercise our powers impartially makes it sensible for us to be circumspect and careful, and to have regard, in this context as in all others, to the impression the public may gain from what we do.

Relationships with individuals are not so difficult a matter. Clearly, none of us would have any time for an officer who fell into close association with a person of dissolute habits, or with an active criminal, indeed acquaintances of that kind could leave the officer open to a disciplinary charge. But this is not to say that you must steer clear of the friendship of someone just because they have been involved in an offence at some time. Not a bit of it, for such an attitude would surely brand you, and the Force, as hopelessly puritan and stem, without much understanding of the ways of others. You would be

much the poorer, too, for you would be cutting yourself off from a large slice of the lively world we live in. Many former offenders have benefited from the friendship of a sensible and caring police officer, and many police officers have been enriched and sustained, sometimes for life, by such friendship.

So it is once again a matter of balance for you to strike as a free citizen, taking others as you find them, treating them for what they are and not for what they might once have been. All you need ensure is that you do not put yourself in a position where you may be compromised or where the public is likely to doubt reasonably whether your impartiality can be relied upon.

Much the same principle must apply to any relationship with, or membership of, a group. The Force positively encourages its officers to take a full part in the social life around them, for their own sake as a means of enhancing their awareness of the community they serve, and for the sake of the Force which is anxious to be seen as a caring contributor to the public good. The community gains from this; a number of very worthwhile undertakings, particularly those related to the well-being of young people and the socially disadvantaged, would not survive half so well without the energy and drive volunteered by police officers. Good citizenship, ingrained in so many officers, finds yet another outlet in this way.

Accordingly, you will feel as free as any other citizen to take part in any society or organization—social, sporting, cultural or charitable—which captures your attention and enriches your social pleasure. These are pursuits which cause no adverse or critical concern to the Force or to the public, the members of which are much reassured about the humanity of their police force when they observe its members taking part in such things.

Nevertheless there are a couple of areas which can give rise to public apprehension about police participation. There will be, for instance, natural disquiet about police membership of any organization with a party political connotation, however slight or indirect that might be, or one which, while thought by many members of the public, and many police officers to be very worthy—such as a movement for animals' rights or a peace group—pursues its objectives with such earnestness that it is likely eventually to fall foul of the law. The public rightly expects police officers to avoid a connection with an organization of that kind, as of course, does the service itself.

Similarly members of the public are sometimes uneasy when they learn that a police officer is a member of, or a contributor to, any private club or institution whose purpose, or conditions of participation are not generally known or published, or whose activities are kept away from public view. Unnecessary conjecture

and, sometimes, suspicion, can arise. Although the aims of the group may be estimable, and the conjecture without foundation, it is important that any police officer who participates should consider how he might dispel any apprehension felt by his fellow citizens, and his fellow constables, about his probity.

The police Regulation which we mentioned earlier (requiring us to avoid, on or off duty, any activity likely to interfere with our impartiality or to give the impression that it might do so) is a particularly burdensome one in this context, for it is all too easy for an onlooker to believe that an officer who is a member of such a group will show favor to other members. And it is not uncommon for fellow police officers to take the same view, harboring the additional suspicion, that they, not being members, will receive less favorable treatment at the hands of supervisors who are members than they deserve in such matters as promotions or postings. Thus an officer must pay the most careful regard to the impression which others are likely to gain of his membership, as well as to what he actually does, however inhibiting he may find this to be when arranging his private life.

One group which has been the subject of conjecture of this kind, and one which has unique features that add to the difficulties for police officers, is the institution of freemasonry. It will help us to appreciate the special obligations which fall on us if, in concluding our discussion of the principles which govern the exercise of police powers, we look at the impressions that police participation in freemasonry can give, both within and outside the service.

What matters should an officer consider if he is thinking of becoming a freemason?

To begin with, he will want to weigh the advantages. If accepted as a member, he may take satisfaction from participation in a long-established institution which embraces people of many kinds from all walks of life, and which includes in its upper echelons some of the most distinguished people in the land. He may expect too, that membership will bring social pleasure and companionship with his fellow masons, some of whom may well be his fellow police officers. With them, he may take proper pride in the charitable efforts of his lodge, and in the pursuit of the ideal of freemasonry which is "the improvement of man both as an individual and as a member of the community."

And it is important, when considering freemasonry in the context of the police service, to remember that many officers, of different ranks, have been able to reconcile their private commitment to freemasonry with their public duty without difficulty. We should remember too, that much of the conjecture about the influence of freemasonry upon our service has not been supported

by evidence. The accusers, including some police officers who criticize freemasonry, have often been wrong.

There is, of course, a long established principle that no-one should accuse, unless he can prove, and there is an obligation, as we shall see later when we come to discuss our duty as a Force, that police should adhere wholeheartedly to the Rule of Law which requires "reasonableness when acting on suspicion." When, as happens occasionally, a police officer becomes so obsessed with freemasonry that he seeks on the flimsiest of evidence of lay blame at its door for all sorts of ills which cannot reasonably be connected with it, he is acting not just unfairly, but unprofessionally.

Nevertheless, it is necessary with freemasonry, as with any institution including, of course, the police service itself, to strike a distinction between the ideal and the reality. Some of the assertions have been supportable. The activities of some freemasons have been thought, on reasonable grounds, to be motivated by self-interest and not committed to the aims of freemasonry, so adding to the suspicion that all may not be well in this very private institution. Therefore, although an officer who is a freemason may take great care to ensure that membership does not influence him in the exercise of his police powers, he may find it impossible to convince a member of the public, or a colleague who is not a freemason, that this is always so.

There are a number of other factors also which weigh against him. Firstly, there is the marked exclusivity of the institution and the mystery which surrounds the method by which a person is judged by freemasons to be suitable for membership of a lodge. Then there is the oddness of the initiation ceremony itself, with its strange rites which smack to some of immaturity, being reminiscent of the secret societies of boyhood. There is some oddness too, in these modern days, about the requirement for freemasons to respect social distinctions and the status quo to such an extent as to sustain the notion that "while some must rule, others must obey and cheerfully accept their inferior positions." And finally, and most importantly in the context of police participation, there is the freemason's solemnly sworn obligation never to reveal the secrets of the craft, including that which tells him how he can indicate his affinity to another freemason in a way that will not be discerned by onlookers.

All of these carry considerable weight. They militate against the acceptance, by colleagues and citizens alike, of an officer, who is a freemason as a man on whose fairness it is possible to rely always, and unquestioningly.

Nothing in our discussion should be taken as a criticism of freemasonry in itself. Of course, some of the factors we have looked at apply to other private and selective bodies in the group which we have in mind, but

the unique combination of them in this institution does cause extreme difficulty for a police officer. It is difficulty of a kind not faced by another professional person who is a freemason. The police officer's special dilemma is the conflict between his service declaration of impartiality, and the sworn obligation to keep the secrets of freemasonry. His declaration has its statutory obligation to avoid any activity likely to interfere with impartiality or to give the impression that it may do so; a freemason's oath holds inevitably the implication that loyalty to fellow freemasons may supersede any other loyalty.

Thus, an officer who is approached about membership should consider these factors most carefully before deciding what to do. It is a matter for his judgment of course, and no supervisor should presume to instruct him, for to do so would be thought an unwarranted interference with private life. But advice and guidance is a very different matter and the discerning officer will probably consider it wise to forego the prospect of pleasure and social advantage in freemasonry so as to enjoy the unreserved regard of all those around him. It follows from this that one who is already a freemason would also be wise to ponder, from time to time, whether he should continue as a freemason; that would probably be prudent in the light of the way that our Force is striving, in these critical days, to present to the public a more open and wholehearted image of itself, to show a greater readiness to be invigilated and to be free of any unnecessary concealment or secrecy.

Here again, just as with the other things we have dealt with in this part of our discussion, there are no hard and fast rules, and no unarguably correct answers. Your judgment about what stance you should take in these very difficult issues—which, in the past, have tested, and even beaten, some of the wisest and most experienced officers—will be much helped if you remember that your declaration of office as a constable must be paramount. The responsibility it brings to be impartial does not cease when you leave a police station at the finish of your daily duty, it must pervade all that you do, privately or publicly, and it must supersede any other loyalty you may have.

From this, and from the ringing terms of the declaration, we can get the final, and perhaps the most important, principle which we must follow when exercising our powers: To be, and be seen to be, unfettered by obligation, deciding each issue without fear or favor, malice or ill-will.

In summary then, there are a number of duties which flow directly from the constitutional position of the constable, and from the public's expectation of how we should use our discretionary powers:

1. It is your duty to act always for the general public good, as a helpful and reasonable public servant, and not merely as an enforcer of the law.
2. It is your duty when exercising police powers: to avoid peremptoriness;
3. to weigh carefully all surrounding factors, and to judge these in the light of the Attorney General's guidance;
4. to be humane, having regard to public interests in addition to those victim and offender;
5. to be prudent and restrained, paying full regard to what is practicable, particularly when off duty;
6. to avoid equally undue zeal and undue tolerance;
7. to be, and be seen to be, unfettered by obligation, deciding each issue without fear or favor, malice, or ill-will.

## PART TWO

### OUR DUTY AS A FORCE

#### The Objectives of the Force

Since 1829, writers on police affairs contention have drawn attention to the necessity for police forces to define the objectives and priorities which they see for themselves, to indicate the methods which they plan to use in order to achieve those objectives, and to measure whether they have done so.

Clear definition and rational planning of this sort is seen as eminently sensible in the Metropolitan Police, for two reasons. Firstly, it enables the Force as a whole to husband carefully, and effectively, its limited resources of manpower and equipment. Secondly, the methods we have introduced to attain that purpose allow much greater participation, at a local level, in the process of agreeing, setting, and achieving the highest standards of service and efficiency.

For us, as individuals, this second aspect of our new system may be the most fulfilling and challenging, not least because it moves us away from an authoritarian method of management to one which is more participative. There are many general advantages also. Firstly, by setting agreed objectives, we can make more purposeful the actions of individual police officers and local groups of officers. Secondly, by a willing disclosure of our intentions and our working practices, we can greatly increase public understanding of the problems which face us, the limitations which scarcity of resources places upon us, and the ways in which the public can help.

And this "new" thinking about policing objectives, coupled with the original objects drawn up by our first Commissioners, Rowan and Mayne, whose declarations

still underpin all that we do, has been drawn into a statement of corporate purpose, our “principles of policing”, which are printed elsewhere in this book. You should study it closely. It lies at the heart of everything that we do as a Force. All of our detailed objectives and priorities are framed in support of it.

The statement should become the cornerstone of your personal policing philosophy. It is worth repeating:

*The primary aims and duties of the Metropolitan Police are to uphold the Rule of Law, to protect and assist the citizen and, in consultation and cooperation with others in the community, to work for the prevention and detection of crime and the achievement of a peaceful society free of the fear of crime and disorder*

The aims and duties stated are not of course “new” in the sense that they have not governed us before. Nor could they be, for they are based inevitably on the traditional duty which accrues to the constable. Our Force has its own statutory base and individuality, of course, and its own unique accountability; arising largely because of its importance as the Force which polices the seat of Government and the center of commerce, there are special duties imposed upon it and upon individual members. And some of its members, our civil staff, though fully committed to the aims of the Force and dealing very closely with the public, do not exercise police powers. Nevertheless, the Force is essentially a collection of constables; whatever else, a collection of constables must, collectively, have no lesser standards than individual constables.

We are on familiar ground then, in view of our earlier discussion about the declaration of office and the duties of individual constables. We can look upon the core statement as articulating tried and tested objectives which have been re-defined to give a fresh degree of emphasis and a new relationship between them, to reflect the complexities of modern life and to take account of our social evolution since professional policing began in 1829.

Further discussion of some of the aspects of the statement will show what a rapidly growing complex of duties nowadays falls upon us, and will enable us to recognize the professional good sense of working always to attract public support. We will also be able to develop our thoughts about police conduct.

### **Our Primary Duties, the Rule of Law and the Fear of Crime**

The phrase “Rule of Law” is a general term, of wide meaning, incorporating a number of the ideals and principles which are crucial to the process of government and justice in a free society. It includes also some of the provisions on human rights propounded by bodies such

as the Council of Europe and the United Nations. We will discuss these important matters later on.

The duty of upholding the Rule of Law means, therefore, a number of things for us in the police service. We must, as the phrase clearly implies, apply the law of the land, as enacted in statutes, or as established by Common Law, and maintain the Queen’s Peace. But as we shall see, to uphold the Rule of Law in its full sense when enforcing the law, we must keep strictly within prescribed powers, abstain from arbitrary action, and respect the individual rights and freedoms of all citizens.

We know that one of our main emphasis in maintaining the peace, and applying the law, must be upon prevention, as was the case in 1829 when the principal object was formulated as follows: *It should be understood at the outset that the principal object to be attained is the prevention of crime. To this great end every effort of the police is to be directed. The security of person and property, the preservation of the public tranquility and all other objects of a police establishment will thus be better effected than by detection and punishment of the offender after he has succeeded in committing the crime.*

Though that object remains today just as valid as it was on the day it was written, in recent years it has been sensible to acknowledge that skill in the detection of crime, as well as in its prevention, is important in our quest to deter offenders, and to protect and assist the citizen. Moreover, as our statement indicates to us, our society cannot be considered at ease, and truly protected by us, if our fellow citizens are bedeviled by a fear of crime and disorder.

Recent research shows that fear of crime has emerged as a matter which contributes to the process of neighborhood decline, thus affecting the stability of the community. Fear of crime in the mind of the average citizen is produced not only by the actual rate of crime and the number of people perceived as potential criminals, but also by the physical appearance of the locality. We have all worked in areas of decay where litter, graffiti, and derelict buildings abound, and where vandalism seems uncontrolled. All this increases the citizen’s feeling of insecurity, as does the inordinate presence in the streets of disorderly and unpredictable people such as those suffering from the effects of habitual drink or drugs—a presence which is itself another symptom of social decay.

In areas where this menacing, disorderly or lawless atmosphere grows apparent, the more affluent move out, shops lose profitability as a result, and they move; businesses move away as schools in the locality diminish, property declines in value and the municipal base is eroded. All this feeds on itself, as many police officers have seen at first hand to their dismay, and there is a despairing spirit. This sometimes leaves people unhappy,

fearful and unwilling to cooperate with any institution, including the police. And if we do not enjoy public cooperation and support in these areas, we cannot expect to police very effectively.

It is clear that we must work very closely with local authorities and other agencies to put this right, by ensuring that such measures as we are able to take to control disorder and prevent and detect crime go hand in hand with any local efforts to improve the appearance and economic viability of run-down areas. Only by first restoring a feeling of security and confidence, can economic investment and regeneration occur in the worst of our inner-city areas.

You will see that working publicly and cooperatively in this way and addressing diligently the fear of crime, is not only good citizenship in that it serves to improve the lot of our fellows, but it is also very good professional sense.

So, enlisting public support for our efforts is important if we are to control disorder and to prevent crime. But, as we know, nothing in police life is simple to achieve, and there is another dimension to the prevention of crime which we must consider. There is a balance, a very delicate one, that we are obliged sometimes to strike between the prevention of crime on the one hand, and the preservation of public tranquility on the other.

On occasion, it is not possible to achieve fully the one without risk of endangering the other, and our understanding of public wishes about the prevention of crime, what level of crime they consider tolerable, and what they do not, has not always been faultless. It has been necessary in recent times for us to work hard as a Force to develop mechanisms to consult more effectively with the varied communities in London, so that we can judge more accurately just what a community's aspirations are in that direction.

The spur for much of this arose out of the riots in London during 1981, when there were serious public disturbances in Brixton. Police officers who were there will not forget them easily. Neither will anyone who was serving then forget the public outcry afterwards about who was to blame. The police, for their alleged misbehavior before the riots, came in for a considerable share of the outrage and the acrimony, particularly from some minority ethnic groups, many of whose representatives saw the police as enemies. It is accepted now, by police as well as by others, that this view had some justification. But there was other, less easily discernible, causes, as is now well accepted also, and the enquiry which was conducted under the Police Act by Lord Scarman points to ways in which co-operative effort can help to avoid any repeat of the tragic disorder. Lord Scarman's report, a

document of great substance and penetration, has led to important changes in police strategies and attitudes.

The innovations which flowed from Lord Scarman's enquiry need to be developed wholeheartedly, for they should enable us to be more forward-thinking and perceptive in discerning what it is that a community requires of its police. We should now be better equipped to decide, in consultation with the community, and in the light of the law of the land, how to strike our sometimes difficult balances in a particular area.

In other words, with public help through our consultative machinery, our Force should be able to perform better than primary duty mentioned earlier which falls to us as constables and as citizens: the maintenance of a state of civilized tranquility which facilitates the enjoyment of individual rights, and which allows the unfettered attainment of lawful aspirations. Thus, by considering both the general discussion we have had about the duty of the constable, and the development of the aims of the Force which we have described, it is possible for us to define our collective and individual duty: It is a duty to prevent and detect crime, to keep the peace, to assuage fear of crime and disorder, and, wherever possible, to enlist the help of our fellow citizens in achieving those ends.

#### **Society's Fundamental Rights and Values**

We can be sure that we will be much helped in developing our understanding of public attitudes, and in improving our growing rapport with those we serve, by addressing ourselves enthusiastically to those other important duties which fall upon us under the Rule of Law: to work always within prescribed powers, to avoid arbitrary action, and to respect individual rights.

Working "within prescribed powers" and avoiding "arbitrary action" mean that we must act within the law, and within any agreed codes of practice which govern police conduct, and that we must keep clearly within the bounds imposed by the fundamental rights and values maintained by British society as a whole—the rights and values which you and I cherish for ourselves as fellow citizens.

The twelve most important rights and values, for the purposes of our present discussion, are:

1. respect for human dignity;
2. the right to free speech;
3. the right to free association;
4. prohibition of discriminatory behavior towards individuals, classes of persons and minority groups;
5. the requirement of reasonableness when acting upon suspicion;

6. the requirement to use only such force as is necessary to accomplish a legitimate purpose;
7. restrictions on powers of arrest and detention;
8. the observance of suspects's rights;
9. the right of access to legal advice;
10. integrity in the collection and presentation of evidence;
11. the right to silence;
12. the presumption of innocence.

Adherence to these great principles is a duty which, of course, arises on moral grounds, but there is, in addition, a distinct professional advantage, and therefore a public advantage, to be gained from careful attention to our attitudes in this context.

Police officers who comply with society's demands about how police should behave, who wholeheartedly support and defend society's own values, and who adhere scrupulously to society's rules about fairness, are able reasonably to demand in return that their fellow citizens should actively support policing aims. They can expect too, that people will comply voluntarily with the law, and with police authority, when it is properly exercised.

