

The Effects of Coronavirus in Prisons in Latin America

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COVID-19 has had significant effects on prisons worldwide. On the one hand, prison facilities are generally not prepared for effective social distancing, as close contacts between inmates and with prison staff are extremely frequent. On the other hand, many detention centers lack the sanitary conditions to face the pandemic and there is a shortage of medical care space.

Relative to the rest of the world, the prison crisis is more serious in Latin America. Overcrowding levels are well above the world average. Almost all the countries have more prisoners than beds, and in some facilities, over-capacity is greater than 200%. This overcrowding is the result of the rapid growth of the prison population, which in most countries has doubled in the last 15 years, and in some cases the number of incarcerated people (persons deprived of their liberty) has tripled in less than 20 years.

Thus, COVID arrived in prisons in Latin America, revealing its severe weaknesses and accelerating the conflicts and challenges that were already present. In addition to overcrowding and the scarcity of resources and goods, challenges include providing health and sanitation services to the vulnerable population, establishing new protocols that restrict the essential communication of prisoners with their families, and the fear of massive contagion that puts pressure on the already precarious hospital systems of the countries of the region. In short, this is a major humanitarian and health challenge for the prison systems of developing countries.

In the first 2 months, more than half of the systems have had at least one riot in their prisons due to the coronavirus.

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An initiative

This report is the result of a collective effort to compile information and achieve an initial overview of the impact of the pandemic and how the region's prison systems have reacted to it. In particular, it seeks to evaluate the effect that COVID-19 has had on inmates and prison staff, how the justice system has intervened, effects on life within the prison walls, if there were riots and violence, and the effects of restrictions on visits and inmates' contact with the outside world. This is a snapshot as of June 1, 2020 of what will surely be a long film that we hope to continue.

For this purpose, a group of prestigious specialists in the field, from each of the countries in the region, have voluntarily completed the instrument developed by the Center for Latin American Studies on Insecurity and Violence (attached at the end of the report). The data collection process used information from official sources, and, where it was impossible to obtain this or where this information was less credible, secondary sources were used. For the three countries with federal systems (Brazil, Mexico and Argentina), information was collected from the largest state / province in each country and from other large jurisdictions. Given that in these countries each state/provincial prison system is autonomous, we have decided to report information from these systems (27) of 18 countries (detailed in the section with narratives by system. In the case of Mexico, 4 systems and a single general narrative are reported).

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This report has three parts:

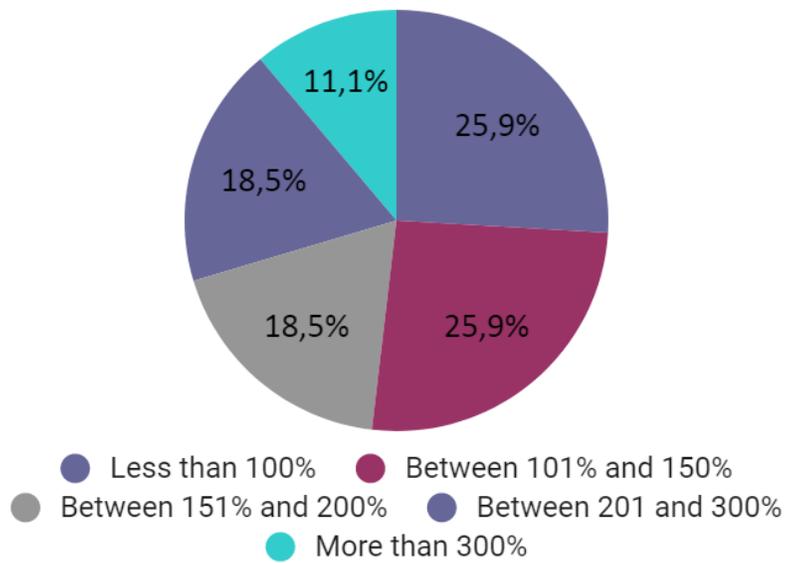
- 1) A general evaluation of the Effects of COVID on the Region's Systems
- 2) Narratives and brief evaluations of the 24 prison systems
- 3 Annexes and data by country

1. General Evaluation: Results

When COVID 19 arrived, the prison systems of the region were quite unprepared to face the challenges of the pandemic.



