PRISON CONDITIONS IN MEXICO

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An Americas Watch Report

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Preface

This report describes conditions in Mexican penitentiaries, detention centers, and municipal jails.[1] It is based on visits to some fifteen prisons as well as interviews with government officials, prison directors and staff, prisoners, human rights activists, and a member of the Federal District Assembly's Justice Commission. Press accounts of prison conditions and the recommendations of Mexico's National Human Rights Commission are also reflected.

Americas Watch's investigation was conducted in two parts. Between October 16 and 20, 1989 we visited two pre-trial detention facilities in Mexico City, Reclusorio Sur and the women's facility at Reclusorio Oriente; Santa Marta Acatitla, which houses sentenced prisoners in the capital; the construction site of a new federal maximum security prison two hours north of Mexico City; the Center for Social Readaptation ("CERESO") Almoya de Juárez in the state of Mexico; the CERESO in Tlaxcala; the municipal jail in Zacatelco, Tlaxcala; and the state prison in San Luis Potosí.

Between January 22 and 28, 1990 we toured a post-release center ("Patronato de Asistencia para Reincorporación Social"), and the Tepepan facility for women in Mexico City; the large state prison in Guadalajara; the state prison in Tepic, Nayarit where thirty-two people died in a 1988 prison rebellion; and Barrientos, a grossly overcrowded facility in the State of Mexico just outside Mexico City.

We made two separate visits to La Mesa Prison in Tijuana on January 30 and November 13, 1990. On January 30 we also visited the municipal jail in Tijuana.

Except for the visits in Tijuana, which were organized by the Binational Center for Human Rights and the directors of the Tijuana institutions, the Mexican government coordinated our transportation arrangements and facilitated our interviews with prison directors. In most cases the directors arranged for us to tour fully the facilities, though in CERESO Almoya de Juárez the director refused to show us the punishment cells.

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[1] For purposes of this report, the term "prison" is used generically to describe all these facilities.

We were permitted to interview prisoners in all of the facilities we visited; however, the time available for interviews was brief. In addition, except in La Mesa, interviews were conducted in the presence of prison and government officials even when they were out of earshot.

We inspected several prisons after dark, including Santa Marta Acatitla, Guadalajara, and San Luis Potosí. These visits highlighted problems, such as the lack of electricity, that would not have been apparent during a daytime inspection.

While we received excellent cooperation from the Mexican government in providing us access to the prisons we visited, there were a number of prisons that we were not permitted to see. Despite repeated requests, we were not taken to any prisons in areas predominantly inhabited by indigenous peoples. Prisons in areas marked by heightened political tensions or widespread rural violence also appeared to be off limits. The government flatly refused our request to visit the detention facility at Campo Militar No. 1, where human rights activists claim that persons who disappeared more than a decade ago are still being held. In addition, no opportunities arose to visit police lock-ups, where torture and other mistreatment of prisoners have been well-documented.[2]

While we regret these limitations, we appreciate the opportunity to tour a wide spectrum of institutions afforded to us by the government, and for the candor of many government and prison officials in responding to our questions. Our inspection revealed a pattern of serious deficiencies in Mexican prisons that are documented in this report. We were, however, impressed by Mexicans we encountered with the vision, compassion, and expertise needed for improvements to take place. What is required is the financial resources and, above all, the political determination to implement those improvements.

[2] See Americas Watch, *Human Rights in Mexico: A Policy of Impunity,* June, 1990.

Introduction

Mexico's prison system is characterized by massive overcrowding, deteriorating physical facilities, poorly trained and vastly underpaid guards and other prison officials, a system-wide culture of corruption, and lack of adequate funding.

Each of the country's thirty-one states and its Federal District maintains a prison system for prisoners charged with or sentenced for non-federal crimes. The federal government operates federal police lock-ups and a federal penal colony on the island of Islas Marías. It is constructing three maximum security prisons to house persons convicted of serious federal criminal offenses such as narcotics trafficking. At present, however, most federal prisoners are housed in state prisons.