The idea that there is an unspoken contract of this sort between police and public is not new. It has always been part of the philosophy of the citizen/policeman. But in recent years it has become increasingly important to sustain the idea as society has become more dispersed and as communities in some areas have decayed and lost cohesion.

Police officers number only a hundred thousand or so in this country. We are charged with policing, helping and guiding many millions of people of widely different backgrounds, skills, religions, aspirations, cultures and habits; a marvelous mix of interesting folk—exciting, exasperating, and probably quite unlike anything that has gone before. This means that the pursuit by police of public acceptance and cooperation, which has always been a matter of good professional and practical sense, has now become a matter of urgent duty.

There tumbles from the twelve principles of the Rule of Law we have mentioned a bundle of maxims, many of which are of traditional importance for the police, and most of which apply as much to the Force as to the individual officer. A couple of the maxims are so important to us that we must deal with them later as separate entities.

But first there are nine principles of the Rule of Law which are well supported by criminal law and legal practice, and which ought, on that account alone, to have the wholehearted support of police officers.

The right to free speech, freedom of association, and to legal advice, the right to silence and to be presumed innocent until guilt is proved, the requirements of reasonableness when acting on suspicion, the observance of the rules relating to the rights of suspects and to powers of arrest and detention, and the requirement for integrity in the collection and presentation of evidence, are rightly made the subject of legal rules and codes of practice which oblige police to comply or risk rejection of their case, and even penalty.

Regrettably, the fact that some of the codes and rules are couched in very restrictive terms has occurred not so much because fairness cannot otherwise be achieved, but because of the necessity to define things with great accuracy in order to prevent misinterpretation or malpractice.

There have been cases in which suspects have been unfairly treated, or the rules of practice have been broken. In the worst cases police evidence has been deliberately false and contrived, leading to miscarriages of justice.

Disgraceful conduct of that kind is wrong, manifestly unprofessional and often criminal. It works very much against the interests of the public, and of you and me as police officers.

Let there be no doubt that the careless, thoughtless, irresponsible or downright wicked actions of a few, in the selfish hope of some short-term advantage, can hurt cruelly the many, for such behavior leads to a gradual reduction in the general reliance which courts and juries feel able to put on police evidence.

When this happens, the personal reputations of fine officers can be wrongly sullied, perfectly proper evidence which ought to sustain a conviction can be suspected and rejected by courts, allowing the guilty to escape their just deserts, and the good name of our Force, and the police service, to be seriously damaged. Dire penalties for us, and the public, to pay for the work of fools, you will agree. Therefore we have a clear duty in this context which we can express as follows:

It is a duty to uphold the rule of law by sustaining wholeheartedly:

the right to free speech;

the right to free association;

the right of access to legal advice;

the right to silence;

the presumption of innocence;

and by scrupulous compliance with:

the requirement of reasonableness when acting upon suspicion;

the rules pertaining to the rights of suspects;

the restrictions on powers of arrest and detention; and the requirement for integrity in the collection and presentation of evidence.

These are all matters of sensible police professionalism and each of them is covered to one degree or another in our police orders and instructions, as well as in the law. But, of course, shrewdness, penetration, and the ability to stick to our purpose are necessary if we are to investigate crimes effectively and to enforce the law against the unscrupulous and the wicked. These attributes too are included in police training and are rightly taught alongside the requirements specified in the above duty.

The public has something of a double-edged expectation of us here. They expect that we should not, on the one hand, be easily fooled (indeed, that we should not be fooled at all) or put off by the wily and the sly, and that we should, on the other hand, be fair and be seen to be fair, by impeccable application of the rules to everyone we deal with including, of course, the wily and the sly.

And just as we are expected to be ready to pit our strength against the violent and the disorderly, and keep ourselves fit in order to do so, so we are expected to pit our wits against the cheat and the villain, and to keep our wits sharpened for that purpose.

At a glance these things seem to run against each other, but there is no real dilemma here if we remember the compelling necessity for honesty in all that we do.

In order to prevent any decline in the regard which society has for our truthfulness and integrity, we must follow the rules and codes, in fact and in spirit, with enthusiasm and careful competence.

If we fail to do that then all the shrewdness, stamina and sharpwittedness we can muster will count for naught; the wrongdoer will escape, and our professionalism will be left very much in doubt. It is therefore not only a requirement of duty, of morality, and of the law—it is professional to keep to the rules.

### **Respect for Human Dignity and Prohibition of Discriminatory Behavior**

Running as a thread through our discussion so far, and through the duties which we have defined, is the requirement that we should be impartial, fair, and sympathetic to the dilemmas of others. That requirement looms large in our training systems, is emphasized in our Force orders, and it is enshrined in the Rule of Law principles demanding respect for human dignity and the prohibition of discriminatory behavior.

The requirement is reflected in general police practice, too. You might well be able to think of examples of good and humane work by officers who have decided complex issues and who have taken action in pressing and trying circumstances, with quiet seemingly unhurried judgment

and a fine regard for the needs of others. A calm and careful approach to duty accords with the real spirit of your office of constable; you should do to your fellow citizen only that which you would happily see done to yourself, and you should advance a patient and careful respect for individual dignity, showing courtesy to all.

Although sometimes this seems to be easier said than done in these comparatively hectic days, it has been a duty since professional policing began. The Instruction Book of 1829, speaking on the attitude of a police officer, said: *While prompt to prevent crime and arrest criminals, he must look on himself as the servant and guardian of the general public and treat all law abiding citizens, irrespective of their race, color, creed or social position, with unfailing patience and courtesy. By the use of tact and good humour the public can usually be induced to comply with directions and thus the necessity for using force, with its possible public disapproval, is avoided.*

This puts the requirement into an essentially practical context. It is certainly true, as your experience will have shown you, that much difficulty can be avoided by a kindly word, or a sympathetic ear. But if only there were always enough time, you might say.

In London, where pressures abound, one of the greatest an officer has to suffer is pressure of time. The amount of work that has to be done can sometimes give little opportunity for leisurely courtesy and understanding. An officer who, for example, is at the scene of his fourth or fifth burglary in a day, and knows that after dealing with that, he has to go on to others, may be tempted to become off hand and brusque, because he thinks that that is “businesslike” and will give the appearance of efficiency.

But to victims of the burglary the occasion will be far from routine; it may be for them the first time a police officer has dealt with them, and the incident will long remain in their memories, as an impression of how the police, in general, behave. Patience is not just the right and civilized thing here, it makes professional sense; support and approval from the community will not be forthcoming without it.

Of course it is important that we should be courteous and patient with everyone with whom we deal, whatever their appearance, their style of life, or whatever demand they seek to make of us.

And it is particularly important that we should take care of the ill or the infirm, as well as the aged, and the otherwise vulnerable. Some elderly people, the housebound, those living alone, and not only those who are in disadvantaged inner city areas but those living in London’s “better” areas as well, become dismayed and confused with the pace of life, with the bustle and noise, and the boisterous rumpus of the younger people around



them. They are sometimes too frightened to go out, particularly at night, and they deserve the attention of hardy folk like police officers. The reassurance and the support which we can give them by doing our duty, sometimes just by being seen about the place, will do much to restore their confidence and their ability to tolerate what is to them a new style and speed of life.

We know, as well, how important it is to offer compassion and ready help to anyone undergoing trauma or experiencing grief. Many a man or woman, and a child too, has been able to tolerate grief and pain that much more readily because of the immediate support of a staunch, sympathetic and dependable police officer. The strong arm of the law, used gently, can be a great comfort. Never forget its power, and be ready always to offer it to anyone who may require it.

We have a particular duty, too, to others who may need special and patient attention because they do not readily understand our customs or our language, particularly those from among our recent immigrant groups. Then there are our minority ethnic groups, many born in the United Kingdom. Many feel themselves very much at risk of being subjected to racial attacks and discrimination—even from us, as well as from the public at large—and they can become very apprehensive that the police, and society, may not be able to protect them properly.

Members of ethnic minorities may have fears and difficulties not generally experienced by most and, partially because of this, the attitude to police of black youngsters, particularly those of West Indian origin, has given much cause for concern of late. Incidents, some of which are capable of rational explanation, as well as those giving some grounds for apprehension about police over-zealousness or misbehavior, have been elevated to scandals. Events such as festivals and parades, which ought to have been peaceful and joyous occasions, have given undue trouble when black youngsters have turned to crime and disorder, often using police as targets.

The fact that there are many possible reasons for this including, of course, the increasing feeling of rejection and frustration amongst black youngsters, and the irresponsibility of the youngsters' behavior, is important but beyond the immediate scope of this text.

We should acknowledge that there is an uncritical readiness in some of us to think poorly of the black community, not only the young. There is an over-generalized assumption, on occasions, of their involvement in violent crime, deceit and collaboration in avoiding detection and rescuing lawfully detained prisoners; lack of intelligence and the ability to articulate, and absence of the motivation to work. Similarly, some black community comment on the police features allegations of racial prejudice, harassment and abuse, use of excessive force,

falsification of evidence, and indifference to the problems of black people.

Allegations of this nature, coming from both "sides," feed off each other. Examples of positive conduct both by police and by black community alike struggle for recognition against such a background and it is hard to persuade some that a rational assessment, rather than labels of convenience and generality, is both fair and just.

The police will need to work hard and patiently to increase their understanding of minority ethnic groups, especially the young blacks, and, at the same time, to do what they can to encourage the young and old from such groups to understand ourselves.

Initially we need to aim for greater involvement of all sections of the community in policing, whether this means asking for their help with training or encouraging participation in neighborhood watch schemes, and we should ensure that we, as constables, respond with thoughtfulness and enthusiasm. In the long term the increasing level of recruitment into the Force of men and women from our minority ethnic groups and our improved appreciation of "policing skills" should help, particularly if these can be supported by the actions and statesmanship of civil leaders and others in public life.

But all the efforts made will be of little value if public pronouncements of good intent are not carried through into practice in our day to day contact with the community we serve.

Patience, civility and a careful regard for every person's self-esteem will right the position in the end. Clearly: It is a duty to show compassionate respect for the dignity of the individual and to treat every person of whatever social position, race or creed, with courtesy and understanding.

### **The Use of Force**

We are the only public service which, as a matter of duty, when making arrests or preventing criminal offenses, is required, and empowered, to lay hands on citizens.

Daily, throughout the country, there will be thousands of incidents in which this needs to be done. Hundreds of arrests are made each day, many of them involving drunken, drugged, or seriously disturbed people. Every week in this country thousands of police officers are taken from their normal work and mustered for duty at demonstrations, marches, football matches and other sporting events, in such a way that they can more readily be used to control and, if necessary, lay hands upon to arrest or eject thousands of their fellows.

In no other part of the country does this happen quite to the extent that it occurs in London; our city is so often the focus for discontent and protest, as well as

rowdy celebration. Yet most of this takes place without serious trouble or hurt, because of the willingness of the individual police officer good humouredly to mediate and calm. Though there may be an initial struggle, the vast majority of arrests are accomplished unremarkably and peacefully, as are nearly all confrontations between policeman and citizen. That is a credit to society, and to the police, whose restraint and skill, strategies and tactics, have often received acclaim.

But occasionally things go wrong and violence flares. Then the readiness of the Force, its training to deal with public disorder, its equipment, and most importantly of all its tactics, are put to the test, sometimes severely so, in its attempt to restore order with the minimum of force.

In this area great strides have been taken during recent years. Since the 1981 riots, and Lord Scarman's recommendation that we must be better equipped and trained to deal with disorder, the co-ordination and control of resources in the Force and the husbanding of officers into small but flexible units, we have been able to respond much more quickly and effectively to potential threats to the peace.

### **Violence Occurs Nevertheless**

In its various ugly forms violence is all too prevalent a part of the hurly-burly of the police officer's daily life in some areas. Many assaults take place. Every day police officers are injured in London. All these incidents are hurtful and unpleasant, and occasionally some are very serious indeed, leading to grave incapacity and, tragically, even to death. Rightly, there is always public concern about these assaults; much is said, and many new initiatives are proposed, in the quest to reduce the level of violence in our society though, alas, progress seems painfully slow to those of us who have to face it daily.

And when things go badly awry, on an individual or on a Force basis, and police are accused of assault or brutality, the spotlight rightly falls on us. Out of even relatively simple cases, great debates arise. Accusation and counter accusation abound. The actions of individual officers are probed, again and again. Explanations, though they be true or false, are hoisted up to the light and penetrated and shaken, sometimes with scant regard to the fact that at the time, the officer had not the facility of this fine hindsight and was obliged to judge things in an instant to react immediately.

But that is the way of police life, of course, and it is proper and right that there should be careful public invigilation of our use of force. And the more so since on a number of occasions we have been found wanting; incidents ranging from careless overreaction and burly

excess, to deliberate and wicked assault have been leveled, and proved, against individual officers.

All the more important then that we should develop our ability to remain calm and restrained, and to apply force economically and humanely. You should regard it as a matter of personal pride to be able to arrest a violent offender, quell a breath of the peace, or deal expeditiously with a disturbed or drunken man quietly, skillfully, and with the minimum of fuss. Your training has just that in view, and it is important that police officers should develop the expertise, and maintain their physical fitness, to do these things well.

Your experience will show you that, as your skills improve, so your confidence grows, and the chances of your receiving an injury diminish. You will learn, too, that you should beware the loose-lipped and boastful police officer who makes too much of every incident.

An officer who reacts spectacularly to every sign of resistance to what he wants to do, particularly when in the company of other officers, and who afterwards is full of noise and coarse boasting is, you can be sure, an officer who lacks skill, and courage, is unsure of himself, and perhaps on the edge of losing his nerve and becoming a bully. He will let us down if we do not act. He needs help, counsel, and further training to meet the high standards of restraint and professional efficiency in the use of force which the public is entitled to demand of us.

You should strive to exhibit those attitudes whatever the pressures and the provocation. The more often you succeed in doing this the greater will be your resolution when next faced with violence, and the more impressive your example to other officers.

And the Force is putting much effort into fulfilling its obligation in this context that is to develop the training methods, tactics and policies, which will help you fulfill your difficult, individual obligations.

In recent years there have been great strides in the training given in self- defense, and the economic application of physical restraints. The necessity for each officer to be fit, both physically and psychologically, is now well recognized, and the Force is developing new methods of discerning, and then helping, the debilitating symptoms of stress.

Hand in hand with this, there has been considerable progress in the way the Force selects, equips, trains, and assesses those officers who are authorized to use firearms. The tactics and strategies which might be employed by senior officers directing incidents where firearms may need to be used, are the subject of constant review and refinement.

But all of this, excellent and carefully developed though it may be, alters not one jot the obligation which

falls, individually, upon each of us. The decision to use force at the appropriate level, is one which falls, no matter how complex and spectacular, or how simple and unobtrusive the incident may be, upon the individual constable.

You will see that the obligation to decide for yourself, and if necessary to account afterwards to society through the law, arises in this context as it does in all others from your office of constable.

Our last principle springing from the Rule of Law, then, is one which allows us to draw together a number of different threads: It is a duty to show both resolution and restraint if faced with violent resistance, and to use, with consummate skill, only such force as is necessary to accomplish a legitimate purpose.

### Summary

During this second part we have examined the aims and objects of the Force and have been able in the light of this, and of our discussion about the position of the constable, to define four duties, as follows:

- i. It is a duty to prevent and detect crime, to keep the peace, to assuage fear of crime and disorder, and, wherever possible, to enlist the help of our fellow citizens in achieving those ends.
- ii. It is a duty to uphold the Rule of Law by sustaining wholeheartedly:
  - the right to free speech;
  - the right to free association;
  - the right of access to legal advice;
  - the right to silence;
  - the presumption of innocence;
  - and by scrupulous compliance with:
    - the requirement of reasonableness when acting upon suspicion;
    - the rules pertaining to the rights of suspects;
    - the restrictions on powers of arrest and detention; and the requirement for integrity in the collection and presentation of evidence.
- iii. It is a duty to show compassionate respect for the dignity of the individual and to treat every person of whatever social position, race or creed, with courtesy and understanding.
- iv. It is a duty to show both resolution and restraint if faced with violent resistance, and to use, with consummate skill, only such force as is necessary to accomplish a legitimate purpose.

## PART THREE

### OUR DUTY TO EACH OTHER

#### Personal Standards and Group Loyalty

Because we deal primarily with people who find themselves in heightened or dramatic circumstances, it is not surprising that most of the skills, attitudes and qualities demanded of us are those which will succeed in times of crisis. Those to whom we are responsible, our fellow citizens, want us to show, consistently, as a matter of ordinary daily duty, the qualities to which they themselves doubtless aspire but which they do not always show.

If they did, what need of constables?

It is, thank goodness, part of the human condition to endeavor to improve. Police officers are, by obligation and perhaps by inclination also, in the vanguard of that quest for improvement. But we are all of us fallible, and, as our fellow citizens sometimes fall short of ordinary standards, so do we sometimes fall short of the even higher standards expected of us.

Let us look at the standards we are expected to keep and the qualities we are expected to show. It is a formidable list.

From the duties we have constructed out of our position as constables we find that as public servants we should be tolerant, careful, thoughtful, well-balanced, humane, prudent, practical, wise and incorruptible.

From the duties which arise for us, as members of a force, we see that we must be public spirited, scrupulously fair, valiant defenders of public ideals, tough, alert, courteous, compassionate, and both resolute and restrained.

And we need not rest our view of this only on the assessment of ourselves which we have made in this book. Police duties and the qualities required to accomplish them have been the subject of many enquiries, committees, and commissions. We have lots of evidence of what the public expects. Perhaps the best summation of what is required comes from the most recent Royal Commission on Police:

*Discretionary duties demand powers of observation and memory and a well-developed sense of personal responsibility. The constable is expected to act with authority, commonsense, courage and leadership. . . Physical toughness, mental alertness, a long-established reputation for honesty and fair-dealing, tact, kindness, courtesy and a sense of humor: such qualities are taken for granted.*

Therein lies the nub, perhaps. They are taken for granted by the vast majority of people, or at least our daily exhibition of this formidable list of qualities is considered unremarkable by the man on the street.

Unremarkable, that is, until one of us is discovered to be well short of the mark, perhaps to the extent of committing a disciplinary or criminal offense. Then there is excitement enough, and we are reminded, time and again, that public interest in the standard of our behavior, although not much in evidence when all is well, does in fact run deep, and any shortcoming on our part is a matter of great concern for all.

This is a good sign, and far from making us despair should give us pleasure. It is an accolade, indeed, that the community demands the very highest standards of us, and that the great majority, silent from day to day, trust us to achieve those standards, being quick to take interest only when we do not do so, and then showing hurt and outrage if our failure is serious.