Overpopulation



N: 27

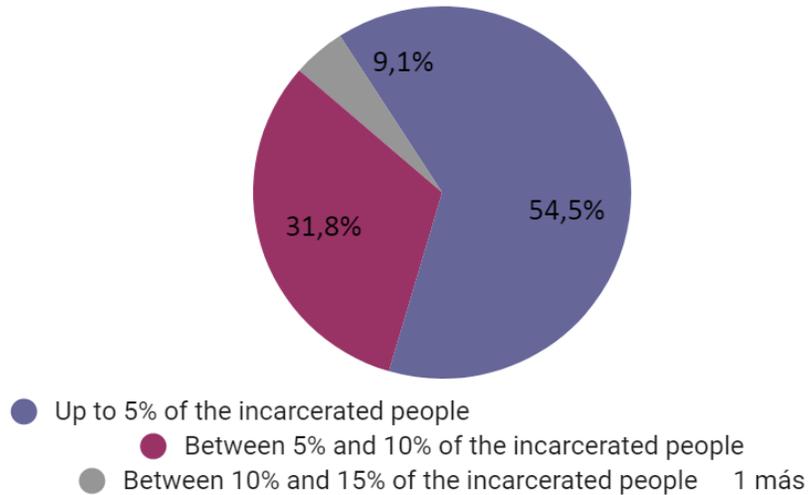
Three out of four systems reported overcrowding, in many cases very severe. Almost all the prison facilities are either at the limit of their capacity or, more often, housing far more people than the available bed spaces. The situation is particularly serious in several Central American countries, Venezuela, and some prisons in Brazil, Argentina, Ecuador, Peru and Colombia.

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Population at risk for COVID

There is a significant percentage of incarcerated people who are particularly vulnerable to COVID-19. According to official classifications, these groups are: those over 65 years of age, those with pre-existing health problems (primarily respiratory, hepatitis, diabetes, etc.), or those who are immunodeficient. The data indicate that more than half of the systems have more than 5% of their population defined as "at risk".

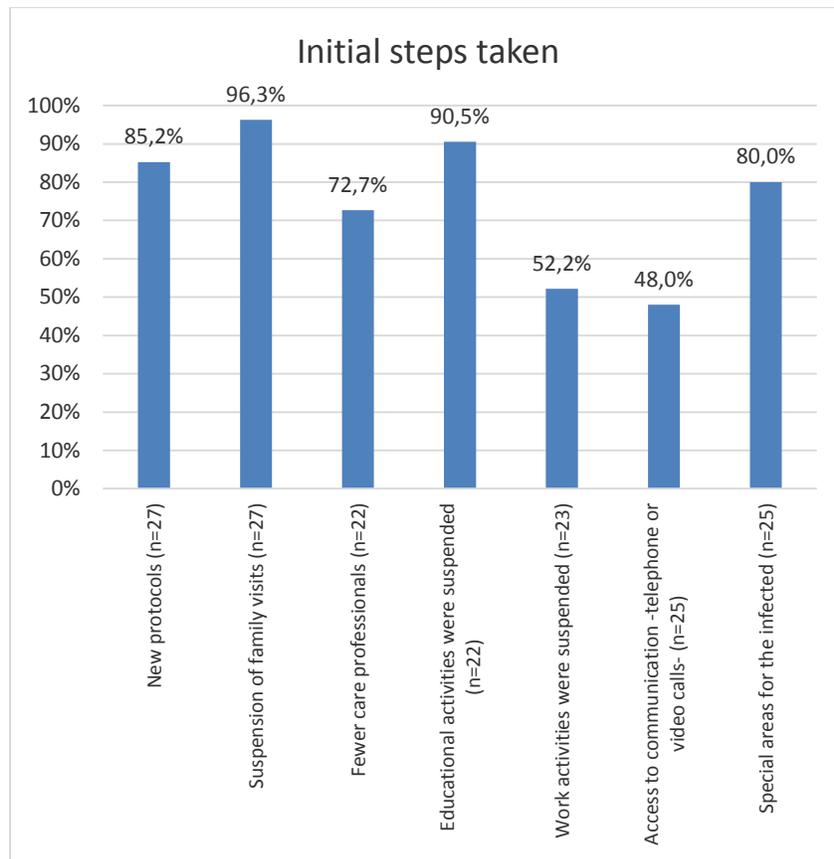
Population at risk for COVID



N: 22

Initial steps taken

In general terms, the prison systems of the region reacted within a few weeks of the pandemic with restrictive measures to avoid contact between incarcerated people and the outside world. This instinctive strategy resulted in the suspension of family visits, and the closure of some activities that rely on staff who come to the prisons from outside. Thus, in all but one system, visitation regimes were restricted or eliminated. This, as we will see, may have had a strong impact on the organized reactions of the inmates, especially in the form of riots.



*The number of cases corresponds to the systems for which information could be obtained.