Most state prison systems consist of a number of police lock-ups and municipal jails, and one or more larger prisons. In the Federal District the prison system consists of police lock-ups, three large detention facilities for prisoners whose cases are still in process, a penitentiary, and an institution for women.

According to officials of the federal government's Department of Prevention and Social Readaptation, Mexico's 460 federal and state prisons house over 88,000 prisoners in facilities designed to hold 55,000. The government anticipates that by the end of 1991 Mexico's prisons will operate at double capacity, even after the three maximum security institutions now under construction are in operation.

Under the Mexican Constitution, anyone detained by the police must within three days of arrest be committed by a judge to a detention facility or released. The Constitution further provides that prisoners charged with crimes carrying sentences of less than two years must be tried within four months after arrest; those charged with crimes carrying longer sentences must be tried within one year. Male and female prisoners are to be housed in separate facilities and minors are to be housed apart from adults. Prisoners whose cases are still in process ("*procesados*") are to be housed separately from prisoners who are serving their sentences ("*sentenciados*").

The Constitution also proscribes all forms of physical and psychological abuse and authorizes sanctions for those who mistreat prisoners. Article 19 states: "All mistreatment in apprehension or in prisons, every molestation

inflicted without legal motive, every exaction or tax in the prisons, are abuses which, if they occur in the prison, shall be corrected by the laws and repressed by the authorities." In addition, the Constitution requires Mexican states to set up prison systems designed to achieve, through work and education, the social readaptation of offenders.

In practice, all these requirements of the Mexican Constitution are violated. We interviewed many prisoners who had spent a week or more in incommunicado police detention before being brought before a judge for the first time.[3] In addition, in many of the detention facilities we encountered prisoners in the intake area ("*Ingreso*") who had been there for longer than three days without having been arraigned.

The amount of time between arrest and completion of trial often exceeds constitutional limits. We encountered many prisoners who told us they had been in pre-trial detention for over a year. While in some cases the delays could have been the result of legal maneuvers on the part of the prisoner's attorney, in most it appeared that the delays were caused by the prosecution or the courts.

In most of the prisons we visited, male and female prisoners were housed separately, but there were glaring exceptions. In La Mesa prison in Tijuana, male and female prisoners mingled openly during the day and several prisoners told us during our January 1990 visit that many women spent the night in the men's section of the prison. When we returned in November 1990, the prison was being overhauled and the women's section had been torn down. On an interim basis men and women were housed together in a tent city in the middle of the prison. The prison director assured us that once the new construction was complete men and women would be housed separately.

Prisoners in the women's section of Reclusorio Oriente told us that just three months before our visit the directors of the men's and women's sections operated a prostitution scheme. Female prisoners were sent by day to the men's

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[3] Mexico's National Human Rights Commission has similarly reported on a number of cases in which the three day rule was violated and prisoners were held in incommunicado detention, tortured, and subjected to other forms of cruel, inhuman or degrading treatment before being brought before a judge. National Human Rights Commission, *Primer Informe Semestral*, June-December, 1990.

section of the prison, ostensibly to visit the dentist. Male prisoners who were prospective customers made appointments to visit the dentist at the same time. They paid the directors to return the women they chose at night. This scandal was confirmed by a Mexican government official who told us that both directors had been criminally charged but had evaded prosecution by fleeing the area.

We found a handful of minors incarcerated with adults in several of the prisons we visited including La Mesa, San Luis Potosí, Nayarit, and the women's facility at Reclusorio Oriente. It appeared that the presence of minors was a frustration to prison directors about which they were powerless to do anything. The director in La Mesa complained that minors were sent there by the courts if they "looked like adults." The new director of the women's section of Reclusorio Oriente was trying to arrange the transfer of a sixteen-year-old girl detained on federal drug trafficking charges to a juvenile facility closer to her home; it was unclear whether she would be successful.