We can take a proper pride in our high ideals in the same way as our public takes a proper pride in us. No group of people in any other walk of life has quite the same, all pervasive obligations to their fellows—on duty and off duty.

But what duties do we owe each other, and how can we ensure that our standards are kept?

A main requirement is for us to show mutual support, particularly when the going is rough, and to be ever ready to aid a colleague, mentally as well as physically. Group loyalty in our service is strong. It can have a wonderfully supporting effect for the less able and less experienced of us, and it is so important for the well-being of the Force that it is the task of those who hold supervisory posts to arrange our organization and our policies so that their combined effect is to create and sustain such a spirit.

You will find, that the group spirit and high morale in the Force is, perhaps, the most enjoyable side of police life. It is your duty to foster it, and to help younger colleagues to get enrichment from it. And you should consider it a matter of personal pride to help them reach our high standards, by yourself giving careful leadership to new entrants, and by setting them a wise and good example.

To this end we each have an obligation to work to increase our professional skills, and to widen our experience, so that we can better advise and support our colleagues as well as perform our duties more effectively.

And we have a duty, too, to keep ourselves in top physical condition, not only to sustain a good collective spirit and a cheerful resilience, and fitness always does that, but also to be able to support each other firmly at times of pressing need. A flabby, easily exhausted police officer, who has neglected himself and is out of condition, is a disaster when police are called to action. He is no good to any of us, or to the public.

In the context of our duty to each other, we have another main requirement. We must, for the sake of the service and as a matter of duty, be careful invigilators of those around us in the service.

This is a clear and particular obligation, perhaps even the most important obligation, for those of us who hold rank. But it is also a general duty which falls on all of us equally, whatever our rank and whatever our position in the Force. The group loyalty we have mentioned, though vital for an effective force and worth cherishing on that account alone, can work to our disadvantage. Unless such loyalty is carefully managed, it can become a harmfully insulating mechanism for police officers if they find themselves under siege from a world which is too critical, boisterous or hectic. A defensive mechanism like this can sometimes so warp judgments that officers in a small group will turn against the rest of us, rejecting our ideals and values and emphasizing their own.

Then, as has happened a number of times in the history of the police service, that group comes to work against public and service interests. The intellectual freedom, which so enriches the constable, becomes arrogant. It is assumed that the general rules of behavior do not apply to the group. They make their own rules. They become conspiratorial, secretive, looking upon other members of the Force as their antagonists. Such a group, if not removed, will hurt us all.

We have a duty to guard against this sort of development, and to assist each other by careful leadership and forthright statesmanship to create throughout our Force an atmosphere of openness and cooperation, which will not allow cancerous growth of that kind to flourish.

When faced with malpractice by any officer your duty is clear. Although in such a case you must, of course, apply all those restraints and considerations which we have mentioned earlier as being necessary principles governing all police action, there is no room for equivocation of any kind when you see wrongdoing by a police officer, or when you obtain any other credible evidence of it.

With your growing experience of colleagues, and your knowledge of police practice, you should not have too much difficulty in differentiating between what is over-zealousness, or laziness, or error of judgment, or genuine mistake, and what is wickedly neglectful or even criminal.

And you may not shield yourself from your duty by closing your eyes, or falling silently behind your group loyalty. You must speak out, and act. Failure to do so would not just be neglectful on your part, it would be so serious an evasion of your duty as an individual constable as to attract the most severe punishment.

And rightly so, for herein lies the real greatness of your office. Your duty to act fearlessly, and impartially, is unqualified. It is as much a duty, one might say even more a duty, for you to act against a fellow officer who is a criminal, as it is for you to take action against anyone else. If it should be your misfortune to find yourself in this position, do your duty resolutely. Take no account of the empty protests, breast-beating or excuses of any foolish officers who may side with the one you accuse, and demand that you should shield him. They are wrong. You are right. The Force and the great majority of its members who are jealous of its fine ideals and principles, will support you enthusiastically. And so, too, will the public stand by you.

From this important discussion we can define a complex but fundamental duty: It is a duty to guard the good reputation of the Force, to work constantly to maintain its high ideals, to encourage others to do so by good example and leadership, and to contribute to its excellence by showing resolution and honesty if faced with police malpractice.

#### **To Protect and Assist the Citizen**

The only part of our Statement of Policing Principles which we have yet to examine is the individual, and joint, duty to “protect and assist the citizen.”

It is appropriate for us to deal with this in the last part of our examination—in the context of our duty to each other. As we will see, it is a very important aspect of our duty and affords the best opportunity to give a clear indication to each other of our public spiritedness and of commitment to our collective ends.

Protecting and assisting the citizen is a broad-based duty, embracing many activities; it also serves always to cement good relationships with individual citizens and with community groups.

As your training will have shown you, the police have a general duty to administer a variety of regulatory and supervisory legal measures which directly, or indirectly, assist the public. For example, we must work to administer and enforce traffic law so as to keep our roads safe and to maintain free passage on highways and other public places. Public safety in the general sense is very much our business also. These general regulatory duties take up quite the majority of police time. They do not often hit the headlines, but they demand of us the same sorts of skills, the same sure-footed and unflappable attention to the needs of others, and the same understanding and tolerance of what is sometimes inadvertent breaking of the law. But sometimes, breaches are deliberate and then the same firm commitment to the public purpose is necessary as in our more spectacular duties. There would be much disruption of life, and occasionally

great danger to the public, if we were not assiduously to apply ourselves to these matters. In London we have also unique duties concerning the security of the Royal Family, the protection of foreign diplomats and visitors, and those responsibilities which we exercise because our city houses the seat of Government.

But perhaps most important of all in this context, we have, by tradition and convention and in step with forces outside London, a duty to befriend the public whenever they need help. In everyday terms, this can range from our well-known willingness to provide information about the correct time, or where to catch a bus, or guidance on a particular law, to the opposite extreme of offering immediate and compassionate assistance at times of illness, tragedy or grief.

People who are in distress are entitled to sympathetic guidance and comfort from us, and we must never be slow to give it. We are an emergency service, nearly always first on the scene, and we must be ready both as a Force and as individuals to assist unhesitatingly and skillfully, in cases of accident and disaster. Our training, our contingency planning, our equipment, and our communication systems, are all geared sensibly to facilitate this.

Imaginative action and considerable innovation are called for if we are to be fully competent in this respect. Many are the times when, at scenes of accidents and other disasters, police officers have displayed tireless endeavor and quiet leadership of an exemplary kind, being able thereby to turn chaos to order, and panic to calm.

We must, therefore, take care as individuals, and as a Force, to develop our professional skills, our knowledge of our ground, and our resourcefulness, in order to meet unexpected problems quickly. We are strong and fit, and used to working as a team, so that our fellow citizens have come, by tradition, to see us as staunch and reassuring friends to whom they can turn whenever they are faced with danger and uncertainty.

From this widespread endeavor a dear principle arises: It is a duty to befriend and assist the citizen by giving sympathetic guidance and comfort to all in distress, and to advance staunch leadership when the public is faced with disaster or uncertainty.

#### **OUR FINAL DUTY**

We have examined at length in this book the requirement that we must improve our professional skills, and our human qualities, in order to serve our fellow men better and to encourage each other, by example, to do so.

In doing this we have mentioned some of the failings and wrongdoings of police officers who do not reach our

high standards in instances which help us discern precisely where our duties lie.

Now that we have discerned where they do lie, we can see also that, as we have said, the duties are unique. No one else shares them. As the Royal Commission on the police said in 1960:

*The constable must be vigilant both to use his authority adequately and instantly as occasion demands, and at the same time never to exceed it. We are satisfied that this individual responsibility is more onerous than any delegated to, or assigned by, a member of any comparable profession or occupation. Responsibility of this kind, to be properly and reasonably exercised, demands high moral standards and a nice exercise of judgment.*

Unique then. And more . . .

*The police function to which you and I are dedicated is perhaps the most worthwhile and most noble function in any free society. For you and I have this in common, that we represent government by consent.—Sir Robert Mark*

So unique and noble. And you will know that that surely is right, for just as you might have had the misfortune in your time to observe police officers who are not so good, you will have had the pleasure of working with many, many more who are very good indeed, and some whose actions are so consistently above reproach as to defy adequate description. Moreover you will have heard about, indeed, may have been fortunate enough to serve with, officers who on occasion have responded to the demands of duty with such incomparable skill, and such disregard for themselves, as to take your breath away with admiration.

The general public, as well as the service, rightly admires the many police officers who, in pursuit of criminals, at scenes of disasters, when protecting or saving life, and elsewhere, have risked their own lives and limbs in order to pursue their duty to the very limits of their ability.

And we in the service are particularly proud, for pride here is surely no sin, of those fine men and women who have made the supreme sacrifice by giving their lives for others.

We are privileged, you and I, to be members of this great service and to have such marvelous companions as these. We must never forget them. We must always honor them. We must each of us strive to our utmost to emulate their greatness and to display, as they did, implacable resolution and courage. We must, therefore, have as our highest and most noble duty: To be brave and selfless in the face of danger and to serve the community, if need be, to the limits of our capacity.

## CONCLUSION

In analyzing the office of constable and the Statement of Policing Principles we have been able to define nine duties. Some are straightforward and stand alone. Others are very complex. One or two are closely linked with each other. To list them in the order we developed them in the text would not quite fill our purpose of constructing a Code of Professional Duties, because the duties do not necessarily follow the one from the other. They read more easily when broken into the two main categories of those duties which indicate what we must do, and those which indicate how we must do it.

## A CODE OF PROFESSIONAL DUTIES

### Duties of function

It is your duty:

1. To prevent and detect crime, to keep the peace, to assuage fear of crime and disorder, and, wherever possible, to enlist the help of our fellow citizens in achieving those ends.
2. To uphold the rule of law by sustaining wholeheartedly:
  - the right to free speech;
  - the right to free association;
  - the right of access to legal advice;
  - the right to silence;
  - the presumption of innocence;
  - and by scrupulous compliance with:
    - the requirement of reasonableness when acting upon suspicion;
    - the rules pertaining to the rights of suspects;
    - the restrictions on powers of arrest and detention;
    - and the requirement for integrity in the collection and presentation of evidence.
3. To show compassionate respect for the dignity of the individual and to treat every person of whatever social position, race or creed, with courtesy and understanding.
4. To show both resolution and restraint if faced with violent resistance, and to use, with consummate skill, only such force as is necessary to accomplish a legitimate purpose.
5. To befriend and assist the citizen by giving sympathetic guidance and comfort to all in distress, and to advance staunch leadership when the public is faced with disaster or uncertainty.

## Duties of Method

It is your duty to strive:

6. To be brave and selfless in the face of danger and to serve the community, if need be, to the limits of your capacity.
7. To act always for the general public good, as a helpful and reasonable public servant, and not merely as an enforcer of the law.
8. When exercising police powers:
  - to avoid peremptoriness;
  - to weigh carefully all surrounding factors, and to judge these in the light of the Attorney General's guidance;
  - to be humane, having regard to public interests in addition to those of victim and offender;
  - to be prudent and restrained, paying full regard to what is practicable, particularly when off duty;
  - to avoid equally undue zeal and undue tolerance;
  - to be, and be seen to be, unfettered by obligation, deciding each issue without fear or favor, malice or ill-will.
9. To guard the good reputation of the Force, to work constantly to maintain its high ideals, to encourage others to do so by good example and leadership, and to contribute to its excellence by showing resolution and honesty if faced with police malpractice.

## GLOBAL STANDARDS TO COMBAT CORRUPTION IN POLICE FORCES/SERVICES

SOURCE <http://www.interpol.org/Public/corruption/standard/Default.asp>.

INTRODUCTION *In 1998 Interpol's General Secretariat held the First International Conference on Corruption-Related Crimes. One of the recommendations made during the Conference was the formation of a group that would shape and carry out the agency's anti-corruption strategy. The Interpol Group of Experts on Corruption (IGEC) is made up of representatives from the regions that Interpol serves, and one of their accomplishments was the draft of "Interpol's Global Standards to Combat Corruption." The standards were adopted by Interpol in 2002.*

## GLOBAL STANDARDS TO COMBAT CORRUPTION IN POLICE FORCES/SERVICES

### Article 1

#### *Objectives*

- a. To ensure that the police forces/services of each Member State of Interpol have high standards of honesty, integrity and ethical behaviour in and in connection with the performance of their policing functions.
- b. To promote and strengthen the development by each Member State of Interpol of measures needed to prevent, detect, punish and eradicate corruption in the police forces/services within its national boundaries and to bring to justice police officers and other employees of police forces/services who are corrupt.

#### *Definitions*

*Corruption* includes:

- a. The solicitation or acceptance, whether directly or indirectly, by a police officer or other employee of a police force/service of any money, article of value, gift, favour, promise, reward or advantage, whether for himself/herself or for any person, group or entity, in return for any act or omission already done or omitted or to be done or omitted in the future in or in connection with the performance of any function of or connected with policing.
- b. The offering or granting, whether directly or indirectly, to a police officer or other employee of a police force/service of any money, article of value, gift, favour, promise, reward or advantage for the police officer or other employee or for any person, group or entity in return for any act or omission already done or omitted or to be done or omitted in the future in or in connection with the performance of any function of or connected with policing.
- c. Any act or omission in the discharge of duties by a police officer or other employee of a police force/service which may improperly expose any person to a charge or conviction for a criminal offence or may improperly assist in a person not being charged with or being acquitted of a criminal offence.
- d. The unauthorized dissemination of confidential or restricted police information whether for reward or otherwise.
- e. Any act or omission in the discharge of duties by a police officer or other employee of a police force/service for the purpose of obtaining any money, article of value, gift, favour, promise, reward or

advantage for himself/herself or any other person, group or entity.

- f. Any act or omission which constitutes corruption under a law of the Member State.
- g. Participation as a principal, co-principal, initiator, instigator, accomplice, accessory before the fact, accessory after the fact or in any other manner in the commission or attempted commission or in any conspiracy to do or omit to do any act referred to in the preceding provisions of this Article.

*Police force/service* means each police force/service or other official body with a responsibility to perform policing functions within the national boundaries of the Member State.

### Article 3

#### **Principles**

- a. To make corruption within police forces/services a high-risk crime.
- b. To promote and maintain a high standard of honesty, integrity and ethical behaviour within the police forces/services of each Member.
- c. To foster the recruitment and training as police officers of persons of high levels of integrity, honesty, ethical standards and expertise.

### Article 4

#### **Measures**

Each Member of the Organization commits to:

- a. making corruption by a police officer or other employee of a police force/service a serious criminal offence;
- b. having legislation enacted to allow the proceeds of corruption and related crimes to be forfeited;
- c. establishing and maintaining high standards of conduct for the honest, ethical and effective performance of policing functions;
- d. Such standards should be mandatory and be directed towards an understanding and application of honest, ethical and appropriate behaviour, the avoidance of conflicts of interest, the proper use of public resources in and in connection with the fair and impartial application of the law, the performance of policing functions, the reporting of acts of corruption in and in connection with the performance of policing functions, and the establishment and strengthening of public confidence in police officers and police forces/services as part of the system of justice;
- e. Such standards should accept that it is an obligation of the police force/service to seek out and effectively deal with corruption within the police force/service;

- f. Such standards should impose an obligation on police officers and other employees of a police force/service to report to the appropriate person or authority acts or omissions which constitute or may constitute corruption within the police force/service;
- g. setting up and maintaining effective mechanisms to oversee and enforce the high standards of conduct required in and in connection with the performance of policing functions;
- h. bringing into being or causing to be brought into being such legislative, administrative and other measures as may be necessary to prevent, detect, punish and eradicate corruption in the police forces/services;
- i. conferring or causing to be conferred on a designated authority, whether internal or external, such powers to carry out investigations and bring to justice without fear, favour, affection or ill-will those who engage in corruption and dishonesty in the course of or in association with the carrying out of policing functions, and adequately resourcing and funding such authority;
- j. providing for a system for the recruitment of officers for such designated authority who are of high integrity and which ensures that such officers are not disadvantaged by recruitment to any such designated authority;
- k. providing adequate safeguards to prevent abuse of powers by those engaged in the anti-corruption system and to minimize unnecessary infringements of individual rights; having a system for instructing police officers and others engaged in and in connection with the performance of policing functions of the standards and ethical rules applicable to the performance of such functions;
- l. establishing and enforcing procedures for the declaration and registration of the income, assets and liabilities of those who perform policing functions and of appropriate members of their families;
- m. establishing a mechanism such as an oversight body or bodies to monitor the systems and measures established for preventing, detecting, punishing and eradicating corruption within the police forces/services and the adequacy, application and effectiveness of such systems and measures;
- n. requiring public reporting at least once each year of the work and findings in relation to the monitoring of the systems and measures referred to in Article 4(k) and their adequacy, application and effectiveness;
- o. putting in place deterrents to the bribery of those performing policing functions;



- p. establishing mechanisms to encourage participation by civil society in activities and efforts to prevent corruption in the police forces/services;
- q. having and maintaining effective systems for the recruitment of police officers of high levels of integrity, honesty, ethical standards and expertise;
- r. ensuring that the systems for recruitment, posting, promotion and termination of police officers and other employees of the police forces/services are not arbitrary but are based on fairness, openness, ability and performance;
- s. having and maintaining a system for the training, including on-going training, of police officers and other employees in the police forces/services which reinforces the high standards of conduct referred to in Article(c);
- t. taking all practicable steps to ensure that the rates of remuneration for police officers and other employees of the police forces/services are such as to enable them and their families to maintain a reasonable standard of living without having to resort to other employment or to corruption;
- u. having and maintaining systems for the procurement of goods and services that are based on openness, efficiency, equity and certainty of the rules to be applied and that seek the best value for money;
- v. having and maintaining systems of revenue collection, money and property handling and for the control and preservation of evidence that ensure that those collecting or handling public money, dealing with evidence or handling property are accountable and that the systems are such as to deter corruption;
- w. having an effective system that obliges police officers and other employees of the police forces/services to report corruption, that enables them and members of civil society to report corruption, and that protects those who report corruption in good faith;
- x. continuing research in relation to current best practice for the prevention, detection, punishment and eradication of corruption in and in connection with the performance of policing functions;
- y. reviewing at appropriate and regular intervals the measures and systems for the prevention, detection, punishment and eradication of corruption in and in connection with the performance of policing functions;
- z. using their best endeavours to ensure that the mechanisms and systems for the prevention, detection, punishment and eradication of corruption in and in connection with the performance of policing functions in its police forces/services are kept abreast of current practice as recognized by the General Assembly of Interpol;
- aa. reporting at least once each two years, or at such shorter intervals as the General Assembly may resolve, on the measures taken and the mechanisms and systems in place to implement the standards set out in this protocol and the effectiveness of such mechanisms, systems and measures;
- ab. permitting the monitoring by and co-operating with such person or persons as may be appointed by the Secretary General for the purpose of monitoring the mechanisms, systems and measures in place in relation to its police forces/services to achieve the objectives and meet the standards referred to in this protocol and the effectiveness of such mechanisms, systems and measures.