Efforts to reduce contact with people outside also impacted the quality of services. Health professionals, therapists, and social workers who perform daily tasks in prisons substantially decreased their in-person presence. Thus, in 90% of the systems the educational activities were limited or suspended, as were 52% of work activities.

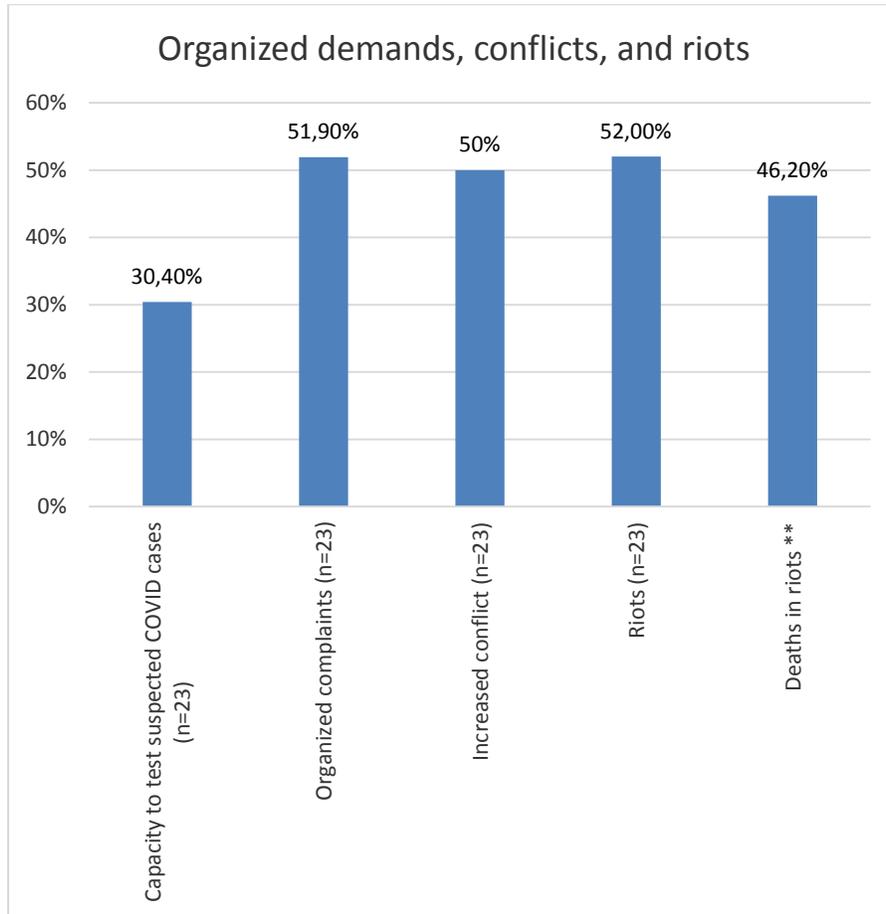
Finally, in order to adjust to these restrictions, some prison administrations allowed incarcerated people more access to communication with outside contacts by telephone or video calls. Also, the prisons, in many cases, prepared special areas to take care of prisoners who were infected with COVID-19, although these areas had very deficient conditions.

Guards and administrative staff

A special chapter is that of prison staff. Guards / custodians (corrections officers), service personnel, and other professionals are in constant contact with incarcerated people. Therefore, both groups are susceptible to contagion, especially in areas of drastic overcrowding. As of mid-May 2020, two out of three systems reported that prison staff members had been infected, and in half of those cases there were staff who died of the infection. These numbers will surely increase. The suspension of many activities within the prisons sought to limit frequent staff contacts with inmates.

Organized demands, conflicts, and riots

The initial measures imposed by governments in several countries led to complaints, conflicts and even riots by incarcerated people in various prisons in the region. Incarcerated people's complaints and demands focused on three broad areas. 1) Permission for greater contact with family members, since in practice these relatives provide many of the goods that the inmates consume (food, clothing, and in some cases, even narcotics); 2) fear of infection and lack of personal protective equipment; 3) better living conditions.



* The number of cases corresponds to the systems for which information could be obtained.