The housing together of *procesados* and *sentenciados* occurs routinely outside of Mexico City. In the capital the two categories of prisoners are housed in separate institutions, but elsewhere they are housed in the same facility. Despite the constitutional prohibition, prison design and overcrowding make it extremely difficult for officials to keep *procesados* and *sentenciados* apart.

In our June 1990 report, *Human Rights in Mexico: A Policy of Impunity*, Americas Watch found that torture and other forms of mistreatment by the police are routine during arrests and detention in police lock-ups. Opposition political leaders in the Federal District's Assembly of Representatives said in August that eighty percent of the prisoners in Federal District detention centers were tortured by police before being brought there. In most cases the torture was a routine means to force prisoners to sign declarations of guilt.[4]

In late June 1990 federal prisoners at La Mesa who alleged that they had been tortured into confessing by Federal Judicial Police staged a hunger strike. Among the hunger strikers was Ruben Oropeza Hurtado who was arrested on

[4] Pereztrejo, Sergio, "Fueron Torturados 80% de los Internos de los Reclusorios del DF Para que Acepten su Culpabilidad; Pide Altamirano Dimas 'Castigar a Castigadores'," *El Sol de Mexico*, August 31, 1990; Rivera, Carlos, "Obligada a Declarar Bajo Tortura, 80% de la Población Penitenciaria del DF: ARDF," *El Financiero*, August 31, 1990.

March 29, 1990 by agents of the Federal Judicial Police. Oropeza asserted that during his arrest and the days he spent in police custody the officers repeatedly beat him in the stomach and threatened him and his family with death. The torture stopped when he signed a confession. At his arraignment Oropeza told the judge that his confession had been extracted by torture, but he was sent to La Mesa pending trial.

Several days into the hunger strike Oropeza developed severe abdominal pain. He was transferred to the Red Cross clinic in Tijuana. During emergency surgery his small intestine and 70% of his colon were removed. The medical diagnosis was "diaphragmatic hernia as a consequence of severe contusion."[5] Mexico's National Human Rights Commission concluded, after evaluating all medical and other available evidence, that Oropeza's condition was caused by his torture.[6] Oropeza died on October 1.

Once a prisoner is arraigned and sent to prison, torture usually stops. But many prisoners endure extremely poor living conditions in prison, as well as corrupt or abusive fellow inmates and guards. In some states, prisoners face further torture or mistreatment from the police who escort them from prison to court. We saw prison conditions that constitute cruel, inhuman, and degrading treatment. The municipal jail in Zacatelco, Tlaxcala was unspeakably squalid. In one wing, a single four feet six inches by twelve feet windowless concrete cell housed seven pre-arraignment detainees who had been there for as long as a week. There were no sanitary facilities, nor was there enough room for all of them to lie down at once. When we opened the door they shaded their eyes from the light; their despair was heartbreaking. At our departure, the recently appointed director of Tlaxcala's prison system commented, "this jail is the death penalty in life."

Another deplorable facility was the CERESO at Nayarit. One cellblock was inhabited by ninety-one impoverished Huichol Indians who were crowded into dirty, rat-infested, dark, sweltering cells. The men were unwilling to open the

[5] National Human Rights Commission, Recommendation 11/90, August 29, 1990.

[6] The National Human Rights Commission named the agents and superior officers it believed were responsible for Oropeza's torture and recommended that they be suspended and tried. Mexico's Attorney General Enrique Alvarez del Castillo refused to comply.

windows because when they did dust blanketed them. Nayarit is economically depressed, and most had been convicted of growing marijuana for non-Indian bosses. As soon as their crops were harvested, they were turned over for arrest by their corrupt employers and sentenced to grueling seven-year terms. One Mexican official stated that "none of the prisoners was a big fish or . . . deeply dedicated to drug-trafficking." [7]

While these were among the worst prison conditions we encountered, overcrowding and dilapidated, unsanitary, or hazardous conditions were features of virtually every institution we visited. Even the best Mexican prisons failed to provide for basic human needs. In many facilities clothing, blankets, mattresses, supplies to meet sanitary needs, light bulbs, and potable water had to be purchased by the inmates or supplied by visitors. While all the prisons we visited made some effort to provide food, in many it was nutritionally inadequate or infested with vermin. Physical and mental health care services were also substandard throughout the prison system. The failure to provide basic services has led to gross inequities in prisoners' living conditions. Prisoners with money or families willing to help live in relative comfort; those without suffer the most from overcrowded conditions and face the discomfort and indignity of having no means to provide for their basic needs.

