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May 8, 2005
Final Research Paper

A Comparison of Crime and the Criminal Justice Systems in Rural and Urban Communities in Costa Rica and the United States

My research project was an investigation of the urban and rural/suburban criminal justice systems in two communities in the United States compared with urban and rural criminal justice systems in two communities in Costa Rica. In the United States I used Washington, D.C., the capital, as my urban example and Montgomery County, Maryland, which includes both rural and suburban communities, as my rural example. In Costa Rica, I used San Jose, the capital, as my urban example and Las Juntas de Abangares as my rural example.

HYPOTHESIS

Before carrying out my investigation, I had what I thought to be a sound hypothesis. I expected to find similarities in the percentage of crimes and the types of crimes committed in the two large, urban areas. Specifically, I anticipated heavy gang activity in San Jose as well as Washington D.C. with much participation in the Hispanic gang “MS13” a.k.a. “Mara Salvatrucha.”

When comparing the rural areas of Montgomery County and Las Juntas de Abangares, I expected to see a substantial amount of crime due to gang activity and conflicts between ethnic groups, even though I assumed that the overall crime rates in the communities would be lower than the crime rates in the urban areas. Although the population of Montgomery County is much greater than the population of Las Juntas de

Abangares, I did not expect to find a great variation in the percentage or types of crimes committed.

I did anticipate finding variations in the causes of the crimes due to different economic situations, family relationships and cultural values.

I anticipated significant differences in the structure of Costa Rica's police force in both the rural and urban areas, as compared with the police force in the U.S. I also expected that Costa Rica's court system would have fewer detention centers and jails would operate very differently from those in the U.S.

METHODOLOGY

Throughout the investigation, I focused on specific types of crime and methods of dealing with crime when analyzing the relationship between urban and rural criminal justice systems in the United States and Costa Rica. Specifically, I researched information related to (1) the racial demographics of each community, (2) crime rates (the percentage of crimes committed yearly in each area and the classification/ nature of the crime committed); and (3) the response of the criminal justice system

In Las Juntas de Abangares I met with community leaders who provided me with different opinions, information, and points of view on the causes of crime and the treatment of those who commit crimes in this rural area. I obtained my information through informal interviews which I began by thoroughly explaining the purpose for my investigation. I made sure each person I interviewed was aware of my interest in becoming a parole officer for juveniles and my desire to use my knowledge of the Spanish language and my personal Latin-American background to aid other communities in dealing with crime. I did this to create a comfortable environment where I could ask different types of questions about crime without the interviewee feeling

threatened. This method would also show my dedication to the Latin-American community in both the United States and Costa Rica as well as to the overall goals of an effective criminal justice system that is concerned with prevention and treatment as well as punishment.

Specifically, I held interviews with the police chief, a lawyer, a judge, adult members of the community and juvenile members of the community. Every interview was conducted in Spanish. Although each interview was informal, I made sure I asked questions which covered the specific components of crime I was interested in analyzing, for example: “Como se caracteriza la cantidad y tipo de los crimines en Las Juntas?” “La mayoria son cometidos por adultos o ninos?” “Que es su opinion sobre la policia en Las Juntas? y son preparadas?” “Hay conocimiento de organizaciones que dan consejo y rehabilitacion a criminals o las victimas? y donde estan, y cunatos son?” “Hay gangas o chapulines en Las Juntas?” “que pasa si una persona comite un crimen?” “Que corte y carcel usa? Y donde estan?” In each interview I concluded with the question “En su opinion, cual es la motivacion por estos crimines?” which ultimately means “What do you think is the cause of these crimes?” This question I find to be most important because it gives insight on the culture and value system of the community.

The methodology for carrying out my investigation was slightly different for investigating urban and rural areas. For information about crime in the two urban areas I gathered research from recent crime reports published by the police departments of Washington D.C. and San Jose. In both of the rural/suburban communities I had first-hand experience working with criminal justice officials. In Montgomery County, Maryland, I was an intern last summer in the Juvenile Justice Department. I worked closely with the probation and parole officers counseling juvenile offenders, translating

for families of offenders, attending court proceedings and writing reports. In Costa Rica I worked directly with the community of Las Juntas de Abangares and was able to obtain my crime data first hand through observing and talking with members of the criminal justice system and the community. Although my research may seem somewhat one-sided since direct experience in the field provides the best data, I was able to obtain numerous reports related to urban crime since crime rates in cities, particularly in the capitals of both countries, are recorded and well-publicized.