## Article 5

### *Review*

The operation of this protocol shall be reviewed by the General Secretariat of Interpol on an ongoing basis and is to be the subject of a report to each session of the General Assembly that is held after the expiration of two years from the adoption of this protocol.

## ETHICS HANDBOOK

SOURCE *U.S. Department of Justice, 2002.*

INTRODUCTION *The following handbook, intended inter alia for the guidance of FBI employees, brings together the substance of various directives, regulations, and laws that might be considered of occupational ethical significance. In May 2002 the U.S. Department of Justice Departmental Ethics Office issued the sixth edition.*

## CONFLICTS OF INTEREST

### **General Rule**

You should avoid situations where your official actions affect or appear to affect your private interests, financial or non-financial.

### **Statutory Prohibition**

You may not participate personally and substantially in a matter in which you, your spouse, minor child or general partner has a financial interest. This prohibition also applies if an organization in which you serve as an officer, director, trustee, or employee has a financial interest; or if a person or organization with which you are negotiating for future employment has a financial interest.

*18 U.S.C. § 208*

**Impartiality Standard**

Generally, you should seek advice before participating in any matter in which your impartiality could be questioned. You may not participate without authorization in a particular matter having specific parties that could affect the financial interests of members of your household or where one of the following is a party or represents a party: someone with whom you have or are seeking employment, or a business, contractual or other financial relationship; a member of your household or a relative with whom you have a close relationship; a present or prospective employer of a spouse, parent or child; or an organization which you now serve actively or have served, as an employee or in another capacity, within the past year.

*5 CFR 2635.502*

**Purchase of Forfeited Property**

Without written approval, you may not purchase or use property that has been forfeited to the Government and offered for sale by the Justice Department.

*5 CFR 3801.104*

**Extraordinary Payments**

If you received a payment in excess of \$10,000 from a former employer that was not pursuant to an employee benefit plan, you must disqualify yourself from matters affecting that former employer for two years unless you receive a waiver.

*5 CFR 2635.503*

**Remedies for Conflicts**

If you have a financial conflict of interest or believe your impartiality might be questioned, you must either disqualify yourself from taking action that could affect your interest, or see your Deputy DAEO about the following alternatives:

In the case of a financial interest, you may seek a waiver of the prohibition under 18 U.S.C. § 208(b), or divest yourself of the interest. Your component head may grant you a waiver if your financial interest is found to be not so substantial as to affect the integrity of your services to the Government. (If you are directed to divest an interest, you may be eligible to defer the tax consequences of divestiture).

*18 U.S.C. § 208(b)(1)*  
*5 CFR 2634.1001–1004*

In a case where your impartiality might be questioned, you may obtain a formal determination from your component head that the Department's interest in your participation outweighs the concern that the integrity of the Department's operations would be questioned.

*5 CFR 2635.502(d)*

When participating in a matter affecting your financial interests, you have an unlimited exemption for holdings in a diversified mutual fund and for certain employee benefit plans where the holdings may be affected by the matter. In addition, you have an exemption of \$50,000 for aggregated interests in sector mutual funds that may be affected by a matter in which you participate. You also have an exemption for interests in publicly-traded securities not to exceed \$15,000 in parties to a matter and \$25,000 in non-parties affected by the matter. And, you have an exemption of \$25,000 per asset when participating in a matter of general applicability, such as regulations and most legislation, with a combined limit of \$50,000 in all entities affected by the general matter.

*5 CFR 2640.201–.202*

**Nepotism**

You may not appoint, employ, or promote a relative to a position in the Department, or advocate a relative for appointment, employment, promotion or advancement.

*5 U.S.C. § 3110*

**Financial Disclosure**

You may be required to file a financial disclosure report which will be used to identify potential or actual conflicts of interest. Check with your Deputy DAEO if you are uncertain of your filing status.

*5 CFR 2634*

**OUTSIDE ACTIVITIES****General Rule**

You should not engage in any outside employment or other outside activity that conflicts with your official duties. Employees are prohibited from engaging in outside employment that involves criminal matters, the paid practice of law or matters in which the Department is or represents a party. Only the Deputy Attorney General may waive these prohibitions.

*5 CFR 2635.802*  
*5 CFR 3801.106*

**Approval for Certain Outside Activities**

You are required to obtain written approval for certain outside employment including the practice of law that is not otherwise prohibited or any outside employment involving a subject matter related to the responsibilities of your component.

*5 CFR 3801.106*

**Representing Others**

You may not receive compensation for the representation of anyone before an agency or court of the Federal

Government on a matter in which the U.S. is a party or has a substantial interest. This prohibition applies whether or not you render the representation yourself.

*18 U.S.C. § 203*

You also may not represent someone before an agency or court of the Federal Government, with or without compensation, on a matter in which the U.S. is a party or has a substantial interest.

*18 U.S.C. § 205*

There are exceptions to the above statutes for representing your immediate family, testifying under oath, representing another employee in personnel administration proceedings, and representing employee organizations in certain matters.

### **Fundraising**

You may engage in fundraising in your personal capacity as long as you do not solicit your subordinates or persons having business with the Department. There is an exception for mass mailings that do not target the above persons. You may not engage in fundraising in your official capacity unless authorized by statute, executive order or regulation. There is an exception for giving an official speech at a fundraiser.

*5 CFR 2635.808*

### **Service as an Expert Witness**

You may not serve as an expert witness in your private capacity in any proceeding before the United States in which the U.S. is a party or has an interest unless specifically authorized.

*5 CFR 2635.805*

### **Official Speaking and Writing**

You may not be paid by anyone but the Government for speaking or writing undertaken as part of your official duties.

*18 U.S.C. § 209*

### **Outside Teaching, Speaking and Writing**

When you are teaching, speaking or writing in your private capacity, you may not use nonpublic information, nor should there be any use of your official title except as a biographical detail or where there is a disclaimer. Generally, you may not be compensated for teaching, speaking, or writing that relates to your official duties. However, there is an exception for teaching in certain educational settings. If you are a career employee, or a non-career employee classified at GS-15 and below, what relates to your duties is a present assignment or one assigned during the past year, or a policy, program or operation of your component. If you are a noncareer

employee above GS-15, what relates to your duties is broader. You may not use your official time or that of a subordinate to prepare materials. Some components require advance review and clearance for certain written work and speeches.

*5 CFR 2635.703, .705 & .807*

If you are in a non-career position above GS-15 you must have advance authorization from the DAEO before engaging in teaching for compensation.

*5 CFR 2636.307*

### **Outside Earned Income**

If you are a full-time Presidential appointee, you may not receive earned income for any outside activity performed during that appointment. If you are a noncareer official in a position classified above GS-15, your outside earned income is limited to 15% of the salary for Executive Level II. Also, if you are a political appointee classified above GS-15, you are subject to other restrictions related to providing fiduciary services for compensation.

*5 CFR 2636.302–306*

### **ACCEPTING THINGS OF VALUE**

Gifts, Entertainment and Favors from Outside Sources  
You may not solicit or accept a gift given because of your official position or from a prohibited source to include anyone who:

- Has or seeks official action or business with the Department;
- Is regulated by the Department;
- Has interests that may be substantially affected by the performance of your official duties; or
- Is an organization composed mainly of persons described above.

A gift does not include items such as publicly available discounts and prizes, commercial loans, food not part of a meal such as coffee and donuts, and items of little value such as plaques and greeting cards.

Unless the frequency of the acceptance of gifts would appear to be improper, you may accept:

- Gifts based on a personal relationship when it is clear that the motivation is not your official position.
- Gifts of \$20 or less per occasion not to exceed \$50 in a year from one person.
- Discounts and similar benefits offered to a broad class, including a broad class of government employees.
- Most genuine awards and honorary degrees although in some cases you will need prior approval.

Free attendance, food, refreshments and materials provided at a conference or widely attended gathering or certain other social events which you attend in your official capacity, with prior approval. If you are invited to an event by someone other than the sponsor, the cost must not exceed \$260 and at least 100 people must be expected to attend.

Gifts based on an outside business relationship such as travel expenses related to a job interview.

*5 CFR 2635.202-.204*

You should return gifts not meeting the exceptions or contact your Deputy DAEO on how to dispose of them. Perishable items may be given to charity or shared by your office, with approval.

*5 CFR 2635.205*

### Supplementation of Salary

You may not receive any supplementation of your government salary from any source except the Government for performing your official duties.

*18 U.S.C. § 209*

### Foreign Gifts

You are allowed to accept certain gifts from foreign governments if they do not exceed a minimal value presently set at \$260. See your Deputy DAEO for information on how to report the acceptance of a foreign gift.

*5 U.S.C. § 7342*

### Gifts to Superiors

You may not give, or solicit a contribution for, a gift to an official superior, and you may not accept a gift from an employee receiving less pay than you if the employee is a subordinate. There is an exception for voluntary gifts of nominal value made on a special occasion such as marriage, illness or retirement. You also may give an individual gift to a superior costing \$10 or less, and contribute to shared food and refreshments on other less significant occasions.

*5 CFR 2635.302 & .304*

### Travel

Generally, you may not accept reimbursement for travel and related expenses from any source other than the Government when you are traveling on official duty. However, with prior written approval, you may accept travel expenses incidental to attendance at meetings or similar functions related to your duties from non-Federal sources pursuant to the GSA regulations cited here. You may not accept travel expenses for a spouse accompanying you on official travel. Consult your Deputy DAEO on obtaining approval for yourself.

*41 CFR 304*

You may retain for personal use benefits from commercial sources, including bonus flights, that result from your official travel. You may keep a bonus offered when you volunteer to take a later flight as long as the delay does not interfere with the conduct of your duties and you do not charge the Government for additional costs but you may not keep such a bonus if you are bumped from a flight. In most cases, you may not fly first class when on official business.

*41 CFR 301*

## POLITICAL ACTIVITIES

Most Employees May:

- Register and vote as they choose.
- Assist in voter registration drives.
- Express opinions on candidates and issues.
- Be a candidate for public office in nonpartisan elections.
- Contribute money to political organizations, in general.
- Attend and be active at political rallies and meetings.
- Attend political fundraisers.
- Join and be an active member of a political party or club.
- Circulate and sign nominating petitions.
- Campaign for or against referendum questions, constitutional amendments and municipal ordinances.
- Distribute campaign literature in partisan elections.
- Make campaign speeches for candidates in partisan elections.
- Campaign for or against candidates in partisan elections.
- Hold office in political clubs and parties.

No Employees May:

- Be a candidate in a partisan election.
- Engage in political activity while on duty, in a government office, while wearing an official uniform or using a government vehicle.
- Solicit political contributions from the general public or collect contributions except from a fellow member of a Federal labor or employee organization who is not a subordinate.
- Solicit or discourage the political activity of anyone who has business with the Department.
- Use official authority or influence to interfere with an election.
- Wear political buttons while on duty.

*5 U.S.C. §§ 7321-26*

*5 CFR 734*

Under the statute, members of the Career Senior Executive Service, employees of the Criminal Division and the FBI and administrative law judges are subject to stricter rules under the pre-1994 law whereby they are prohibited from participating actively in political management or political campaigns. These stricter rules apply to all DOJ political appointees under Department policy.

In certain communities, including the suburbs of Washington, D.C., an employee may run as an independent candidate in a local partisan election and solicit and receive contributions. An election is partisan if any candidate for an elected public office is running as a representative of a political party whose candidates for presidential elector received votes in the last presidential election.

*5 CFR 733*

## MISUSE OF OFFICIAL POSITION

### General Rule

You may not use your public office for your own private gain or for that of persons or organizations with which you are associated personally. Your position or title should not be used to coerce; to endorse any product or service; or to give the appearance of governmental sanction. For example, you may use your official title and stationery only in response to a request for a reference or recommendation for someone you have dealt with in Federal employment or someone you are recommending for Federal employment.

*5 CFR 2635.702*

### Use of Government Property and Time

Generally, you should be mindful of your responsibility to make an honest effort to use government property and official time, including the time of a subordinate, for official business only. However, as a Justice Department employee, you are generally authorized to make minimal personal use of most office equipment and library facilities where the cost to the Government is negligible.

*5 CFR 2635.704*  
*28 CFR 45.4*

### Government Vehicles

Generally, an official purpose does not include your transportation to and from the workplace; however, there are some statutorily authorized exceptions to this rule.

*31 U.S.C. §§ 1344 & 1349(b)*

### Use of Nonpublic Information

You may not engage in a financial transaction using nonpublic information or allow the use of such information to further your private interests or those of another.

Nonpublic information is information you gain on the job and which has not been made available to the general public and is not authorized to be made available on request. (There are also statutory prohibitions on the misuse of information involving national security, trade secrets, private individuals and government procurement.)

*5 CFR 2635.703*

## POST-EMPLOYMENT RESTRICTIONS

### Negotiating for Future Employment

You may not take official action on a matter affecting the financial interests of an organization with which you are negotiating or have an arrangement for a job. Generally, you would disqualify yourself from a matter in order to negotiate for a job, and employees participating in a procurement have to report to certain officials in writing before negotiating with a contractor competing for that procurement. You may also have to disqualify yourself when you are merely seeking employment, which includes sending a resume. You should get advice from your Deputy DAEO about seeking and negotiating for employment before you begin a job search.

*18 U.S.C. § 208*  
*41 U.S.C. § 423*  
*5 CFR 2635.602*

### Restrictions for After You Leave Government

There are statutory prohibitions on former government employees that generally prevent you from “switching sides” after leaving the Government. The following are the main restrictions, but see your Deputy DAEO for others:

#### *Lifetime Ban*

You are prohibited from communicating to or appearing before an employee of an agency or court of the Federal Government on behalf of another person, with the intent to influence, on a particular matter involving specific parties in which you participated personally and substantially while with the Government and in which the United States is a party or has an interest.

*18 U.S.C. § 207(a)(1)*

#### *Two-year Ban*

You are prohibited for two years from communicating to or appearing before an employee of a Federal court or agency on behalf of another person, with the intent to influence, on a particular matter involving specific parties which you know was pending under your responsibility during your last year of government service and in which the United States is a party or has an interest.

*18 U.S.C. § 207(a)(2)*

**One-year Ban**

If you are an Executive Level official or an ES 5 or 6 in the SES (or a comparable level of another pay system) you are subject to an additional restriction that generally prohibits you from communicating to or appearing before an employee of the Justice Department or your component on a matter on which you seek official action on behalf of another person.

18 U.S.C. § 207(c)

**One-year Ban for Certain Procurement and Contracting Officials**

If you served in a certain critical position or made certain critical decisions on a procurement on a contract in excess of \$10 million, you may not receive compensation from that contractor for one year.

41 U.S.C. § 423

**SPECIAL APPLICATIONS**

**Entering Employees**

In certain circumstances, you may not be able to maintain a financial relationship with a former employer or accept a severance payment or moving expenses from a private source. Consult your Deputy DAEO for advice. If you are an attorney, you will have to disqualify yourself in cases you handled before entering the Government, and from other matters involving your former law firm or clients for a certain period, usually several years. Generally, you will not be allowed to remain on leave of absence from a law firm or another business entity while with the Department. See your Deputy DAEO about any repayment of your capital contributions over time or about retaining an interest in a contingent fee.

18 U.S.C. §§ 203,208 & 209  
5 CFR 2635.502

**PROFESSIONAL CODES**

**Post Employment Compensation**

There are restrictions on your receiving compensation, even after you leave, based on another's representations before the Federal government that took place while you were still a government employee.

18 U.S.C. 203

**Special Government Employees**

If you are a special government employee, that is, you expect to serve for no more than 130 days in a 365-day period, you are subject to most of the rules in this booklet. However, in some cases, they are applied less stringently. Consult your Deputy DAEO.

**Attorneys**

If you are an attorney with the Department, you are expected to comply not only with the rules in this booklet, but also with relevant professional codes of conduct. Consult your Deputy DAEO or the Professional Responsibility Advisory Office for advice on which codes apply and what they require.

**ETHICAL STANDARDS  
IN LAW ENFORCEMENT**

SOURCE *LEAPS, 1973.*

INTRODUCTION *The Law Enforcement Association on Professional Standards, Education, and Ethical Practice (LEAPS) was founded in 1970, in St Louis, Missouri. Its membership of more than 200 was comprised of police practitioners and academics with college degrees who were "united to promote professional standards and ethical practice in police services." The Standards, released on June 26, 1973, received some support and in one case at least (Jamestown, NY) were incorporated into a police manual. In 1974 LEAPS merged with the New York based Academy of Police Science (founded in 1958) to form the American Academy for Professional Law Enforcement (AAPLE). The Standards carried over to the new organization, which eventually redrafted them as its own.*

**PREAMBLE**

The worth of the law enforcement profession is measured by its contribution to the welfare of man, by its concern for excellence, and by the guidance it provides its members toward a high level of ethical practice. The purpose of the present principles of ethics are: to better serve the public; to elevate the standards of the profession and to strengthen public confidence in law enforcement; to encourage law enforcement officers to fully appreciate the total responsibilities of their office; to earn the support and cooperation of the public; and to ensure the effectiveness of service to society.

**Principle 1: Responsibility**

The officer, committed to the welfare of the public, through the rule of law and professional service, places high value on objectivity and integrity and maintains the highest standards in the services the officer provides.

- a. The officer believes in the dignity and worth of the individual and in the constitutional right of all persons to liberty, equality, and justice under the law.
- b. The officer is entrusted with a special authority and responsibility to enforce the laws of society and to

carry out this mandate with courtesy, fairness, consideration, and compassion.

- c. Officers in a command or supervisory position will carry out their duties in a manner that is consistent with the highest degree of professional effectiveness, efficiency, and responsibility.

**Principle 2: Competence**

Professional competence is an obligation shared by all law enforcement officers, in the interest of the public and of the profession as a whole, from the selection throughout their professional career.

- a. The officer should strive to attain a high degree of academic education, preferably the bachelor's degree, and to continue education and training throughout one's career. While education and training does not guarantee competence, such personal development equips an officer to meet the demands of his profession.
- b. Where compatible with individual career paths, command and supervisory officers should develop ongoing and timely programs of training and should encourage and assist officers to pursue higher education.