In addition, corruption is rampant in prisons throughout the country. We heard many accounts of prisoners bribing guards for food, visiting privileges, and other services, as well as accounts of prisoners paying other prisoners for protection. Prisoners in many facilities told us that drugs and alcohol were available for a price. Corruption is taken for granted by most officials and inmates because it is so pervasive. Among its consequences are enormous inequities in the conditions provided to prisoners.

Finally, Mexican prisons uniformly fail to provide for the social rehabilitation of offenders through education and work opportunities. Lack of jobs and vocational training is a pervasive problem. Jobs that do exist are menial and over staffed. Large workshops sit empty because equipment is in need of repair or because prisons lack the means to purchase materials. Because participation in work programs can lead to a reduction in the amount of time a prisoner must serve, lack of adequate vocational opportunities in practice

[7] Stephens García, Manuel, "Nayarit: Pueblo Indignado," *Excelsior*, Jan. 13, 1989.

arbitrarily prolongs many prisoners' confinement. This, in turn, contributes to overcrowding.

As the prison population continues to rise and poor quality prison conditions and inmate idleness are ignored, Mexican prisons are becoming more and more dangerous. In 1988, Nayarit Prison was the site of a massive riot and massacre in which twenty-one people died. An uprising at San Luis Potosí in 1988 caused deaths and major destruction to parts of the prison including the hospital. One man died in La Mesa in a disturbance following an early morning drug raid by Federal Judicial Police officers in April 1990; two others were seriously injured during a prisoner revolt in September. Many other prisons are powder-kegs ready to explode.

On the other hand, there are some positive features of the Mexican prison system. We were impressed with the extent to which prisoners' families were part of prison life. The fact that many prisoners enjoy conjugal visits and continue to play a role in parenting and day to day family decisions, helps reduce tensions in the prison and eases prisoners' transition when they are released. We were also impressed by the amount of control prisoners exercise over their daily routines inside prison walls, and by the fact that, in most facilities, prisoners were allowed to keep cooking stoves, kitchen utensils and tools in their private possession. These measures help prisoners retain their dignity and self-respect and develop self-help skills during incarceration.

We were also impressed by two programs designed to assist prisoners make the transition from prison to community life. One was a pre-release program at Santa Marta Acatitla, under which prisoners whose terms are about to expire are eligible to work at outside jobs. These prisoners return at night to a special pre-release dormitory on the prison grounds that has capacity for twenty men. The facility is new, sparkling clean, and even supplies participants with beds that have mattresses, sheets, pillows, and blankets. While the program is new, officials say that if it reduces recidivism it will be duplicated.

The other program is a post-release program for former federal prisoners and their families who live in Mexico City called *Patronato de Asistencia para la Reincorporación Social* ("*Patronato program*"). The program is premised on the belief that the first three months are a critical period for a recently released prisoner's reintegration into community and family life. Its purpose is to contribute to the reintegration process by assisting ex-offenders find jobs while

providing them and their families with resources to meet the basic necessities of daily life.

Representatives of the *Patronato* program, which at the time of our visit was limited to serving former federal prisoners in Mexico City, offer recently released prisoners a range of services including food, transportation, medical and counseling assistance, and financial support. Ex-offenders also are directed to job openings and vocational programs.

