

# FUNCTIONS OF THE POLICE SERVICE IN VENEZUELA

In Venezuela there are 147 preventive police forces distributed in three political-territorial levels: 123 municipal, 23 state and one national; and, in addition, a criminal investigation body: The Scientific, Criminal and Criminalistic Investigations Corps (CICPC).

## Police service at the national level

### President of the Republic

**Function:** It is the highest hierarchy of the National Executive Branch of which the police forces are part.

**Regulations:** Article 332 of the CRBV.

### Ministry of Interior, Justice and Peace

**Function:** It is in charge of organizing, supervising and establishing the resources and plans of the police services at the national level.

**Regulations:** Articles 17 and 18 of the LOSPCPNB.

### Bolivarian National Police (PNB)

**Function:** To guarantee the exercise of individual and collective rights of citizens, as well as law enforcement. Its areas of service are: public order, transit, control and customs, tourism, airport, diplomatic custody and protection of VIPs, penitentiary, migration, maritime, anti-corruption, narcotic and psychotropic substances, environmental, organized crime, anti-kidnapping, food security, irregular armed groups and any other area related to crime prevention.

It is deployed throughout the national territory.

**Regulations:** Articles 34, 35, 36, 36, 37 and 39 of the LOSPCPNB.

*The PNB has a very well-known unit: The Special Action Forces (FAES).*

### Special Actions Forces (FAES)

**Function:** It is a command of the PNB to combat insecurity and act "against crime and terrorism". In practice it has been an organ of repression of dissidence, which has been directed towards popular sectors to prevent the emergence of leaders in those areas, who could organize mass protests or movements against the Maduro Government. It has been qualified as an extermination corps and the OHCHR in its report published in October 2019 requested its dissolution.

**Regulations:** created in April 2016 as an "elite" tactical force within the PNB.

### National Human Rights Commission\*

**Function:** To receive, process and investigate disciplinary complaints of human rights violations committed by officials who are part of the integrated police system, the integrated criminal investigation system or who exceptionally exercise public security functions.

**Regulations:** Articles 132 to 134 of the LEFPI.

### Bolivarian National Guard (GNB)

**Function:** It is a body of military nature, and one of the components of the Bolivarian National Armed Forces (FANB), and must perform duties of control of demonstrations and public order exceptionally when the PNB is exceeded in its functions. When the GNB performs these support tasks, it must be governed by the rules that guide the police service which is of a civilian nature and be under the orders of the Minister of Interior and Justice, and not of the Ministry of Defense.

**Regulations:** Articles 328 and 329 of the Constitution; 1, 5.4 of the NACPOP; 27 of the LCSC; 65 paragraphs 2 and 6 and 65.2 of the LOFANB; 22.7 of the LOSPCPNB.

\*Even though the National Human Rights Commission may have the support and advice of the Attorney General and the Ombudsperson, it doesn't depend of them, but of the Ministry of Interior, Justice and Peace as the police service, which doesn't guarantee it a real autonomy.

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## Scientific, Criminal and Criminalistic Investigations Corps (CICPC)

**Function:** It is in charge of criminal investigation, and although administratively it is attached to the Ministry of Interior, Justice and Peace, functionally it depends on the Public Prosecutor's Office.

**Regulations:** Articles 285, paragraphs 3 and 4 of the CRBV; 111, paragraphs 1 to 4, 114, 16, 265, 266, 291 and 514, paragraphs 7 to 9 of the COPP; 16, paragraphs 3 to 6, 25, paragraphs 13, 14 and 24, 31.11, 37, paragraphs 6, 9, 10 and 11, 53.1 of the LOMP; 34, 35, paragraphs 2 and 3, and 40 of the LOSPI and 33 of the LOSPCPNB.

## Police service at the state level

### Governor

**Function:** He is the first civil authority of the state or region, and as such is responsible for organizing the police services in his territory.

**Regulations:** Articles 160, 164.6 and 332 of the CRBV.

### State Police

**Function:** They are in charge of preventing and controlling crime, neighborhood protection, controlling meetings and demonstrations that compromise public order, social peace and coexistence. In case they are overtaken in their functions, they must be supported by the PNB or the Guardia Nacional Bolivariana (GNB).

**Regulations:** Articles 164.6 of the CRBV, and 34, 42, 43, 43, 50-54 of the LOSPCPNB.

## Police service at the municipal level

### Mayor

**Function:** He is the first civil authority of the municipality and as such is responsible for municipal police services.

**Regulations:** Articles 174, 178.7 and 332 of the CRBV.

### Municipal Police

**Function:** They have preventive and crime control functions within each Municipality, especially neighborhood protection. In case of being surpassed in their functions, they must be supported by the state police.

**Regulations:** Articles 178.7 CRBV; 34, 44-46, 50-54 of the LOSPCPNB.

COPP: Organic Code of Criminal Procedure.

CRBV: Constitution of the Bolivarian Republic of Venezuela.

LEFPI: Law of the Statute of the Investigation Police Function (Ley del Estatuto de la Función de la Policía de Investigación).

LOMP: Organic Law of the Attorney General Office.

LOSPCPNB: Organic Law of the Police Service and the Bolivarian National Police Corps.

LOSPI: Organic Law of the Investigation Police Service, the Scientific, Criminal and Criminalistic Investigations Corps and the National Service of Medicine and Forensic Sciences.

NACPOP: Regulations on the actions of the police forces in their various political and territorial spheres to guarantee public order, social peace and citizen coexistence in public meetings and demonstrations.