**Principle 3: Professional and Legal Standards**

The law enforcement officer in the practice of his profession shows sensible regard for the social codes and moral expectations of the community in which he works. An officer should be aware that unethical behaviors have a far-reaching, detrimental effect on all law enforcement officers and agencies and on the communities they serve.

- a. Conduct at all times should be such that an officer brings credit to his profession.
- b. Unethical behaviors such as fabricating, altering, or withholding evidence to effect an arrest or gain a conviction as well as theft, graft, and acceptance of bribes or gratuities cannot be tolerated.
- c. If an officer observes unethical, improper, or unlawful behavior by a colleague, he is required to determine the facts in the case, to rectify the situation and, if appropriate, to report the case to his immediate supervisor or to a review committee for investigation and action. Officers who fail to take legally prescribed action when confronted with misconduct share the burden of guilt.

**Principle 4: Public Statements**

Truth, objectivity, and due regard for the rights and privacy of the individual must characterize all statements of law enforcement officers who supply information to the public, either directly or indirectly.

- a. In regard to court testimony, the officer shall present evidence honestly and without bias or prejudice. The sole objective shall be to give evidence as the officer has knowledge of it. The officer shall not identify with the prosecution or defense, but provide evidence on the basis of actual fact.

**Principle 5: Confidentiality**

Safeguarding information about an individual or group that has been obtained by the law enforcement officer in the course of duty or investigation is a primary obligation of the officer. Such information is not communicated to others, unless certain important conditions are met.

- a. No information shall be maintained or transmitted to another about the private life of an individual which does not relate specifically to the problem of law violation.
- b. Security and privacy shall be assured all individuals whose records are maintained in order that such records shall be used only in criminal justice proceedings.
- c. Information on individuals shall not be processed or integrated with other record systems except to inform criminal justice agencies on matters pertaining to law violation.
- d. Only those with a legal right of access shall have access to any criminal justice agency records or record systems.

**Principle 6: Professional Relationships**

The officer should maintain high standards of conduct in professional relations with those he serves, with fellow officers, with professional colleagues in other organizations in the criminal justice system, and with those in other public service agencies.

- a. The officer should maintain professional confidence as a trust.
- b. When engaged in official actions, the officer is obligated to inform individuals of the nature of their relationship except in those instances where to do so would defeat the ends of justice.
- c. It is unethical for any officer or agency to establish a protective allegiance with individuals so as to obscure their complicity in a criminal act.
- d. Physical and psychological abuses of authority shall not be tolerated.
- e. Pressure by a department on an individual officer to make a quota of arrests or to insure a quota of citations should be condoned.

- f. It is the professional responsibility of law enforcement agencies to develop effective referral systems for non-criminal actions coming to their attention.
- g. The officer shall act responsibly when called on to make professional recommendations, the importance of which may affect the welfare of an individual or society.
- h. An officer should hold that high standards of conduct in interprofessional relationships are essential to professional competence.
- i. In the interest of harmony and efficient public service, the officer has an obligation and responsibility to cooperate with other professionals in the criminal justice system.

#### **Principle 7: Education and Training Practices**

Law enforcement instructors and educators should encourage students in their quest for knowledge and in their development of professional skills, giving them every assistance in the free exploration of ideas.

- a. The instructor should properly advise students to ensure that they understand opportunities and requirements in the field.
- b. The instructor in discussing law enforcement techniques should impress upon the student the importance to all applicable principles governing practices, and of the retention of such principles in accord with his organization's regulations.
- c. An instructor of law enforcement should stress to his students the importance of the system context in which criminal justice agencies operate, emphasizing that agencies should contribute to the goals of the entire criminal justice system.
- d. The present ethical standards in law enforcement shall be reviewed with students. A student who serves in any law enforcement capacity, as a cadet or a recruit, is expected to follow the ethical standards of the profession.

#### **Principle 8: Research and Writing**

Practitioners and educators in law enforcement have the responsibility of developing a body of knowledge and conducting research to improve service, to provide the best information for professional practice, and to publish their results and conclusions so that the profession and the public is well informed.

#### **Principle 9: Recruitment and Employment Practices**

A law enforcement agency will not discriminate against any officer, employee, or applicant for employment

because of race, sex, creed, color, or national origin. The agency will take affirmative action to ensure that all such applicants are fairly considered for employment, and that employees are treated during employment with equal opportunity.

- a. Such employment practices and policy shall be related to, but not be limited to, the following: employment, upgrading and promotion, demotion or transfer, recruitment or recruitment advertising, layoffs or termination, rates of pay or other forms of compensation, and selection for training or education, including apprenticeship.
- b. Agencies shall post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this nondiscrimination clause.
- c. Agencies will permit access to its records and accounts by a body of local or state government or the U.S. Department of Justice officials for the purposes of investigation to ascertain compliance with this non-discrimination clause.
- d. All criteria used by agencies in their recruitment and selection processes shall be clearly related to the duties, requirements, and responsibilities of the law enforcement task.

## **ETHICAL STANDARDS IN LAW ENFORCEMENT**

SOURCE *American Academy for Professional Law Enforcement, 1976.*

INTRODUCTION *The American Academy for Professional Law Enforcement (AAPLE) was formed in 1974—the result of a merger of the New York based Academy of Police Science and the St. Louis-based Law Enforcement Association on Professional Standards, Education and Ethical Practice. AAPLE's mission was to foster "professional standards" in the provision of "law enforcement services to the public." It sought to do this "through education and training aimed at providing the maximum effective service and promotion of highest professional ethics in serving clients and dealing in inter-professional activities with colleagues." A note to the standards indicates that it is "based on provisions of 'Ethical Standards in Law Enforcement' developed as a consequence of LEAPS, Second National Symposium on Police Ethical Practice with subsequent amendments, June 26, 1973." It is further stated that "the new materials in Sections 5.0, 6.0, 9.0, and 10.0 were suggested by Professor William*



*P. Brown. Section 6.0 c.f. and 10.0 are based on the provisions of the Draft Code of Conduct for Law Enforcement Officials adopted by the United Nations Committee on Crime Prevention and Control and as reported by Amnesty International.”*

## **PREAMBLE**

The worth of the law enforcement profession is measured by its contribution to the welfare of man. Police officers are entrusted with a legal authority and responsibility to enforce the laws of society and to carry out this mandate with courtesy, fairness, consideration, and compassion.

The purposes of these principles of ethics are: to elevate the standards of the profession and to strengthen public confidence in law enforcement; to encourage law enforcement officers to fully appreciate the total responsibilities of their office; to earn the support and cooperation of the public; and to ensure the effectiveness of service to society.

## **ETHICAL STANDARDS OF LAW ENFORCEMENT**

### **1.0 Responsibility**

The officer is entrusted with special authority and responsibility to enforce the laws of society and to give assistance in a specified manner to individuals in need. He is required to carry out this mandate with courtesy, fairness, consideration, and compassion.

- a. The officer should manifest a belief in the dignity and worth of every individual and in the constitutional right of each person to liberty, equality, and justice under law.
- b. The officer should manifest commitment to the welfare of the public. That interest is best served when high value is placed on objectivity and integrity and on achieving the highest standards of professional service.
- c. Officers in a command or supervisory position should carry out their duties in a manner that is consistent with a full recognition of their responsibilities and an effort to achieve them with the highest degree of professional effectiveness and ethical awareness.

### **2.0 Competence**

The need for continual striving for increased professional competence is an obligation shared by all law enforcement officers. That responsibility begins when they enter the police service and continues throughout their professional career.

- a. While education and training does not guarantee competence, the emphasis on the personal develop-

ment that it manifests does tend to equip an officer to better meet the changing demands of his profession. Therefore, there is an ethical obligation to strive to obtain the benefits that academic education and training can bring, and there should be the recognition that this emphasis should continue throughout one's professional career.

- b. Command and supervisory officers have the responsibility to aid the officers under their supervision in developing ongoing and timely programs of professional development. Agencies and command personnel should assist officers in obtaining professional development.

### **3.0 Professional and Legal Standards**

The law enforcement officer in the practice of his profession should show sensitivity towards the social codes and moral expectations of the community in which he works. However, it should be recognized that in some instances a local standard will be at variance with overriding legal principles or recognized standards of professional ethical conduct towards, for example, unpopular defendants. An officer should be aware that unethical behaviors have a far-reaching, detrimental effect on all law enforcement officers and agencies and on the communities they serve.

- a. Conduct at all times should be such that an officer brings credit to his or her profession.
- b. Unethical behaviors such as fabricating, altering, or withholding evidence to affect an arrest or gain a conviction as well as theft, graft, and acceptance of bribes or gratuities cannot be tolerated.
- c. No officer should by his acquiescence or approval support unethical, improper or unlawful behavior by a colleague.
- d. If an officer observes seriously improper or unlawful behavior by a colleague, he is required to report the case to his immediate supervisor or to other designated organizational channels for investigation and action. If the officer's supervisor is involved in this seriously improper or unlawful behavior either by direct participation or by condoning its performance by another, the officer should follow the legally prescribed course of action for reporting the activity. When a department does not support officers who do take such action, an ethical officer should seriously consider his career potential in such an organization. (However, it should be recognized that ethical people have lived through eras of widespread organizational impropriety. In such instances the need may be to concentrate strictly on high quality performance and personal non-involvement in impropriety.)

#### **4.0 Public Statements**

Truth, objectivity, and due regard for the rights and privacy of the individual must characterize all statements of law enforcement officers who supply information to the public, or other officers, either directly or indirectly. In regard to court testimony, the officer shall present evidence honestly and without bias or prejudice. The sole objective shall be to give evidence as the officer has knowledge of it. The officer shall not identify with the prosecution or defense, but provide evidence on the basis of actual fact.

#### **5.0 Confidentiality**

Police frequently gain access to confidential information that can be seriously detrimental to an individual or group. Safeguarding that information is a primary obligation of the agency and of any police officer who is aware of it. Confidential information should not be communicated to others unless certain important conditions are met:

- a. It is lawful to do so.
- b. No information about the private life of an individual that does not relate specifically to the problem of law violation shall be transmitted to another.
- c. Security and privacy shall be assured all individuals whose records are maintained in order that such records shall be used only in criminal justice proceedings. Information that is a matter of public record may be released when the law so requires.
- d. Information detrimental to individuals, particularly that which is based on unsubstantiated evidence, should not be processed or integrated with other records systems except to inform criminal justice agencies on matters pertaining to law violation.

#### **6.0 Professional Relationships**

High standards of conduct in interprofessional relationships are essential to professional competence. The profession and the agency should seek, and the officer should maintain, high standards of conduct in professional relations with those he or she serves, with fellow officers, with professional colleagues in other organizations in the criminal justice system, and with those in other public service agencies.

- a. Except when involved in an undercover investigation, an officer who works in a professional relationship with other persons should seek a dear and public-interest-serving purpose in those relationships. Professional relationships may be complex, but unwarranted ambiguity promotes ineffectiveness and the avoidance of responsibility.

- b. It is unethical for any officer or agency to establish a protective allegiance with an individual or group so as to obscure complicity in a criminal act.
- c. In the performance of their duty, law enforcement officials should respect and protect human dignity and maintain the human rights of all persons.
- d. Law enforcement officials may never use more force than necessary in the performance of their duty.
- e. No law enforcement official may inflict, instigate, or tolerate any cruel, inhuman, or degrading treatment or punishment, nor may any law enforcement official invoke exceptional circumstances such as internal political instability, the need to show official action in response to great public concern or any other public emergency as a justification of cruel, inhuman, or degrading treatment or punishment.
- f. Law enforcement officials having custody of persons needing medical attention should secure such attention and take immediate action to meet the needs of the person in custody.
- g. It is entirely proper for an agency to require enforcement concentration or de-emphasis for objective and stated reasons. Agency executives have the responsibility to assure that such pressure is realistic and is accompanied by such quality standards that arrest or citation is fully justified. The emphasis should always be on the legitimate relationship of police response to public action rather than on mere quantitative measure of police response (quotas).
- h. It is the professional responsibility of law enforcement agencies to develop effective referral systems for non-criminal actions coming to their attention.
- i. The officer shall act responsibly when called on to make professional recommendations that may affect the welfare of an individual or society.
- j. In the interest of harmony and efficient public service, the officer has an obligation and responsibility to cooperate with other professionals in the criminal justice system.

#### **7.0 Education and Training Practices**

Law enforcement instructors should emphasize the ethical responsibility in policing for both the agency and the individual officer. They should encourage students in their quest for knowledge and in their development of professional skills, giving them assistance in the free exploration of ideas. The quest for truth is essential to the achievement of justice.

- a. The instructor should properly advise students to ensure that they understand opportunities and requirements in the field, as well as limitations.

- b. The instructor in discussing law enforcement techniques should impress upon the student the importance and problems of putting theory into practice, of adherence to all applicable principles governing practices, and of the retention of such principles in accord with organization regulations.
- c. An instructor of law enforcement should stress to the students the importance of the systems contexts in which criminal justice agencies operate. It should be emphasized that agencies contribute to the goals of the criminal justice systems, as well as to the service and management systems in the jurisdictions in which they perform their duties.
- d. The present ethical standards in law enforcement shall be reviewed with students. A student who serves in any law enforcement capacity (for example, as a cadet or a recruit or as intern, student participant or researcher) is expected to follow the ethical standards of the profession.

### 8.0 Research and Writing

Practitioners and educators in law enforcement have the responsibility of developing a body of knowledge and conducting research on the police contribution to the public welfare, to provide the best information for professional practice, and to publish their results and conclusions so that the professional and the public is well informed.

### 9.0 Recruitment and Employment Practices

A law enforcement agency will not discriminate against any officer or employee or applicant for employment because of race, sex, creed, color, or national origin. The agency will take affirmative action to ensure that all applicants are fairly considered for employment, and that employees are treated during employment with equal opportunity.

- a. Such employment practices and policy shall be related to, but not limited to, the following: employment, upgrading and promotion, demotion or transfer, recruitment or recruitment advertising, layoffs or termination, rates of pay or other forms of compensation, and selection for training or education, including apprenticeship.
- b. Agencies shall post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this non-discrimination clause.
- c. Agencies should maintain appropriate records and accounts as to their compliance with non-discrimination policies and should facilitate legitimate access to them.

- d. All criteria used by agencies in the recruitment and selection processes shall be clearly related to the duties, requirements and responsibilities of the law enforcement task.

### 10.0 The Context of Professional Support

Law enforcement as a profession should be willing to offer its ethical and effective practitioners support when they are attacked for their compliance with the professional standards.

- a. A law enforcement official who, in fulfilling the obligations of this code, erroneously exceeds the limits of law despite honest and conscientious assessment, is entitled to the full protection of his agency and of the jurisdiction which employs him or her.
- b. A law enforcement official who complies with the provisions of this code deserves the respect, the full support and the collaboration of the community and of the law enforcement agency in which such official serves, as well as the support of the law enforcement profession.

## POLICE CODE OF CONDUCT

SOURCE Police Chief, *October, 2002.*

INTRODUCTION *After thirty years of service, efforts were made to “replace” the 1957 IACP Law Enforcement Code of Ethics. The new code—longer, less idealistic, and more pragmatic—was adopted by the IACP Executive Committee on October 17, 1989, during IACP’s 96th Annual Conference in Louisville, Kentucky. The committee that authored the new code acknowledged “the assistance of Sir John Hermon, former chief constable of the Royal Ulster Constabulary, who gave full license to the association to freely use the language and concepts presented in the RUC’s ‘Professional Policing Ethics,’ Appendix I of the Chief Constable’s Annual Report, 1988, presented to the Police Authority of Northern Ireland, for the preparation of this code.” But the new code had a mixed reception. Its length disturbed some, and its diminished idealism troubled others, and the 1957 code remained a “sentimental” favorite. And so, at the 98th Annual IACP Conference in Minneapolis, Minnesota, October 5-10, 1991, the 1989 Code was renamed the Police Code of Conduct, and a slightly revised version of the 1957 Code was “reinstated” as The Law Enforcement Code of Ethics.*

## **POLICE CODE OF CONDUCT**

### **Primary Responsibilities of a Police Officer**

A police officer acts as an official representative of government who is required and trusted to work within the law. The officer's powers and duties are conferred by statute. The fundamental duties of a police officer include serving the community, safeguarding lives and property, protecting the innocent, keeping the peace and ensuring the rights of all to liberty, equality and justice.

### **Performance of the Duties of a Police Officer**

A police officer shall perform all duties impartially, without favor or affection or ill will and without regard to status, sex, race, religion, political belief or aspiration. All citizens will be treated equally with courtesy, consideration and dignity.

Officers will never allow personal feelings, animosities or friendships to influence official conduct. Laws will be enforced appropriately and courteously and, in carrying out their responsibilities, officers will strive to obtain maximum cooperation from the public. They will conduct themselves in appearance and deportment in such a manner as to inspire confidence and respect for the position of public trust they hold.

### **Discretion**

A police officer will use responsibly the discretion vested in his position and exercise it within the law. The principle of reasonableness will guide the officer's determinations, and the officer will consider all surrounding circumstances in determining whether any legal action shall be taken.

Consistent and wise use of discretion, based on professional policing competence, will do much to preserve good relationships and retain the confidence of the public. There can be difficulty in choosing between conflicting courses of action. It is important to remember that a timely word of advice rather than arrest—which may be correct in appropriate circumstances—can be a more effective means of achieving a desired end.

### **Use of Force**

A police officer will never employ unnecessary force or violence and will use only such force in the discharge of duty as is reasonable in all circumstances.

The use of force should be used only with the greatest restraint and only after discussion, negotiation and persuasion have been found to be inappropriate or ineffective. While the use of force is occasionally unavoidable, every police officer will refrain from unnecessary infliction of pain or suffering and will never engage in cruel, degrading or inhuman treatment of any person.

### **Confidentiality**

Whatever a police officer sees, hears or learns of that is of a confidential nature will be kept secret unless the performance of duty or legal provision requires otherwise.

Members of the public have a right to security and privacy, and information obtained about them must not be improperly divulged.

### **Integrity**

A police officer will not engage in acts of corruption or bribery, nor will an officer condone such acts by other police officers.

The public demands that the integrity of police officers be above reproach. Police officers must, therefore, avoid any conduct that might compromise integrity and thus undercut the public confidence in a law enforcement agency. Officers will refuse to accept any gifts, presents, subscriptions, favors, gratuities or promises that could be interpreted as seeking to cause the officer to refrain from performing official responsibilities honestly and within the law.

Police officers must not receive private or special advantage from their official status. Respect from the public cannot be bought; it can only be earned and cultivated.