According to the program's director, of the 300 prisoners who are released each month from federal custody, about 100 avail themselves of the program's services. In its first year of operation the center served 3,800 ex-prisoners; 400 currently hold jobs, many of which were obtained through the efforts of the program's staff. The director was not aware of any instances in which program participants returned to prison but had no data on recidivism. We were told that because of the success of the Mexico City center, the government has allocated funds to expand the *Patronato* program to the rest of the country.

The Salinas administration's efforts to improve the prison system center on social rehabilitation programs like those described above, and new prison construction. An amnesty program, an early release program, and a program designed to review prisoners' eligibility for parole have also been implemented. With these measures, the government seeks to alleviate overcrowding and stabilize the size of the prison population over the next five years. Some states, including Baja California and Tlaxcala, are also committed to new prison construction or rehabilitation of existing institutions.

Americas Watch supports these efforts to provide a more humane and safe prison system and urges even greater progress in that direction. But much more needs to be done. At the conclusion of this report we offer a set of recommendations that we urge the government of Mexico to implement to correct many of the serious problems in its prison system.

Overcrowding and other Prison Conditions in Prisons for Men

By any standards, conditions in Mexican prisons fall far below minimally acceptable levels of human decency. In nearly all the facilities for men we toured, prisoners were crowded into dirty, unsanitary cells or dormitories. Prisoners typically slept three or four to a cell; many slept on floors or tabletops, or shared mattresses. In some prisons, mattresses and blankets were propped up during the day in outdoor areas to rid them of insects. Exposed electrical wires hung near sinks and toilets. Inadequate ventilation left living areas hot in the summer and cold in the winter. Blankets and newspapers were wrapped around the bars of cells to keep out the cold and create privacy, but increased the fire hazard. While most cells in Mexico City prisons had sinks and toilets, prisons outside the capital generally had inadequate sanitary facilities. We saw bathroom areas where one or two toilets served up to two hundred men. Foul smells, garbage, and soiled paper abounded in these areas.

Prisoners with money or regular visitors fared far better than those without. We saw prisoners living in relative comfort in cells equipped with television sets, stoves, and built-in furniture. In La Mesa, one of the most overcrowded prisons in Mexico, we visited one three-room cell with a full kitchen and bath, and a gated patio. We were told that its inhabitant had paid about $25,000 U.S. for the space to the preceding tenant. We heard and read many accounts of drug kingpins and white collar criminals living in even more lavish cells in prisons throughout the country. Affluent prisoners commonly hire others to run errands, clean their cells, do laundry, cook meals, and provide protection from assailants. Poor prisoners, in contrast, bear the brunt of overcrowded conditions.

While most prisons provided food for prisoners, in many it appeared unappetizing or nutritionally inadequate. In the CERESO in Tlaxcala, food was not supplied at all; instead inmates were given 700 pesos a day (about 30 cents U.S.) to purchase food from prison canteens. In La Mesa potable water was only available for purchase and, until recently, had been sold at inflated prices. La Mesa also did not provide prisoners with dishes or cutlery. Many used cut off plastic milk cartons or other makeshift containers as plates. In general, prisoners with regular visitors relied on them for food and cooking supplies. Those with money purchased their food from prison canteens. Thus, only the poorest

prisoners depended on the prison to meet their nutritional needs.

Other necessities such as soap, towels, sheets, blankets, and clothing often had to be provided by family members or purchased at prison canteens. Many institutions did not even provide prisoners with mattresses.

In most prisons there was little evidence of a classification system. In the capital *procesados* were separated from *sentenciados* and prisoners were assigned to cellblocks based on criteria such as type of offense, age, and perceived dangerousness. But in many state facilities overcrowding and physical conditions made even this type of rudimentary classification difficult. Each prison had at least one maximum security or segregation zone. These were used to house prisoners who were perceived by prison authorities to be the most dangerous as well as prisoners who needed special protection inside the prison. Prisoners who were being disciplined were confined in these cells in some institutions; in others there were separate punishment cells.