**Valid percentage of cases in which there were riots

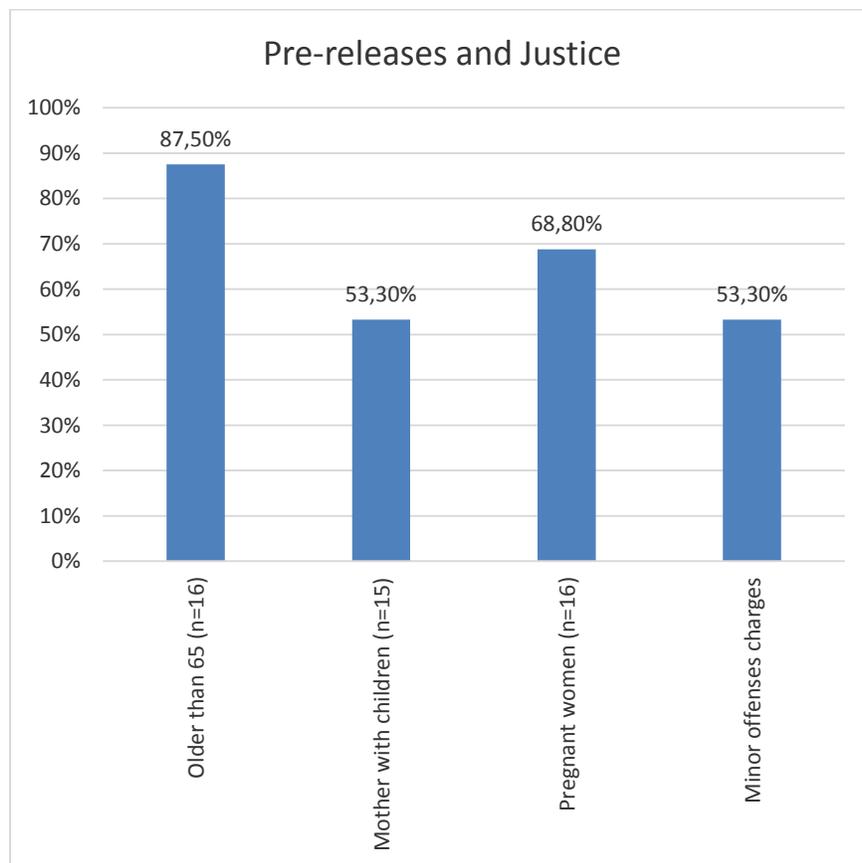
Riots were reported in several units in more than half of the systems, and in 46% of the cases of riots there were deaths. Among the systems in which there were riots, an average of 6 riots per system was observed, and among those in which there were deaths, an average of 14 deaths per system. These figures are most likely underreported. Riots and demands are a very important source of tension going forward. It is noteworthy that in the first two months of the pandemic, only 30% of the systems reported having an adequate capacity to test suspected COVID cases,

producing uncertainty among inmates which also generated conflict.

Pre-releases and Justice

To deal with overcrowding and the threat of the pandemic, several countries and states adopted measures of early release and / or house arrest in order to reduce crowding in prisons. Two out of three systems (69.2%) report having already used these strategies. Of the systems that report having granted these benefits (n = 17), five have pre-released less than 1% of their inmates, nine between 1% and 5% of inmates, and three more than 5% of inmates. In other words, only 3 of the 26 systems from which data was obtained have made serious efforts to reduce the number of people held in prisons.

Percentage of systems used to grant early release benefits (among those who adopted them)



Among the case selection criteria for granting pre-release benefits, the most important was the age of the incarcerated people. Other criteria used were mothers with children in prison, pregnant women, people with minor offense charges, and those with pre-existing health conditions. However, in several countries, some early releases for inmates convicted for serious crimes have provoked reactions from civil society organizations that have questioned these measures. In some cases, such as Argentina, the pre-release of

some incarcerated people convicted of serious crimes has caused a great social uproar and led to decisions of higher courts that limited the use of this option. In general, for the region, it is estimated that less than 2% of incarcerated people have obtained this release benefit, so this has had a minimal effect on reducing overpopulation.

A look towards the future

COVID 19 will surely continue to alter what is “normal” in the prisons in the region. The researchers and specialists responsible for this report believe that the authorities and society as a whole should implement measures that include special attention to the following trends:

1. The pressure of overpopulation will continue to grow
2. After a hiatus of low criminality due to the quarantine, crime will most likely grow and so will levels of incarceration.
3. COVID-19 will spread further in all prison facilities
4. More incarcerated people as well as prison staff are likely to die
5. The impact on prison work programs can be very significant
6. The reduction of education programs will also have short and long-term consequences.
7. Idleness due to lack of activities within the units can be a dangerous cocktail
8. Illicit markets within prisons will diversify and new forms of external supply will be sought. The consequences can be unpredictable.
9. The current calm can be sustained if the authorities relax the isolation criteria with the outside world and adapt to the new needs. Or, this balance can fall apart, causing escalations of violence, including violent riots.
10. The pandemic can represent an opportunity for a comprehensive rethinking of the region's prison policies