### **Cooperation with Other Police Officers and Agencies**

Police officers will cooperate with all legally authorized agencies and their representatives in the pursuit of justice.

An officer or agency may be one among many organizations that may provide law enforcement services to a jurisdiction. It is imperative that a police officer assist colleagues fully and completely with respect and consideration at all times.

### **Personal-Professional Capabilities**

Police officers will be responsible for their own standard of professional performance and will take every reasonable opportunity to enhance and improve their level of knowledge and competence.

Through study and experience, a police officer can acquire the high level of knowledge and competence that is essential for the efficient and effective performance of duty. The acquisition of knowledge is a never-ending process of personal and professional development that should be pursued constantly.

### **Private Life**

Police officers will behave in a manner that does not bring discredit to their agencies or themselves.

A police officer's character and conduct while off duty must always be exemplary, thus maintaining a

position of respect in the community in which he or she lives and serves. The officer's personal behavior must be beyond reproach.

## THE EVOLUTION OF THE INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE'S LAW ENFORCEMENT CODE OF ETHICS

SOURCE "Law Enforcement Code of Ethics of the International Association of Chiefs of Police, 1957," Codes of Ethics Online, 1957. Copyright held by the International Association of Chiefs of Police, 515 North Washington Street, Alexandria, VA 22314 USA. "IACP Law Enforcement Code of Ethics, 1991," Police Chief, October, 2002. "Canons of Police Ethics," Police Chief, October, 2002.

INTRODUCTION *Perhaps the most widely used of all police codes, the 1957 Law Enforcement Code of Ethics has its roots in the 1928 "Square Deal" Code that O.W. Wilson prepared for the Wichita Police Department. Wilson returned to Berkeley in 1947 and in the early 1950s was a member of the Peace Officers' Research Association of California (PORAC). As part of a program to enhance the professional status of policing, a PORAC subcommittee, which included Wilson, was formed to draft a code of ethics. A draft was presented at the May 1955 Conference of the Californian Peace Officers Association (CPOA), and it was adopted, subject to some further refinements. The changes were approved in October 1955 by the CPOA Executive, at which time PORAC also adopted it. Then in December 1956 at a meeting of the Executive Committee of the National Conference of Police Associations, it was adopted by that body. Finally, after several months of study by a subcommittee of the International Association of Chiefs of Police (IACP), the Law Enforcement Code of Ethics for Californian Peace Officers was adopted and ratified without significant change at the 64th IACP Conference in Honolulu, Hawaii, September 29 through October 3, 1957. The IACP subcommittee (comprised of Andrew J. Kavanaugh, Franklin M. Kreml, and Quinn Tamm) charged with examining the Californian Code also prepared the Canons of Police Ethics for release in conjunction with the code. In 1989, the IACP adopted a new Law Enforcement Code of Ethics, ostensibly to "replace" the original code. The controversy that*

*followed resulted in two changes, ratified at the 98th Annual IACP Conference in Minneapolis, Minnesota, October 5 through 10, 1991: (1) the 1957 code was edited, to ensure consistency with the newer version; and (2) the newer version was retitled as the Police Code of Conduct. No longer, therefore, does it "replace" the 1957 Law Enforcement Code of Ethics. Adopted by many agencies in the United States and overseas, the Law Enforcement Code of Ethics remains the "standard" code, and is often made the centerpiece of training programs in police ethics.*

### LAW ENFORCEMENT CODE OF ETHICS OF THE INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE ADOPTED 1957

As a law enforcement officer, my fundamental duty is to serve mankind; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder; and to respect the Constitutional rights of all men to liberty, equality and justice.

I will keep my private life unsullied as an example to all; maintain courageous calm in the face of danger, scorn or ridicule; develop self restraint; and be constantly mindful of the welfare of others. Honest in thought and deed in both my personal and official life, I will be exemplary in obeying the laws of the land and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

I will never act officiously or permit personal feelings, prejudices, animosities or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities.

I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of the police service. I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession . . . law enforcement.

### IACP LAW ENFORCEMENT CODE OF ETHICS, 1991

As a law enforcement officer, my fundamental duty is to serve the community; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation and the peaceful against vio-

lence or disorder; and to respect the constitutional rights of all to liberty, equality and justice.

I will keep my private life unsullied as an example to all and will behave in a manner that does not bring discredit to me or to my agency. I will maintain courageous calm in the face of danger, scorn or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed both in my personal and official life, I will be exemplary in obeying the law and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

I will never act officiously or permit personal feelings, prejudices, political beliefs, aspirations, animosities or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities.

I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of police service. I will never engage in acts of corruption or bribery, nor will I condone such acts by other police officers. I will cooperate with all legally authorized agencies and their representatives in the pursuit of justice.

I know that I alone am responsible for my own standard of professional performance and will take every reasonable opportunity to enhance and improve my level of knowledge and competence.

I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession . . . law enforcement.

## **CANONS OF POLICE ETHICS**

### **Article 1. Primary Responsibility of Job**

The primary responsibility of the police service, and of the individual officer, is the protection of the people of the United States through the upholding of their laws; chief among these is the Constitution of the United States and its amendments. The law enforcement officer always represents the whole of the community and its legally expressed will and is never the arm of any political party or clique.

### **Article 2. Limitations of Authority**

The first duty of a law enforcement officer, as upholder of the law, is to know its bounds upon him in enforcing it. Because he represents the legal will of the community, be it local, state or federal, he must be aware of the

limitations and proscriptions which the people, through law, have placed upon him. He must recognize the genius of the American system of government that gives to no man, groups of men, or institution, absolute power, and he must ensure that he, as a prime defender of that system, does not pervert its character.

### **Article 3. Duty to Be Familiar with the Law and with Responsibilities of Self and other Public Officials**

The law enforcement officer shall assiduously apply himself to the study of the principles of the laws which he is sworn to uphold. He will make certain of his responsibilities in the particulars of their enforcement, seeking aid from his superiors in matters of technicality or principle when these are not clear to him; he will make special effort to fully understand his relationship to other public officials, including other law enforcement agencies, particularly on matters of jurisdiction, both geographically and substantively.

### **Article 4. Utilization of Proper Means to Gain Proper Ends**

The law enforcement officer shall be mindful of his responsibility to pay strict heed to the selection of means in discharging the duties of his office. Violations of law or disregard for public safety and property on the part of an officer are intrinsically wrong; they are self-defeating in that they instill in the public mind a like disposition. The employment of illegal means, no matter how worthy the end, is certain to encourage disrespect for the law and its officers. If the law is to be honored, it must first be honored by those who enforce it.

### **Article 5. Cooperation with Public Officials in the Discharge of Their Authorized Duties**

The law enforcement officer shall cooperate fully with other public officials in the discharge of authorized duties, regardless of party affiliation or personal prejudice. He shall be meticulous, however, in assuring himself of the propriety, under the law, of such actions and shall guard against the use of his office or person, whether knowingly or unknowingly, in any improper or illegal action. In any situation open to question, he shall seek authority from his superior officer, giving him a full report of the proposed service or action.

### **Article 6. Private Conduct**

The law enforcement officer shall be mindful of his special identification by the public as an upholder of the law. Laxity of conduct or manner in private life, expressing either disrespect for the law or seeking to gain special privilege, cannot but reflect upon the police officer and the police service. The community and the

service require that the law enforcement officer lead the life of a decent and honorable man. Following the career of a policeman gives no man special perquisites. It does give the satisfaction and pride of following and furthering an unbroken tradition of safeguarding the American republic. The officer who reflects upon this tradition will not degrade it. Rather, he will so conduct his private life that the public will regard him as an example of stability, fidelity, and morality.

#### **Article 7. Conduct toward the Public**

The law enforcement officer, mindful of his responsibility to the whole community, shall deal with individuals of the community in a manner calculated to instill respect for its laws and its police service. The law enforcement officer shall conduct his official life in a manner such as will inspire confidence and trust. Thus, he will be neither overbearing nor subservient, as no individual citizen has an obligation to stand in awe of him nor a right to command him. The officer will give service where he can, and require compliance with the law. He will do neither from personal preference or prejudice but rather as a duly appointed officer of the law discharging his sworn obligation.

#### **Article 8. Conduct in Arresting and Dealing with Law Violators**

The law enforcement officer shall use his powers of arrest strictly in accordance with the law and with due regard to the rights of the citizen concerned. His office gives him no right to prosecute the violator nor to mete out punishment for the offense. He shall, at all times, have a clear appreciation of his responsibilities and limitations regarding detention of the violator; he shall conduct himself in such a manner as will minimize the possibility of having to use force. To this end he shall cultivate a dedication to the service of the people and the equitable upholding of their laws whether in the handling of law violators or in dealing with the law-abiding.

#### **Article 9. Gifts and Favors**

The law enforcement officer, representing government, bears the heavy responsibility of maintaining, in his own conduct, the honor and integrity of all government institutions. He shall, therefore, guard against placing himself in a position in which any person can expect special consideration or in which the public can reasonably assume that special consideration is being given. Thus, he should be firm in refusing gifts, favors, or gratuities, large or small, which can, in the public mind, be interpreted as capable of influencing his judgment in the discharge of his duties.

#### **Article 10. Presentation of Evidence**

The law enforcement officer shall be concerned equally in the prosecution of the wrong-doer and the defense of the innocent. He shall ascertain what constitutes evidence and shall present such evidence impartially and without malice. In so doing, he will ignore social, political, and all other distinctions among the persons involved, strengthening the tradition of the reliability and integrity of an officer's word.

The law enforcement officer shall take special pains to increase his perception and skill of observation, mindful that in many situations his is the sole impartial testimony to the facts of a case.

#### **Article 11. Attitude toward Profession**

The law enforcement officer shall regard the discharge of his duties as a public trust and recognize his responsibility as a public servant. By diligent study and sincere attention to self-improvement he shall strive to make the best possible application of science to the solution of crime and, in the field of human relationships, strive for effective leadership and public influence in matters affecting public safety. He shall appreciate the importance and responsibility of his office, and hold police work to be an honorable profession rendering valuable service to his community and his country.

## **CODE OF PRACTICE FOR POLICE COMPUTER SYSTEMS**

SOURCE "*The Data Protection Act: The Data Protection Principles*," <http://www.opsi.gov.uk/ACTS/acts1998/80029—1.htm#sch1ptI>, 1998. "*The Data Protection Act: Interpretation of the Principles in Part I*," <http://www.opsi.gov.uk/ACTS/acts1998/80029—m.htm#sch1ptII>, 1998.

INTRODUCTION *Produced as a 33 page document, the Association of Chief Police Officers (ACPO) Code of Practice for Police Computer Systems reflects the growing use of computerized data in policing and the complex ethical and practical problems involved in collecting, holding, and using and disclosing that data. Drawn up to help police meet the requirements of the UK Data Protection Act (1984), the code is structured around eight principles, each enunciated in the act, each followed by its interpretation in the act. What then follows (but is not included here) is a detailed statement of the "Method of Compliance," relating each principle to police activity. Also included*

*in the code (but not below) are sections on monitoring and inspection, registration, exemptions, sanctions, complaints, and procedures for reviewing the code.*

## THE DATA PROTECTION PRINCIPLES

### PART I

#### The Principles

1. Personal data shall be processed fairly and lawfully and, in particular, shall not be processed unless—
  - (a) at least one of the conditions in Schedule 2 is met, and
  - (b) in the case of sensitive personal data, at least one of the conditions in Schedule 3 is also met.
2. Personal data shall be obtained only for one or more specified and lawful purposes, and shall not be further processed in any manner incompatible with that purpose or those purposes.
3. Personal data shall be adequate, relevant and not excessive in relation to the purpose or purposes for which they are processed.
4. Personal data shall be accurate and, where necessary, kept up to date.
5. Personal data processed for any purpose or purposes shall not be kept for longer than is necessary for that purpose or those purposes.
6. Personal data shall be processed in accordance with the rights of data subjects under this Act.
7. Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data.
8. Personal data shall not be transferred to a country or territory outside the European Economic Area unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.

#### DATA PROTECTION ACT: INTERPRETATIONS OF THE PRINCIPLES IN PART I

##### The first principle

1. —(1) In determining for the purposes of the first principle whether personal data are processed fairly, regard is to be had to the method by which they are obtained, including in particular whether any person from whom they are obtained is deceived or misled as to the purpose or purposes for which they are to be processed.

(2) Subject to paragraph 2, for the purposes of the first principle data are to be treated as obtained fairly if they consist of information obtained from a person who—

- a. is authorised by or under any enactment to supply it, or
- b. is required to supply it by or under any enactment or by any convention or other instrument imposing an international obligation on the United Kingdom.

2. —(1) Subject to paragraph 3, for the purposes of the first principle personal data are not to be treated as processed fairly unless—

- a. in the case of data obtained from the data subject, the data controller ensures so far as practicable that the data subject has, is provided with, or has made readily available to him, the information specified in sub-paragraph (3), and
- b. in any other case, the data controller ensures so far as practicable that, before the relevant time or as soon as practicable after that time, the data subject has, is provided with, or has made readily available to him, the information specified in sub-paragraph (3).

(2) In sub-paragraph (1)(b) “the relevant time” means—

- a. the time when the data controller first processes the data, or
- b. in a case where at that time disclosure to a third party within a reasonable period is envisaged
  - i. if the data are in fact disclosed to such a person within that period, the time when the data are first disclosed,
  - ii. if within that period the data controller becomes, or ought to become, aware that the data are unlikely to be disclosed to such a person within that period, the time when the data controller does become, or ought to become, so aware, or
  - iii. in any other case, the end of that period.

(3) The information referred to in sub-paragraph (1) is as follows, namely—

- a. the identity of the data controller,
- b. if he has nominated a representative for the purposes of this Act, the identity of that representative,
- c. the purpose or purposes for which the data are intended to be processed, and
- d. any further information which is necessary, having regard to the specific circumstances in which the data are or are to be processed, to enable processing in respect of the data subject to be fair.



3. —(1) Paragraph 2(1)(b) does not apply where either of the primary conditions in sub-paragraph (2), together with such further conditions as may be prescribed by the Secretary of State by order, are met.

(2) The primary conditions referred to in sub-paragraph (1) are—

- a. that the provision of that information would involve a disproportionate effort, or
- b. that the recording of the information to be contained in the data by, or the disclosure of the data by, the data controller is necessary for compliance with any legal obligation to which the data controller is subject, other than an obligation imposed by contract.

4. —(1) Personal data which contain a general identifier falling within a description prescribed by the Secretary of State by order are not to be treated as processed fairly and lawfully unless they are processed in compliance with any conditions so prescribed in relation to general identifiers of that description.

(2) In sub-paragraph (1) “a general identifier” means any identifier (such as, for example, a number or code used for identification purposes) which—

- a. relates to an individual, and
- b. forms part of a set of similar identifiers which is of general application.

#### **The second principle**

5. The purpose or purposes for which personal data are obtained may in particular be specified—

- a. in a notice given for the purposes of paragraph 2 by the data controller to the data subject, or
- b. in a notification given to the Commissioner under Part III of this Act.

6. In determining whether any disclosure of personal data is compatible with the purpose or purposes for which the data were obtained, regard is to be had to the purpose or purposes for which the personal data are intended to be processed by any person to whom they are disclosed.

#### **The fourth principle**

7. The fourth principle is not to be regarded as being contravened by reason of any inaccuracy in personal data which accurately record information obtained by the data controller from the data subject or a third party in a case where—

- a. having regard to the purpose or purposes for which the data were obtained and further processed, the data controller has taken reasonable steps to ensure the accuracy of the data, and

- b. if the data subject has notified the data controller of the data subject’s view that the data are inaccurate, the data indicate that fact.

#### **The sixth principle**

8. A person is to be regarded as contravening the sixth principle if, but only if—

- a. he contravenes section 7 by failing to supply information in accordance with that section,
- b. he contravenes section 10 by failing to comply with a notice given under subsection (1) of that section to the extent that the notice is justified or by failing to give a notice under subsection (3) of that section,
- c. he contravenes section 11 by failing to comply with a notice given under subsection (1) of that section, or
- d. he contravenes section 12 by failing to comply with a notice given under subsection (1) or (2)(b) of that section or by failing to give a notification under subsection (2)(a) of that section or a notice under subsection (3) of that section.

#### **The seventh principle**

9. Having regard to the state of technological development and the cost of implementing any measures, the measures must ensure a level of security appropriate to—

- a. the harm that might result from such unauthorised or unlawful processing or accidental loss, destruction or damage as are mentioned in the seventh principle, and
- b. the nature of the data to be protected.

10. The data controller must take reasonable steps to ensure the reliability of any employees of his who have access to the personal data.

11. Where processing of personal data is carried out by a data processor on behalf of a data controller, the data controller must in order to comply with the seventh principle—

- a. choose a data processor providing sufficient guarantees in respect of the technical and organisational security measures governing the processing to be carried out, and
- b. take reasonable steps to ensure compliance with those measures.

12. Where processing of personal data is carried out by a data processor on behalf of a data controller, the data controller is not to be regarded as complying with the seventh principle unless—

- a. the processing is carried out under a contract—
  - i. which is made or evidenced in writing, and
  - ii. under which the data processor is to act only on instructions from the data controller, and
- b. the contract requires the data processor to comply with obligations equivalent to those imposed on a data controller by the seventh principle.

#### The eighth principle

13. An adequate level of protection is one which is adequate in all the circumstances of the case, having regard in particular to—

- a. the nature of the personal data,
- b. the country or territory of origin of the information contained in the data,
- c. the country or territory of final destination of that information,
- d. the purposes for which and period during which the data are intended to be processed,
- e. the law in force in the country or territory in question,
- f. the international obligations of that country or territory,
- g. any relevant codes of conduct or other rules which are enforceable in that country or territory (whether generally or by arrangement in particular cases), and
- h. any security measures taken in respect of the data in that country or territory.

14. The eighth principle does not apply to a transfer falling within any paragraph of Schedule 4, except in such circumstances and to such extent as the Secretary of State may by order provide.

15. —(1) Where—

- a. in any proceedings under this Act any question arises as to whether the requirement of the eighth principle as to an adequate level of protection is met in relation to the transfer of any personal data to a country or territory outside the European Economic Area, and
- b. a Community finding has been made in relation to transfers of the kind in question, that question is to be determined in accordance with that finding.

(2) In sub-paragraph (1) “Community finding” means a finding of the European Commission, under the procedure provided for in Article 31(2) of the Data Protection Directive, that a country or territory outside the European Economic Area does, or does not, ensure an

adequate level of protection within the meaning of Article 25(2) of the Directive.