Reclusorio Sur

Reclusorio Sur is one of three facilities constructed in the capital in the late 1970s to house male *procesados*. Built to hold 1,250 prisoners, the prison director told us there were 2,136 men living in this modern but already dilapidated detention center.

The *Ingreso* was grossly overcrowded; at the time of our visit it housed 300 prisoners. The area consisted of multi-tiered cellblocks and a large concrete open area where prisoners could sit during the day. Each 10 feet 1 inch by 6 feet concrete cell housed up to three men. The cells, which were cluttered with mattresses, clothes, food, cooking utensils, knives, and scraps of wood and cloth for handicrafts, had open toilets and only cold water. Prisoners in the *Ingreso*, many of whom remain there for months, have no access to the rest of the prison or to work or educational programs.

The main part of the prison had a large grassy visiting area with a playground and a sunny mess hall where prisoners and their visitors could eat together and socialize. Whole buildings were devoted to workshops and classrooms, though these did not appear to get much use. Prisoners were assigned to multi-tiered cellblocks based on the type of offense alleged, their age,

and their perceived dangerousness.

Except for the maximum security unit, the details of day to day life within each cellblock were managed by the prisoners. Prisoners were free to select their cellmates, prepare their own food, and decide for themselves how to pass the time. Social organization was driven by economics. Prisoners with money acquired the best cells, fixed them up to suit their needs, paid others to keep house for them, and even managed to ensure that they never had a roommate. Prisoners without money slept in unsanitary, overcrowded cells and had to earn money for food, bedding, and clothing by working for wealthier prisoners or by making and selling handicrafts.

One cellblock housed 210 poor young men. Seven men shared one cell; three slept on benches, four on the floor. Most of the windows in the hallway were broken and jagged glass had not been removed. One prisoner told us that the windows had been in this condition for half a year. Two prisoners whose cells adjoined were on their hands and knees bailing water that had leaked from their toilets and sinks. One man said his pipes had been leaking for five days, the other said his sink had been dripping for two months. They told us they were afraid to complain to the prison administration.

Santa Marta Acatitla

Santa Marta Acatitla was built in 1958 as a prison for convicted men. The director stated that the institution's capacity is 2,220 men and that the population at the time of our visit was 1,920. Yet, the number of prisoners we saw packed into cells and in the corridors was evidence of severe overcrowding.

Our first visit to Santa Marta took place during the evening. The darkness accentuated the prison's dampness, cold, and overall gloom, and revealed how few lights functioned in the facility. Prisoners with working light bulbs sat in their cells making handicrafts or talking. Others sat in complete blackness. Despite the obscurity, prisoners milled around the walkways between and inside the cellblocks. Guards were few in number and barely distinguishable from the inmates; several prisoners expressed concerns about safety.

The *Ingreso*, along with the punishment and segregation cells, was the only place where prisoners were locked in. The sixteen cells in the *Ingreso*

measured 6 feet by 8 feet 1 inch. Most held two men; one held three. There was one mattress in each cell. The men either doubled up or took turns sleeping on a blanket on the floor.

By far the worst area of the prison was the maximum security punishment unit. Prisoners referred to this cellblock as the "Z. O." or "zona de olvido" (forgotten zone). The cells were austere and oppressive. Approximately 51 men were locked twenty-four hours a day in two stories of small concrete cells measuring 9 feet 4 inches by 13 feet 1 inch, the barred doors of which faced long corridors. We were told that the average stay in this unit was twenty to thirty days, but one prisoner told us he had been there for a year and four months. Another said he had been there for six months.

Corruption and violence were commonplace in this area of the prison. One man told us that visitors smuggled in drugs along with food, clothing, and bedding. He claimed that the guards sometimes knew of the smuggling and demanded payment in exchange for silence. Another prisoner told us he bribed a security official for permission to receive a television.

The upper floor of the segregation unit was pitch black. Flashlights were required to find our way along the hall and see inside the cells. Each cell held as many as six men, and at least one prisoner in each had to sleep on the floor.