DEMOGRAPHICS AND CRIME RATES IN WASHINGTON, DC

Washington D.C., my United States urban example, has a population of 563,384 inhabitants, and, according to the 2000 census, 70% of them are considered minorities due to their racial background (African-American, Asian, Pacific Islander or Native American). African Americans represent the largest racial group (60%), and approximately 8% of the population identified itself as Hispanic. The actual number of Hispanic residents is probably much higher, however, because many people from Central America are illegal immigrants and they are afraid to identify themselves for fear it will somehow lead to their deportation. It is likely that the Hispanic population in Washington, DC is much larger than 8%. In fact, the census data for the DC schools shows that the Hispanic population in the public school system is 15%, which is probably a more accurate figure. (Metropolitan Washington Schools)

According to Washington D.C.'s 2004 crime statistics, the most frequent crime is larceny with 33,000 cases (65%) reported. Larceny is followed assault with 4,582 cases (11%) reported, robbery with 3, 554 cases (9%) reported, rape with 251 cases reported, and murder with 239 cases (6%) reported. (Metropolitan Police Department) The exact

number of drug related crimes is not reported; however, distribution and possession of illegal drugs is one of the main causes of criminal activity in all of these categories.

GANG ACTIVITY IN WASHINGTON, DC

One of the main sources of illegal drug activity in the US is due to the influence of the El Salvadoran and Central American gang “MS13.” This gang originated in Los Angeles in the 1980’s as a result of Salvadoran immigrants fleeing from the civil war in their country. In order to protect themselves against Mexican gangs, they formed their own Salvadoran gangs. “MS13” stands for “Mara Salvatrucha;” “mara” is the Spanish word for “posse” and “salvatrucha” means “street tough Salvadoran.” The “13” is associated with a barrio in southern California. The gang has “outposts” in El Salvador, Honduras, and Guatemala, and the government estimates they have approximately 10,000 members throughout the United States. The FBI considers the gang the “fastest growing and most violent of the nation’s street gangs,” and is present in 34 of the 50 states, including Washington, DC. Oscar Bonilla, Director of the National Council for Public Security, states that “the gang is highly organized and disciplined with semi-clandestine structures and vertical commands.” Due to the gang’s heavy involvement in drug trafficking and other brutal crimes, the FBI is doing all it can to incarcerate MS13’s leaders and prevent future violence. (Campos-Flores, 23-25)

CRIMINAL JUSTICE SYSTEM IN WASHINGTON, D.C.

Crimes that occur in Washington D.C. are prosecuted in the United States District Court for the District of Columbia. The city uses The Central Detention Facility as its main jail. In addition, Washington D.C. sends criminals to the Federal Detention Center, the Federal Correctional Complex, the Federal Prison Camp, the Medical Center for Federal Prisoners, the Metropolitan Detention Center, the Metropolitan Correctional Center, the

Federal Transfer Center, and the U.S. Penitentiary. The different corrections facilities listed cover various levels of security due to the nature of the crimes committed. These different levels of security range from minimum security to low security to medium security to high security. The various types of facilities include correctional complexes, intensive confinement centers, satellite correctional camps, and satellite low security complexes.

DEMOGRAPHICS AND CRIME RATES IN SAN JOSE, COSTA RICA

Out of Costa Rica's overall population of 4,016,173, recorded as of June 2005, 94% of the population is white (including mestizo), 3% is black, 1% is Chinese, 1% is Amerindian, and 1% is categorized as "other" (Giralt). The city of San Jose, Costa Rica has a population of 300,000 inhabitants. Ironically, Costa Rica's demographic statistics do not fully represent their immigrant population, just as the statistics for Washington, DC do not accurately represent their immigrant population. According to officials and citizens I interviewed, San Jose's population statistics fail to record the increase in immigration to Costa Rica from their neighboring country, Nicaragua. They believe that much of the crime in Costa Rica is directly attributed to the presence and increase in immigration of these Nicaraguans who cannot find enough work in Costa Rica and eventually commit crimes.