## RECOMMENDATION OF THE COMMITTEE OF MINISTERS TO MEMBER STATES ON THE EUROPEAN CODE OF POLICE ETHICS

SOURCE <https://wcd.coe.int/com.instranet.InstraServlet?Command=com.instranet.CmdBlobGet&DocId=212764&SecMode=1&Admin=0&Usage=4&InstranetImage=62073>, September 19, 2001.

INTRODUCTION *In 2001, the Council of Europe's Directorate General for Legal Affairs made a recommendation to adopt the European Code of Police Ethics to support law enforcement reform in member states. The code was adopted by the Committee of Ministers on September 19, 2001. The appendix to the recommendation contains the actual text of the ethics code. The implementation of the code is reviewed and supported by the Council for Police Matters (PC-PM), whose seven members met for the first time in November 2004. The PC-PM serves as the advisory body for the COE's European Committee on Crime Problems.*

### COUNCIL OF EUROPE

#### COMMITTEE OF MINISTERS

**Recommendation Rec(2001)10 of the Committee of Ministers to member states on the European Code of Police Ethics**

***Adopted by the Committee of Ministers on 19 September 2001 at the 765th meeting of the Ministers' Deputies***

The Committee of Ministers, under the terms of Article 15.b of the Statute of the Council of Europe,

Recalling that the aim of the Council of Europe is to achieve greater unity between its members;

Bearing in mind that it is also the purpose of the Council of Europe to promote the rule of law, which constitutes the basis of all genuine democracies;

Considering that the criminal justice system plays a key role in safeguarding the rule of law and that the police have an essential role within that system;

Aware of the need of all member states to provide effective crime fighting both at the national and the international level; Considering that police activities to a large extent are performed in close contact with the public and that police efficiency is dependent on public support;

Recognising that most European police organisations—in addition to upholding the law—are performing social as well as service functions in society;

Convinced that public confidence in the police is closely related to their attitude and behaviour towards the public, in particular their respect for the human dignity and fundamental rights and freedoms of the individual as enshrined, in particular, in the European Convention on Human Rights; Considering the principles expressed in the United Nations Code of Conduct for Law Enforcement Officials and the resolution of the Parliamentary Assembly of the Council of Europe on the Declaration on the Police;

Bearing in mind principles and rules laid down in texts related to police matters—criminal, civil and public law as well as human rights aspects as adopted by the Committee of Ministers, decisions and judgments of the European Court of Human Rights and principles adopted by the Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment;

Recognising the diversity of police structures and means of organising the police in Europe;

Considering the need to establish common European principles and guidelines for the overall objectives, performance and accountability of the police to safeguard security and individual's rights in democratic societies governed by the rule of law,

Recommends that the governments of member states be guided in their internal legislation, practice and codes of conduct of the police by the principles set out in the text of the European Code of Police Ethics, appended to the present recommendation, with a view to their progressive implementation, and to give the widest possible circulation to this text.

#### **Appendix to Recommendation Rec(2001)10 on the European Code of Police Ethics Definition of the scope of the code**

This code applies to traditional public police forces or police services, or to other publicly authorised and/or controlled bodies with the primary objectives of maintaining law and order in civil society, and who are empowered by the state to use force and/or special powers for these purposes.

#### **I. Objectives of the police**

1. The main purposes of the police in a democratic society governed by the rule of law are:

- to maintain public tranquillity and law and order in society;

- to protect and respect the individual's fundamental rights and freedoms as enshrined, in particular, in the European Convention on Human Rights;
- to prevent and combat crime;
- to detect crime
- to provide assistance and service functions to the public.

#### **II. Legal basis of the police under the rule of law**

2. The police are a public body which shall be established by law.

3. Police operations must always be conducted in accordance with the national law and international standards accepted by the country.

4. Legislation guiding the police shall be accessible to the public and sufficiently clear and precise, and, if need be, supported by clear regulations equally accessible to the public and clear.

5. Police personnel shall be subject to the same legislation as ordinary citizens, and exceptions may only be justified for reasons of the proper performance of police work in a democratic society.

#### **III. The police and the criminal justice system**

6. There shall be a clear distinction between the role of the police and the prosecution, the judiciary and the correctional system; the police shall not have any controlling functions over these bodies.

7. The police must strictly respect the independence and the impartiality of judges; in particular, the police shall neither raise objections to legitimate judgments or judicial decisions, nor hinder their execution.

8. The police shall, as a general rule, have no judicial functions. Any delegation of judicial powers to the police shall be limited and in accordance with the law. It must always be possible to challenge any act, decision or omission affecting individual rights by the police before the judicial authorities.

9. There shall be functional and appropriate co-operation between the police and the public prosecution. In countries where the police are placed under the authority of the public prosecution or the investigating judge, the police shall receive clear instructions as to the priorities governing crime investigation policy and the progress of criminal investigation in individual cases. The police should keep the superior crime investigation authorities informed of the implementation of their instructions, in particular, the development of criminal cases should be reported regularly.

10. The police shall respect the role of defence lawyers in the criminal justice process and, whenever appropriate, assist in ensuring the right of access to legal assistance effective, in particular with regard to persons deprived of their liberty.

11. The police shall not take the role of prison staff, except in cases of emergency.

#### **IV. Organisational structures of the police**

##### **A. General**

12. The police shall be organised with a view to earning public respect as professional upholders of the law and providers of services to the public.

13. The police, when performing police duties in civil society, shall be under the responsibility of civilian authorities.

14. The police and its personnel in uniform shall normally be easily recognisable.

15. The police shall enjoy sufficient operational independence from other state bodies in carrying out its given police tasks, for which it should be fully accountable.

16. Police personnel, at all levels, shall be personally responsible and accountable for their own actions or omissions or for orders to subordinates.

17. The police organisation shall provide for a clear chain of command within the police. It should always be possible to determine which superior is ultimately responsible for the acts or omissions of police personnel.

18. The police shall be organised in a way that promotes good police/public relations and, where appropriate, effective co-operation with other agencies, local communities, non-governmental organisations and other representatives of the public, including ethnic minority groups.

19. Police organisations shall be ready to give objective information on their activities to the public, without disclosing confidential information. Professional guidelines for media contacts shall be established.

20. The police organisation shall contain efficient measures to ensure the integrity and proper performance of police staff, in particular to guarantee respect for individuals' fundamental rights and freedoms as enshrined, notably, in the European Convention on Human Rights.

21. Effective measures to prevent and combat police corruption shall be established in the police organisation at all levels.

##### **B. Qualifications, recruitment and retention of police personnel**

22. Police personnel, at any level of entry, shall be recruited on the basis of their personal qualifications and experience, which shall be appropriate for the objectives of the police.

23. Police personnel shall be able to demonstrate sound judgment, an open attitude, maturity, fairness, communication skills and, where appropriate, leadership and management skills. Moreover, they shall possess a good understanding of social, cultural and community issues.

24. Persons who have been convicted for serious crimes shall be disqualified from police work.

25. Recruitment procedures shall be based on objective and non-discriminatory grounds, following the necessary screening of candidates. In addition, the policy shall aim at recruiting men and women from various sections of society, including ethnic minority groups, with the overall objective of making police personnel reflect the society they serve.

##### **C. Training of Police Personnel**

26. Police training, which shall be based on the fundamental values of democracy, the rule of law and the protection of human rights, shall be developed in accordance with the objectives of the police.

27. General police training shall be as open as possible towards society.

28. General initial training should preferably be followed by in-service training at regular intervals, and specialist, management and leadership training, when it is required.

29. Practical training on the use of force and limits with regard to established human rights principles, notably the European Convention on Human Rights and its case law, shall be included in police training at all levels.

30. Police training shall take full account of the need to challenge and combat racism and xenophobia.

##### **D. Rights of police personnel**

31. Police staff shall as a rule enjoy the same civil and political rights as other citizens. Restrictions to these rights may only be made when they are necessary for the exercise of the functions of the police in a democratic society, in accordance with the law, and in conformity with the European Convention on Human Rights.

32. Police staff shall enjoy social and economic rights, as public servants, to the fullest extent possible. In particular, staff shall have the right to organise or to participate in representative organisations, to receive an appropriate remuneration and social security, and to be provided with special health and security measures, taking into account the particular character of police work.

33. Disciplinary measures brought against police staff shall be subject to review by an independent body or a court.

34. Public authorities shall support police personnel who are subject to ill-founded accusations concerning their duties.

#### **V. Guidelines for police action/intervention**

##### **A. Guidelines for police action/intervention: general principles**

35. The police, and all police operations, must respect everyone's right to life.

36. The police shall not inflict, instigate or tolerate any act of torture or inhuman or degrading treatment or punishment under any circumstances.

37. The police may use force only when strictly necessary and only to the extent required to obtain a legitimate objective.

38. Police must always verify the lawfulness of their intended actions.

39. Police personnel shall carry out orders properly issued by their superiors, but they shall have a duty to refrain from carrying out orders which are clearly illegal and to report such orders, without fear of sanction.

40. The police shall carry out their tasks in a fair manner, guided, in particular, by the principles of impartiality and non-discrimination.

41. The police shall only interfere with individual's right to privacy when strictly necessary and only to obtain a legitimate objective.

42. The collection, storage, and use of personal data by the police shall be carried out in accordance with international data protection principles and, in particular, be limited to the extent necessary for the performance of lawful, legitimate and specific purposes.

43. The police, in carrying out their activities, shall always bear in mind everyone's fundamental rights, such as freedom of thought, conscience, religion, expression, peaceful assembly, movement and the peaceful enjoyment of possessions.

44. Police personnel shall act with integrity and respect towards the public and with particular consideration for the situation of individuals belonging to especially vulnerable groups.

45. Police personnel shall, during intervention, normally be in a position to give evidence of their police status and professional identity.

46. Police personnel shall oppose all forms of corruption within the police. They shall inform superiors and other appropriate bodies of corruption within the police.

## ***B. Guidelines for police action/intervention: specific situations***

### ***1. Police investigation***

47. Police investigations shall, as a minimum, be based upon reasonable suspicion of an actual or possible offence or crime.

48. The police must follow the principles that everyone charged with a criminal offence shall be considered innocent until found guilty by a court, and that everyone charged with a criminal offence has certain rights, in particular the right to be informed promptly of the accusation against him/her, and to prepare his/her defence either in person, or through legal assistance of his/her own choosing.

49. Police investigations shall be objective and fair. They shall be sensitive and adaptable to the special needs of persons, such as children, juveniles, women, minorities including ethnic minorities and vulnerable persons.

50. Guidelines for the proper conduct and integrity of police interviews shall be established, bearing in mind Article 48. They shall, in particular, provide for a fair interview during which those interviewed are made aware of the reasons for

the interview as well as other relevant information. Systematic records of police interviews shall be kept.

51. The police shall be aware of the special needs of witnesses and shall be guided by rules for their protection and support during investigation, in particular where there is a risk of intimidation of witnesses.

52. Police shall provide the necessary support, assistance and information to victims of crime, without discrimination.

53. The police shall provide interpretation/translation where necessary throughout the police investigation.

### ***2. Arrest/deprivation of liberty by the police***

54. Deprivation of liberty of persons shall be as limited as possible and conducted with regard to the dignity, vulnerability and personal needs of each detainee. A custody record shall be kept systematically for each detainee.

55. The police shall, to the extent possible according to domestic law, inform promptly persons deprived of their liberty of the reasons for the deprivation of their liberty and of any charge against them, and shall also without delay inform persons deprived of their liberty of the procedure applicable to their case.

56. The police shall provide for the safety, health, hygiene and appropriate nourishment of persons in the course of their custody. Police cells shall be of a reasonable size, have adequate lighting and ventilation and be equipped with suitable means of rest.

57. Persons deprived of their liberty by the police shall have the right to have the deprivation of their liberty notified to a third party of their choice, to have access to legal assistance and to have a medical examination by a doctor, whenever possible, of their choice.

58. The police shall, to the extent possible, separate persons deprived of their liberty under suspicion of having committed a criminal offence from those deprived of their liberty for other reasons. There shall normally be a separation between men and women as well as between adults and juveniles.

## ***VI. Accountability and control of the police***

59. The police shall be accountable to the state, the citizens and their representatives. They shall be subject to efficient external control.

60. State control of the police shall be divided between the legislative, the executive and the judicial powers.

61. Public authorities shall ensure effective and impartial procedures for complaints against the police.

62. Accountability mechanisms, based on communication and mutual understanding between the public and the police, shall be promoted.

63. Codes of ethics of the police, based on the principles set out in the present recommendation, shall be developed in member states and overseen by appropriate bodies.

## VII. Research and international co-operation

64. Member states shall promote and encourage research on the police, both by the police themselves and external institutions.

65. International co-operation on police ethics and human rights aspects of the police shall be supported.

66. The means of promoting the principles of the present recommendation and their implementation must be carefully scrutinised by the Council of Europe.

## DECLARATION ON THE POLICE, RESOLUTION 690

SOURCE [http://www.coe.int/T/E/Human\\_Rights/Police/5\\_Reference\\_Documents/b\\_Resolution\\_690\\_\(1979\)\\_on\\_Decl\\_police.asp](http://www.coe.int/T/E/Human_Rights/Police/5_Reference_Documents/b_Resolution_690_(1979)_on_Decl_police.asp), 1979.

INTRODUCTION *The declaration of the police was prepared by the legal affairs committee of the Council of Europe, and it was adopted in May 1979 by the Parliamentary Assembly of the Council of Europe (resolution 690). Subsequently, with only the qualified support of the Council's committee of ministers, the resolution/declaration was transmitted to the governments of member states. Accompanying the resolution were the committee of ministers critical "observations," based in part on comments received from various specialist bodies to whom the committee had submitted the declaration. Partly because of the problematic nature of some clauses in the declaration, and the division of policing authority in many of the member states, the declaration has not yet achieved the official acceptance that was originally sought for it.*

### RESOLUTION 690 (1979) [1]

#### *on the Declaration on the Police*

The Assembly,

1. Considering that the full exercise of human rights and fundamental freedoms, guaranteed by the European Convention on Human Rights and other national and international instruments, has as a necessary basis the existence of a peaceful society which enjoys the advantages of order and public safety;
2. Considering that, in this respect, police play a vital role in all the member states, that they are frequently called upon to intervene in conditions which are dangerous for their members, and that their duties

are made yet more difficult if the rules of conduct of their members are not sufficiently precisely defined;

3. Being of the opinion that it is inappropriate for those who have committed violations of human rights whilst members of police forces, or those who have belonged to any police force that has been disbanded on account of inhumane practices, to be employed as policemen;
4. Being of the opinion that the European system for the protection of human rights would be improved if there were generally accepted rules concerning the professional ethics of the police which take account of the principles of human rights and fundamental freedoms;
5. Considering that it is desirable that police officers have the active moral and physical support of the community they are serving;
6. Considering that police officers should enjoy status and rights comparable to those of members of the civil service;
7. Believing that it may be desirable to lay down guidelines for the behaviour of police officers in case of war and other emergency situations, and in the event of occupation by a foreign power,
8. Adopts the following Declaration on the Police, which forms an integral part of this resolution;
9. Instructs its Committee on Parliamentary and Public Relations and its Legal Affairs Committee as well as the Secretary General of the Council of Europe to give maximum publicity to the declaration.

### APPENDIX

#### Declaration on the Police

##### *A. Ethics [2]*

1. A police officer shall fulfil the duties the law imposes upon him by protecting his fellow citizens and the community against violent, predatory and other harmful acts, as defined by law.
2. A police officer shall act with integrity, impartiality and dignity. In particular he shall refrain from and vigorously oppose all acts of corruption.
3. Summary executions, torture and other forms of inhuman or degrading treatment or punishment remain prohibited in all circumstances. A police officer is under an obligation to disobey or disregard any order or instruction involving such measures.
4. A police officer shall carry out orders properly issued by his hierarchical superior, but he shall refrain from carrying out any order he knows, or ought to know, is unlawful.

5. A police officer must oppose violations of the law. If immediate or irreparable and serious harm should result from permitting the violation to take place he shall take immediate action, to the best of his ability.
6. If no immediate or irreparable and serious harm is threatened, he must endeavour to avert the consequences of this violation, or its repetition, by reporting the matter to his superiors. If no results are obtained in that way he may report to higher authority.
7. No criminal or disciplinary action shall be taken against a police officer who has refused to carry out an unlawful order.
8. A police officer shall not co-operate in the tracing, arresting, guarding or conveying of persons who, while not being suspected of having committed an illegal act, are searched for, detained or prosecuted because of their race, religion or political belief.
9. A police officer shall be personally liable for his own acts and for acts of commission or omission he has ordered and which are unlawful.
10. There shall be a clear chain of command. It should always be possible to determine which superior may be ultimately responsible for acts or omissions of a police officer.
11. Legislation must provide for a system of legal guarantees and remedies against any damage resulting from police activities.
12. In performing his duties, a police officer shall use all necessary determination to achieve an aim which is legally required or allowed, but he may never use more force than is reasonable.
13. Police officers shall receive clear and precise instructions as to the manner and circumstances in which they should make use of arms.
14. A police officer having the custody of a person needing medical attention shall secure such attention by medical personnel and, if necessary, take measures for the preservation of the life and health of this person. He shall follow the instructions of doctors and other competent medical workers when they place a detainee under medical care.
15. A police officer shall keep secret all matters of a confidential nature coming to his attention, unless the performance of duty or legal provisions require otherwise.
16. A police officer who complies with the provisions of this declaration is entitled to the active moral and physical support of the community he is serving.

## **B. Status**

1. Police forces are public services created by law, which shall have the responsibility of maintaining and enforcing the law.
2. Any citizen may join the police forces if he satisfies the relevant conditions.
3. A police officer shall receive thorough general training, professional training and in-service training, as well as appropriate instruction in social problems, democratic freedoms, human rights and in particular the European Convention on Human Rights.
4. The professional, psychological and material conditions under which a police officer must perform his duties shall be such as to protect his integrity, impartiality and dignity.
5. A police officer is entitled to a fair remuneration, and special factors are to be taken into account, such as greater risks and responsibilities and more irregular working schedules.
6. Police officers shall have the choice of whether to set up professional organisations, join them and play an active part therein. They may also play an active part in other organisations.
7. A police professional organisation, provided it is representative shall have the right:
  - to take part in negotiations concerning the professional status of police officers;
  - to be consulted on the administration of police units;
  - to initiate legal proceedings for the benefit of a group of police officers or on behalf of a particular police officer.
8. Membership of a police professional organisation and playing an active part therein shall not be detrimental to any police officer.
9. In case of disciplinary or penal proceedings taken against him, a police officer has the right to be heard and to be defended by a lawyer. The decision shall be taken within a reasonable time. He shall also be able to avail himself of the assistance of a professional organisation to which he belongs.
10. A police officer against whom a disciplinary measure has been taken or penal sanction imposed shall have the right of appeal to an independent and impartial body or court.
11. The rights of a police officer before courts or tribunals shall be the same as those of any other citizen.