In one cell four men huddled together whispering while a fifth stood several feet away with his face pressed to the bars. In quiet tones he told us that he was afraid; he said his cellmates were gang members and, as an outsider, he felt threatened by them. Prison officials said that they deliberately housed friends and strangers together in the segregation unit. They counted on the stranger to inform them about misconduct by the others.

Barrientos

Barrientos, located in the State of Mexico just outside Mexico City, was situated on a steep hill overlooking a valley. Cellblocks and buildings were crowded together and connected by pathways leading up and down the hill. Small courtyards outside each building served as recreation areas.

Constructed in 1984 and expanded a few years later, Barrientos' current

capacity is 640. The prison director told us the population on the evening of our visit was 1,508 -- 1,427 men and 81 women. The prison was designed to serve as a short-term detention center for *procesados*. In fact, many of the prisoners had been in Barrientos for several years and were still awaiting final court disposition.

The stench of human waste pervaded the grounds and driveways. Along the roadways and paths between the buildings, open gutters carried human excrement to sewers at the bottom of the hill. The director told us that the inadequate sewage system was the cause of a serious rat infestation.

In the most restricted cellblock one room held nine men, six of whom slept on the floor. The room was about 10 feet by 13 feet in size and was designed to hold two to three prisoners. The open toilet was broken and the men had to ask the guard to let them out of the cell in order to use the bushes outside to relieve themselves during the night. The men complained about the poor quality of the food and one told us there were days when he and his cellmates received only two tortillas to eat. Except to complain about the food, the prisoners were quiet. One stated that when they complained in the past they were taken out of their cell by the authorities and beaten.

Tlaxcala State Prison

The CERESO in Tlaxcala had a poverty stricken population of 207 prisoners, nearly all of whom were peasants. While the prison was not overcrowded, neither food nor bedding were provided by the institution. A major problem at Tlaxcala was the inadequate water supply. Prisoners said they often went several days at a time without water for drinking, bathing, or flushing toilets.

There were three types of living quarters at the prison: double cells, triple cells, and a dormitory shared by 44 men. In the dormitory, prisoners slept in bunk beds separated by dividers and surrounded by tall stacks of newspaper and personal belongings. One prisoner complained about rats in the living area and insects that invaded the mattresses. He added that security officers were never stationed in the room and everyone had to be constantly on their guard against theft. The room was redolent of kerosene, oil, food, and cigarette smoke.

Zacatelco Municipal Jail

The district jail at Zacatelco forms part of a block of old buildings facing the town plaza. The front door opens onto an inner courtyard surrounded by a series of small buildings. In one building there were three concrete cells with solid wooden doors. One housed the seven pre-arraignment detainees described in the Introduction. Another held a man who was mentally ill. The door to the third was broken and no one was detained there.

A room in another building housed 64 *procesados* and *sentenciados*, some of whom were old and infirm. A disabled prisoner who had spent a year there was unable to get around by himself, and had to be carried by his friends. Another prisoner had been there for four years.

Most of the room was taken up by three-tiered bunk beds and a small canteen where food and arts and crafts materials could be purchased. The air in the room was stale and no windows were open. The only outside area was a small concrete courtyard covered with a wire mesh. Armed guards patrolled the courtyard from the roof of the dormitory.

The dining room was dingy, unventilated, and windowless. The floor was strewn with garbage. Four or five rectangular tables were set up in rows and large pots of beans simmered on the stove. Many men told us they preferred to eat in the sleeping quarters.

The bathroom was disgusting. Three toilets overflowed onto the floor. Soiled paper, urine, and garbage were everywhere. The director told us that part of the reason for the revolting stench in the bathroom was that it lay directly over an open sewage ditch.

Water is chronically in short supply; sometimes days go by when there is no water. Prisoners have to wash their clothes and dishes and get their drinking water from one large tank with a dirty bottom located in the courtyard. While prisoners theoretically are permitted to bathe every other day, on the day of our visit the water supply was exhausted by 2:00 p.m.