Larceny is the crime most prevalent in San Jose as it is in Washington D.C. In 2004 79% of Costa Rica's crime involved larceny, 10% of the crimes involved robbery and assault, 2% were sexual offenses and 9% were characterized as "other." (Giralt)

GANG ACTIVITY IN SAN JOSE, COSTA RICA

Many of the crimes in San Jose, like the crimes in Washington D.C. result from gang activity. Although there is not one particular gang in San Jose which is especially powerful and violent, like MS13 in Washington, there are numerous street gangs and police officials told me they were seeing an increase in the formation of juvenile gangs. These juvenile street gangs are called “chapulines” and are known for larceny, car theft, and assault.

CRIMINAL JUSTICE SYSTEM IN SAN JOSE, COSTA RICA

The Supreme Court is located in San Jose and is used for severe criminal cases. The Appeals Court and Magistrate Courts are also located in San Jose. There are ten Tribunal Superior Courts and at least one is located in each of the seven provinces of Costa Rica. Both the Supreme Court and the Tribunal Superior Courts deal with crimes where the penalty involves more than three years incarceration. There are 84 courts called “juzgados” which deal with crimes that have a penalty of less than three years incarceration or probation and 103 smaller courts classified as “alcaldes” which handle misdemeanor cases. (Giralt)

Costa Rica has four major correctional institutions which are situated in the center of the country: one maximum security institution for males, one maximum security institution for females, one juvenile institution for males and one mixed juvenile institution.. According to a 2005 crime report, the inmate population is 2,500. There is also at least one jail in each of Costa Rica’s seven provinces (Giralt)

FINDINGS RELATED TO URBAN AREAS

In summary, my research shows that despite the differences in culture and values between Washington D.C. and San Jose, Costa Rica, both the types of crimes and the

crime rates in these cities are very similar to each other. In both cities, the 2004 crime rates for larceny and auto theft were much higher than for any other crimes. Robbery and assault were second in both cities, although much lower than larceny. The crime rates for violent crimes, such as murder and rape were even lower in both cities: 2% in San Jose and 6% in D.C.

Another interesting similarity is that both Washington D.C. and San Jose are the capitals of their countries and they attract a large number of immigrants. Some of the immigrants who come to large cities are unskilled and unable to find work. Immigrants who come to the United States unable to speak English have a particularly difficult time getting a job. Eventually, they join gangs and commit crimes. Another factor that DC and San Jose share is that many tourists visit capital cities. Despite the economic benefits each country gains from tourism, the high number of tourists who come to these cities are particularly easy targets for criminals.

DEMOGRAPHICS, CRIME RATES AND GANG ACTIVITY IN LAS JUNTAS DE ABANGARES, COSTA RICA

When comparing the demographics and crime rates in Montgomery County, Maryland and Las Juntas de Abangares in Costa Rica, I found many more differences than similarities. This analysis is quite the opposite of my data for urban crimes which shows how similar Washington D.C. and San Jose, Costa Rica are. In fact, I was surprised to find that Las Juntas is a community that has almost no crime, thus it was difficult for me to gather statistical data. Instead of focusing on percentages as a representation of crime, therefore, I am going to analyze rural/suburban crime with a greater emphasis on the cultural factors that influence crime.

In Las Juntas de Abangares the crime rate is extremely low. There are 8,000 inhabitants in this small community and there is very little diversity. The majority of the people are the same race and the same religion: white (or mestizo) and Catholic. The town has only 150 reports of crime per year. I met with the Police Chief of Las Juntas, Raul Milalobos to get better insight on the nature of the crimes committed. In his opinion, the most prevalent crime in Las Juntas is domestic violence which he characterized as “crimines passionales.” He told me that Las Juntas has an office in the municipality specifically to aid and counsel battered women. Chief Milalobos attributed many of the domestic violence cases to alcoholism which is a growing problem throughout the community. When I asked if the police force or community provides services to rehabilitate alcoholics, he assured me that there is a program similar to Alcoholics Anonymous in the United States which is designed specifically for victims of alcoholism. There is also a D.A.R.E program in the middle schools and high schools which each student must complete upon graduation.