**C. War and other emergency situations—  
occupation by a foreign power [3]**

1. A police officer shall continue to perform his tasks of protecting persons and property during war and enemy occupation in the interests of the civilian population. For that reason he shall not have the status of “combatant”, and the provisions of the Third Geneva Convention of 12 August 1949, relative to the treatment of prisoners of war, shall not apply.
2. The provisions of the Fourth Geneva Convention of 12 August 1949, relative to the protection of civilian persons in time of war, apply to the civilian police.
3. The occupying power shall not order police officers to perform tasks other than those mentioned in Article 1 of this chapter.
4. During occupation a police officer shall not:
  - take part in measures against members of resistance movements;
  - take part in applying measures designed to employ the population for military purposes and for guarding military installations.
5. If a police officer resigns during enemy occupation because he is forced to execute illegitimate orders of the occupying power which are contrary to the interests of the civilian population, such as those listed above, and because he sees no other way out, he shall be reintegrated into the police force as soon as the occupation is over without losing any of the rights or benefits he would have enjoyed if he had stayed in the police force.
6. Neither during nor after the occupation may any penal or disciplinary sanction be imposed on a police officer for having executed in good faith an order of an authority regarded as competent, where the execution of such an order was normally the duty of the police force.
7. The occupying power shall not take any disciplinary or judicial action against police officers by reason of the execution, prior to the occupation, of orders given by the competent authorities.

[1]. *Assembly debate* on 1 February 1979 (24th Sitting of the 30th Session) (see Doc. 4212, report of the Legal Affairs Committee). *Text adopted by the Assembly* on 8 May 1979 (2nd Sitting of the 31st Session).

[2]. Parts A and B of the declaration cover all individuals and organisations, including such bodies as secret services, military police forces, armed forces or militias performing police duties, that

are responsible for enforcing the law, investigating offences, and maintaining public order and state security.

[3]. This chapter does not apply to the military police.

## CODE OF ETHICS OF THE OFFICE OF THE SHERIFF

SOURCE <http://www.lakecountysheriff.com/admin/admin.htm>.

INTRODUCTION *The National Sheriffs' Association (NSA) was founded in 1940 and currently has approximately 50,000 members. It provides professional services to the law enforcement community, as well as a Victim Witness Program, National Neighborhood Watch, and Jail Officer Management studies. On June 4, 1986, the NSA Standards, Ethics, Education, and Training (SEET) Committee adopted a new Code of Ethics at its 46th Annual Conference. It was published in the bimonthly Sheriffs' Roll Call, and comments were solicited. After a further report by the SEET Committee to the NSA Board of Directors, the Code was adopted, along with an enforcement policy, at a meeting of the membership on June 24, 1987, at Grand Rapids, Michigan.*

### CODE OF ETHICS OF THE SHERIFF

As a constitutionally/statutorily elected Sheriff, I recognize and accept that I am given a special trust and confidence by the citizens and employees whom I have been elected to serve, represent and manage. This trust and confidence is my bond to ensure that I shall behave and act according to the highest personal and professional standards. In furtherance of this pledge, I will abide by the following Code of Ethics.

I shall ensure that I and my employees, in the performance of our duties, will enforce and administer the law according to the standards of the U.S. Constitution and applicable State Constitutions and statutes so that equal protection of the law is guaranteed to everyone. To that end I shall not permit personal opinions, party affiliations, or consideration of the status of others to alter or lessen this standard of treatment of others.

I shall establish, promulgate and enforce a set of standards of behavior of my employees which will govern the overall management and operation of the law



*Code of Ethics of the Office of the Sheriff*

enforcement functions, court related activities, and corrections operations of my agency.

I shall not tolerate nor condone brutal or inhumane treatment of others by my employees nor shall I permit or condone inhumane or brutal treatment of inmates in my care and custody.

I strictly adhere to standards of fairness and integrity in the conduct of campaigns for election and I shall conform to all applicable statutory standards of election financing and reporting so that the Office of the Sheriff is not harmed by the actions of myself or others.

I shall routinely conduct or have conducted an internal and external audit of the public funds entrusted to my care and publish this information so that citizens can be informed about my stewardship of these funds.

I shall follow the accepted principles of efficient and effective administration and management as the principle

criteria for my judgments and decisions in the allocation of resources and services in law enforcement, court related and corrections functions of my Office.

I shall hire and promote only those employees or others who are the very best candidates for a position according to accepted standards of objectivity and merit. I shall not permit other factors to influence hiring or promotion practices.

I shall ensure that all employees are granted and receive relevant training supervision in the performance of their duties so that competent and excellent service is provided by the Office of the Sheriff.

I shall ensure that during my tenure as Sheriff, I shall not use the Office of Sheriff for private gain.

I accept and will adhere to this code of ethics. In so doing, I also accept responsibility for encouraging others in my profession to abide by this Code.

## *Text Acknowledgements*

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## *Police Origins Worldwide*

**Afghanistan**

1880s

**Algeria**

1962

**Andorra**

Andorran Police, 1931

**Angola**

People's Police Corps of Angola, 1978

**Anguilla**

Anguillan Police, 1972

**Antigua and Barbuda**

Antigua and Barbuda Police, 1886

**Argentina**

Federal Police, 1880

**Australia**

1788

**Austria**

City Guard, 1569

**Bahamas**

Royal Bahamas Police Force, 1840

**Bahrain**

Bahrain Police, 1926

**Bangladesh**

Provincial Police, 1861

**Barbados**

Barbados Police Force, 1835

**Bermuda**

1879

**Bolivia**

1886

**Botswana**

Bechuanaland Mounted Police, 1884

**Brunei**

Straits Settlement Police, 1905

**Burundi**

Judicial Police, 1967

**Cambodia**

1970

**Cameroon**

Cameroon National gendarmerie, 1960

**Canada**

Quebec, 1651

**Chad**

Surete, 1961

**Chile**

Queen's Dragoons, 1758

**China**

Public Security, 1949

**Colombia**

1858

**Congo**

National Gendarmerie, 1961

**Cyprus**

1960

**Denmark**

Copenhagen, 1590

*Police Origins Worldwide*

**Dominican Police**

National Police, 1936

**Ecuador**

Municipal Police, 1830

**El Salvador**

National Guard, 1912

**Ethiopia**

1935

**Finland**

Servants of the Town, 1700s

**France**

Commissaire-Enqueteurs, 615; Marechausee, 1544

**Gambia**

River Police, 1855

**Germany**

1732

**Ghana**

Gold Coast Militia and Police, 1844

**Gibraltar**

Gibraltar Police, 1830

**Greece**

Gendarmerie (Khorofylaki), 1833

**Grenada**

Grenada Militia, 1783

**Guyana**

Guyana Police Force, 1891

**Honduras**

Special Security Corps, 1963

**Hong Kong**

Royal Hong Kong Police Force, 1841

**India**

Sind Constabulary, 1843

**Indonesia**

Dutch Algemeene Politie, pre-1947

**Iran**

Gendarmerie, 1911

**Iraq**

Iraq Police Force, 1919

**Ireland**

Provincial Police, 1822

**Israel**

Palestine Police Force, 1922

**Italy**

Carabinieri, 1814

**Ivory Coast**

Gendarmerie, 1854

**Jamaica**

Jamaica Constabulary, 1867

**Japan**

1871

**Jordan**

1956

**Kenya**

1886

**Korea, South**

Paramilitary Constabulary, 1945

**Laos**

1945

**Lesotho**

Lesotho Mounted Police, 1872

**Liberia**

National Police, 1924

**Liechtenstein**

Liechtenstein Corps, 1933

**Luxembourg**

Marechausee, seventeenth century

**Malawi**

Malawi Police Force, 1921

**Malaysia**

Colonial Police, 1806

**Malta**

Malta Police, 1814

**Mauritius**

Mauritius Police, 1859

**Monaco**

1867

**Mozambique**

Public Security Force, 1975

**Nepal**

Raksha Dal, c. 1952

**Netherlands**

1795

**New Zealand**

Armed Constabulary, 1846

**Nigeria**

Lagos Police Force, c. 1890s

**Norway**

Local Police, twelfth century; first chief constable, 1686

**Oman**

Askars Tribal Police; Muscat Police, 1931

**Panama**

National Police Corps, 1904

- Paraguay**  
Paraguayan Police, 1951
- Peru**  
Civil Guard, early twentieth century
- Philippines**  
Philippines Constabulary, 1901
- Poland**  
National Police, 1918
- Portugal**  
Sixteenth century
- Puerto Rico**  
Civil Guard, 1868
- Qatar**  
Qatar Police, 1948
- Russian Federation**  
The Cheka, 1917
- St. Helena**  
Constabulary, 1865
- St. Lucia**  
St. Lucia Police, 1834
- Senegal**  
National Gendarmerie, 1843
- Seychelles**  
1775
- Sierra Leone**  
Sierra Leone Police, 1829
- Singapore**  
Singapore Police, 1827
- Somalia**  
Armed Constabulary, 1884
- South Africa**  
Cape Constabulary, nineteenth century
- Spain**  
Carabineros, 1829
- Sri Lanka**  
Vidanes, 1806
- Sudan**  
Sudan Police, 1898
- Suriname**  
Armed Police Corps, 1865
- Tanzania**  
British East Africa Police, 1919
- Thailand**  
Tamruat, sixteenth century
- Trinidad and Tobago**  
Trinidad Constabulary, early 1900s
- Turkey**  
Jandarma, 1845
- Tuvalu**  
Gilbert and Ellis Islands Armed Constabulary, 1892
- Uganda**  
Armed Constabulary, 1900
- United Arab Emirates**  
1974
- United Kingdom**  
Tithings, 800; London Metropolitan Police, 1829
- United States**  
Schout Fiscal, 1640s
- Uruguay**  
National Police of Uruguay, 1829
- Vatican City**  
Swiss Guard, 1506
- Western Samoa**  
Western Samoa Police, 1900
- Yemen**  
Aden Police Force, 1937

## *Rankings*

<b>OFFENSES REPORTED TO THE POLICE PER 100,000 POPULATION</b>			
1. Burkina Faso	9	32. Azerbaijan	176
2. Nepal	9	33. Algeria	178
3. Mali	10	34. Iraq	197
4. Guinea	18.4	35. Peru	218
5. Congo, Republic of	32	36. Djibouti	252
6. Syria	42	37. Ethiopia	258.3
7. Myanmar	64.5	38. Kiribati	261
8. Yemen	65	39. Armenia	264.4
9. Cote d'Ivoire	67	40. Georgia	286
10. Vietnam	74	41. Benin	297
11. Iran	77	42. Togo	311
12. Cameroon	78	43. Nigeria	312
13. Gambia	89	44. Uganda	316
14. Bangladesh	90	45. Tajikistan	317
15. Mauritania	95.4	46. Pakistan	318
16. Niger	99	47. Uzbekistan	328
17. Mexico	108	48. Oman	331
18. Madagascar	112	49. Thailand	351
19. Gabon	114	50. Morocco	366
20. Indonesia	120.9	51. Sri Lanka	380
21. Senegal	123	52. Honduras	392
22. China	128	53. Bosnia and Herzegovina	402
23. Guinea-Bissau	129	54. Paraguay	418
24. Central African Republic	135	55. Panama	419
25. Angola	143.5	56. Kenya	484
26. Somalia	144	57. Guatemala	510
27. Saudi Arabia	149	58. Turkey	547
28. Burundi	156	59. Sao Tome and Principe	558
29. Eritrea	161.9	60. Ecuador	587
30. Mozambique	166	61. India	594
31. Albania	168.8	62. Malaysia	604
		63. Argentina	631
		64. Bolivia	660

## Rankings

65. Portugal	661	120. Poland	2901
66. Zambia	666	121. Uruguay	3002
67. Cyprus	689	122. Lebanon	3063
68. Haiti	701	123. Slovenia	3138
69. Papua New Guinea	766	124. Monaco	3430
70. Brazil	779.1	125. Korea, South	3494
71. Singapore	783	126. Estonia	3565
72. Colombia	790	127. Greece	3641
73. Taiwan	799	128. Egypt	3693
74. Malawi	850	129. St. Kitts and Nevis	3808
75. Costa Rica	868	130. Barbados	3813
76. El Salvador	879	131. Swaziland	3962
77. Kazakhstan	932	132. St. Vincent	3977
78. Brunei	932.9	133. Czech Republic	4142
79. Moldova	957	134. St. Lucia	4386
80. Kyrgyzstan	987	135. Italy	4214
81. Mongolia	1010	136. Spain	4446
82. Libya	1065	137. Bahamas	4870
83. Nicaragua	1069	138. Antigua and Barbuda	4977
84. Qatar	1079	139. Hungary	5011
85. Macedonia	1102	140. Seychelles	5361
86. Venezuela	1106	141. United States	5374
87. Ukraine	1115	142. Aruba	5461
88. Hong Kong	1122	143. Netherlands Antilles	5574
89. Trinidad and Tobago	1170	144. Zimbabwe	5619
90. Bulgaria	1170.7	145. Guadeloupe	5793
91. Croatia	1216	146. Austria	6095
92. Jordan	1256	147. France	6097
93. Serbia and Montenegro	1268	148. Israel	6254
94. Guyana	1277	149. Luxembourg	6280
95. Belarus	1282.4	150. Martinique	6305
96. Kuwait	1346	151. Australia	7003
97. Chile	1366	152. Switzerland	7030
98. Bahrain	1390	153. South Africa	7140.8
99. Tunisia	1419	154. Germany	7682
100. Ireland	1696	155. Netherlands	7808
101. Tanzania	1714	156. Canada	8121
102. Slovakia	1740	157. Botswana	8281
103. French Polynesia	1799	158. French Guyana	8396
104. Malta	1841	159. Belgium	8478
105. Jamaica	1871	160. Grenada	8543
106. Namibia	2006	161. Bermuda	8871
107. Lithuania	2029	162. Denmark	9300
108. Latvia	2097	163. Greenland	9360
109. Reunion	2097	164. Dominica	9567
110. Romania	2206	165. Norway	9769
111. Marshall Islands	2273	166. United Kingdom	9823
112. Puerto Rico	2339	167. Sweden	12982
113. Maldives	2353	168. New Zealand	13854
114. Lesotho	2357	169. Finland	14350
115. Fiji	2370	170. Suriname	17819
116. Ukraine	2604.7	171. Russia	20514
117. Andorra	2616	172. Iceland	31332
118. Mauritius	2712		
119. Tonga	2727		

SOURCE: *The Illustrated Book of World Rankings*, George Thomas Kurian, ed.

**POPULATION PER POLICE OFFICER**

1. Kuwait	80	54. Haiti	400
2. Nicaragua	90	55. Marshall Islands	400
3. Brunei	100	56. Sao Tome and Principe	400
4. Cape Verde	110	57. Fiji	407
5. Nauru	110	58. Colombia	420
6. Antigua and Barbuda	120	59. Jamaica	430
7. Mongolia	120	60. Oman	430
8. Seychelles	120	61. St. Lucia	430
9. Bahamas	125	62. Australia	438
10. Iraq	140	63. Vanuatu	450
11. Serbia and Montenegro	140	64. American Samoa	460
12. United Arab Emirates	140	65. Korea, North	460
13. Mali	160	66. Austria	470
14. Uruguay	170	67. Chile	470
15. Bahrain	180	68. Costa Rica	480
16. Cyprus	180	69. Japan	480
17. Panama	180	70. Korea, South	506
18. Equatorial Guinea	190	71. Netherlands	510
19. Guyana	190	72. Lebanon	530
20. Israel	210	73. Thailand	530
21. Andorra	220	74. Afghanistan	540
22. Reunion	220	75. Somalia	540
23. Hong Kong	221	76. Zambia	540
24. Grenada	230	77. Albania	550
25. Malta	230	78. Dominican Republic	580
26. Singapore	230	79. Egypt	580
27. Hungary	237	80. Spain	580
28. Mauritius	240	81. Denmark	600
29. St. Vincent and the Grenadines	250	82. Sierra Leone	600
30. Ecuador	260	83. Swaziland	610
31. Barbados	280	84. Ghana	620
32. Saudi Arabia	280	85. Solomon Islands	620
33. Trinidad and Tobago	280	86. France	630
34. Laos	280	87. Jordan	630
35. Belize	290	88. New Zealand	630
36. Tuvalu	290	89. Belgium	640
37. Dominica	300	90. Czech Republic	640
38. St. Kitts and Nevis	300	91. Finland	640
39. Ireland	310	92. Switzerland	640
40. Paraguay	310	93. Cuba	650
41. United States	318	94. Myanmar	650
42. Venezuela	320	95. Liechtenstein	660
43. Angola	325	96. Norway	660
44. Kiribati	330	97. Portugal	660
45. Netherlands Antilles	330	98. Guatemala	670
46. Sweden	330	99. Italy	680
47. Tonga	330	100. Mauritania	710
48. Tunisia	340	101. Pakistan	720
49. United Kingdom	350	102. Papua New Guinea	720
50. Bermuda	370	103. Taiwan	720
51. Poland	370	104. Peru	730
52. Greece	380	105. Senegal	730
53. Puerto Rico	380	106. Sudan	740
		107. Botswana	750



## Rankings

108. Zimbabwe	750	132. Gabon	1290
109. Malaysia	760	133. Tanzania	1330
110. India	820	134. China	1360
111. Luxembourg	829	135. Kenya	1500
112. Algeria	840	136. Liberia	1570
113. Morocco	840	137. Turkey	1570
114. Sri Lanka	860	138. Malawi	1670
115. Congo	870	139. Yemen	1940
116. South Africa	870	140. Syria	1970
117. Congo, Democratic Republic of	910	141. Togo	1970
118. Iceland	940	142. Cambodia	1980
119. Comoros	960	143. Uganda	1990
120. Chad	990	144. Niger	2350
121. El Salvador	1000	145. Bangladesh	2560
122. Nepal	1000	146. Central African Republic	2740
123. Honduras	1040	147. Madagascar	2900
124. Ethiopia	1100	148. Benin	3250
125. Indonesia	1119	149. Gambia, The	3310
126. Lesotho	1130	150. Cote d'Ivoire	4640
127. Guinea	1140	151. Rwanda	4650
128. Nigeria	1140	152. Canada	8640
129. Philippines	1160	153. Maldives	35710
130. Cameroon	1170		
131. Argentina	1270		

SOURCE: *The Illustrated Book of World Rankings*, George Thomas Kurian, ed.

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