Chief Milalobos went on to say that other common crimes are robberies, property related offenses, missing persons, assaults, and lastly, murder. He also stated that while the majority of the crimes are committed by adults, many of the robberies are committed by juveniles. When I asked if the crimes committed by juveniles were gang related, he said none of them were. I went on to ask what he believed was the main purpose of the Police Department in Las Juntas. His response was:

our main purpose is to make sure the people in the community feel safe. It is our job to prevent crime from occurring and if it does occur, to make sure it does not happen again. We at the Police Department feel however, that everyone is innocent until proven guilty and they should have a chance to give their side of the incident. (Milalobos, May 31, 2005)

CRIMINAL JUSTICE SYSTEM IN LAS JUNTAS DE ABANGARES, COSTA RICA

I was very lucky to have a chance to interview a well respected judge who the community referred to as Licenciado Oswaldo. I learned from him that Las Juntas does not have its own court and therefore they use the court and corrections facilities of Puntarenas, a nearby province. There is however, an office in the municipality where crimes can be reported. When I asked about the police force, he stated that the police in Las Juntas are barely qualified for their jobs. Although there are 17 members in the department, they are reluctant to respond to calls and they are lacking greatly in proper training. He said:

The majority of the police only have up to a high school level of education, and then a one month class is the only amount of training required to become an officer. On many occasions a police officer asks a lawyer to accompany him/her to a crime site due to unfamiliarity with Costa Rican law regarding crime.

(Oswaldo, June 1, 2005)

When I asked him if Costa Rican judges were quick to incarcerate criminals, which occurs frequently in Montgomery County, he replied they were not. He said “our main goal is to rehabilitate and reform. Only with severe cases do we incarcerate right away. Our last option is to use jails or detention centers. We provide psychological help when necessary.” (Oswaldo, June 1, 2005)

CULTURAL FACTORS INFLUENCING CRIME IN LAS JUNTAS

When I interviewed some of the juvenile and adult members of the Las Juntas community, I was able to obtain a cultural analysis of the crimes that occurred. Both the adults and juveniles said that even though few crimes occurred, those that did occur were due to the large amount of immigration from Nicaragua. Although there are no statistics

to support this view, I encountered the same opinion from everyone I spoke with. The community also believed that Las Juntas had such a low percentage of crime because the people considered education extremely important, and because they had a strong commitment to the values of Catholicism.

Since the Police Chief had told me that the highest number of crimes involved domestic violence, I asked our host couple Eliette and Carlos along with juveniles from the public high school about the causes of so much domestic violence. I wondered if alcoholism was a major factor, but they said that alcoholism was not the main cause, rather the violence is related to the belief in “machismo” (male superiority) that is embedded in the culture.

DEMOGRAPHICS, CRIME RATES, AND GANG ACTIVITY IN MONTGOMERY COUNTY, MD

Although Montgomery County, Maryland has many rural areas, it also has some large towns, which increases the crime rates and makes a statistical comparison to Las Juntas more difficult. Like Las Juntas, Montgomery County is primarily white (65%) but it also has other ethnic groups: 15% African-American, 11.5% Hispanic, and 11% Asian (this is more than 100% because Hispanics are more than one group). In the more densely populated areas there is a strong presence of gangs which include the Bloods, Crips, Latin Kings, MS13 and some smaller, Asian gangs.

Montgomery County’s crime rates are more similar to those of DC and San Jose, rather than to the low crime rate in Las Juntas: the highest number of crimes are larceny (63%) followed by burglary (16%), assault (3.5%) and robbery (3%). Violent crimes such as murder and rape make up 4% of the total crimes. (Montgomery County Police Report)

CRIMINAL JUSTICE SYSTEM IN MONTGOMERY COUNTY, MD

The main court offices are located in the city of Rockville, while adult and juvenile rehabilitation programs along with detention centers and jails are spread throughout the county. Individuals who are 18 years old or younger are handled through the juvenile court system. While violent offenders are usually sentenced to a juvenile detention center, the penalty for almost any nonviolent crime is probation. The judges are quick to send at risk offenders to detention or rehabilitation centers because they hope to keep the offender out of the criminal justice system in the future.

After reading and analyzing numerous court cases involving juvenile offenders, interviewing offenders, and discussing the criminal justice system with the County's parole officers, I find that juvenile delinquency in rural/suburban areas of the U.S. is quite different from juvenile delinquency in Costa Rica. Although crimes in Costa Rica and crimes in the U.S. are often related to low economic status, including joblessness and a poor education, I see other factors that lead to crimes among juveniles in the United States. Unlike the juveniles in Las Juntas, who seem to have close supervision from the family, the community and the school system, a large number of the juvenile delinquents of Montgomery County come from single parent homes where there is no supervision over the children in the house. Within these homes, I frequently found that both physical and substance abuse occurred. In this type of dysfunctional family, it was not unusual to find that more than one child had been in trouble with the law.

Involvement with gangs, the police and the courts seemed to be a routine cycle in their lives. If a juvenile commits a crime and then violates his or her probation, or if the juvenile is not successful in either the detention center or a rehabilitation program by the

age of 18, it is very likely that this individual will eventually re-enter the system as an adult.

CONCLUSION

My research and personal interviews showed that while most of my hypotheses were correct, I made some assumptions that proved to be incorrect. I expected to find, and did find, similarities in the crime rates and the types of crimes committed in the large urban areas of Washington, DC and San Jose. Crimes involving larceny are much more frequent than violent crimes against individuals in both cities. In fact, the percentage of crimes involving larceny are very similar: 65% in DC and 79% in San Jose. However, I also anticipated heavy gang activity in San Jose like I had found in Washington D.C., and this proved not to be accurate. While San Jose does have some activity due to the presence of gangs, it is not as prevalent as it is in Washington, DC. At first I was surprised that there is more Hispanic gang activity in the United States than there is in a Hispanic country. However, upon reflection this can be explained by the lack of racial or ethnic diversity. According to my research, gangs develop along racial and ethnic lines, and gang violence is often between rival gangs from a particular country or community in Central America.

Another factor that relates to ethnic diversity is the correlation between increasing numbers of immigrants and the increasing presence of gangs and violence. In all four communities, regardless of whether the areas were urban or rural, immigrants were seen as partly to blame for increased criminal activity. In Costa Rica the immigrants are the unskilled Nicaraguans; in the United States the immigrants are the Central Americans who don't speak English. While this increase in immigrants may

contribute to a rise in crime, a community's willingness to blame "outsiders" suggests some prejudice may also be operating.

Although I anticipated significant differences in the levels of crime, I did not expect to find that Las Juntas has almost no crime. This is a good thing, because their police officers are so badly trained they could not handle a crime if one occurred, according to a prominent judge I interviewed. The fact that the police officers in this rural area receive almost no training was a major surprise to me. At the same time, I was impressed that the larger criminal justice system has Superior Courts located in each of the seven provinces. Overall, it appears that the criminal justice system in the urban areas have more similarities than differences, regardless of the fact that they are in the United States or Costa Rica. In the suburban/rural areas, however, the communities in the United States seem to have a more advanced criminal justice system that operates according to certain standards regardless of the size of the community.

Works Cited

Campos-Flores, Arian. "The Most Dangerous Gang in America." Newsweek (March 28, 2005): 23-26.

"CIA World Fact Book: Costa Rica." June 2005. June 8, 2005.

<http://www.cia.gov/cia/publications/factbook/geos/cs.html#People>

Costa Rica General Information. Centralamerica.Com, Corp. June 10, 2005.

<http://www.centralamerica.com/cr/info/>

F.B.I. "D.C. Crime Up in 2002." Safe Streets D.C. June 10 2005.

<http://www.safestreetsdc.com/subpages/fbi.html>

Federal Bureau of Prisons. Department of Justice. "Prison Types and General

Information." June 8, 2005. <http://www.bop.gov/locations/institutions/index.jsp>

Giralt, Henry. "World Factbook on Criminal Justice Systems: Costa Rica." Department

of Justice. June 10 2005. <http://www.ojp.usdoj.gov/bjs/pub/ascii/wfbcjcos.txt>

Metropolitan Washington Police Department. "Citywide Crime Statistics Annual Totals

1993-2004." June 8, 2005. <http://mpdc.dc.gov/mpdc/cwp/view>

Montgomery County Maryland Department of Police Monthly Report. "Comparison

Study of Offenses" June 10, 2005. <http://www.montgomerycountymd.gov>