CERESO Almoya de Juárez

This relatively new maximum security prison had 1,304 male and 63 female prisoners. It had several large workshops for making floor tiles, baseballs, furniture, and uniforms but these were used by only a handful of prisoners. The program manager said the prison did not have enough money to buy materials to supply the workshops.

The conjugal visit cells were in deplorable shape. The mattresses were tattered, dirty, and torn. There were no lights in any of the cells nor any furniture. A hose used for flushing connected the sink to an open hole toilet. Some cells had no hose; in some of these there was excrement on the floor.

The 24 cells in the psychiatric unit were in equally deplorable shape. Most of the 34 psychiatric inmates slept on the concrete floor even though night temperatures often were very cold. Most of the cells smelled of urine. Flies swarmed all over the men as if they were cattle. One man, who was covered by flies, was sitting in a dark cell on a torn mattress. We were told he had spent three years in this cell and was severely mentally ill. The warden said that he had completed his sentence but had not been released because he had been abandoned by his family and had no one to look after him.

San Luis Potosí

The CERESO in San Luis Potosí was built in 1894. It is antiquated with deteriorating plumbing and electrical problems. It was originally designed to hold 200 prisoners, and was later reconstructed to hold 850. On the day of our visit there were 1,300 prisoners -- 1,204 men and 96 women -- some of whom were as young as 16 years of age.[8] Two 16-year-old boys who had been in the prison for two to three months, told us that they had not yet seen a doctor or social worker, or been interviewed by anyone in the administration.

Basic items such as bed frames, mattresses, blankets, cots, soap, dishes, and towels had to be supplied by prisoners' families or friends. Sanitary facilities were totally inadequate. The prison provided inmates with food, but the

[8] Sixteen is the age of majority in the state.

director expressed dissatisfaction about its quality. He said he would like to hire a dietician but lacked the resources. One dark and windowless dormitory that housed 74 *sentenciados*, had only one shower. Four toilets were completely dry, and had to be flushed by carrying water from a vat several feet away. The day we visited there was no water in the vat and a disgusting mess in the bathroom.

Prisoners were in charge of each of the prison's regular cellblocks. Called "*capitanes*," these men had private cells, furniture, and greater privileges than other prisoners. Social control was maintained by triple-celling whereby two friends were placed in a cell with a stranger. The director told us that triple-celled prisoners could be relied upon to discipline themselves, obviating the need for staff intervention.

The maximum security cells were the most horrendous in the prison. One segregation block was made up of large underground cages. In one, three men lived together in dark, dank conditions. There was no light except for a tiny opening in the door that opened onto the hall. One blanket was shared by the three, and the cell smelled of urine. Blood had been spattered on one of the doors. There was no furniture, no shower or faucet, and only an open hole for a toilet. Another section of the maximum security area consisted of a circle of 6 feet 11 inches by 8 feet 11 inches concrete cells. Each windowless cell contained a raised concrete bed slab, a shower, and an open hole to be used as a toilet. Prisoners spent the entire day there except for a brief period after they cleaned their cells. No visitors were allowed and no programs or work opportunities were available. None of the prisoners we spoke with knew how long they would be there.

Life at San Luis Potosí has been plagued by years of upheaval and rioting. In 1987, the state governor, Florencio Salazar Martínez, quit in the wake of the mysterious deaths of two inmates at the prison.[9] The deaths capped days of rioting which began when prisoners commenced a hunger strike to protest the suspension of marital visiting privileges. The two prisoners, who officials say hanged themselves, were believed to have been killed by thugs in the hire of prison officials.[10]

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[9] Williams, Dan, "Mexican Governor Quits after 2 Die in Prison," *Los Angeles Times*, May 31, 1987.

[10] *Id.*

In 1989 prisoners rioted after a powerful prisoner who had received special privileges from prison officials killed another inmate.[11] Rioters destroyed parts of the prison, including the hospital. They demanded the ouster of the prison's director, an end to corruption, and better food. Detachments from state and local security forces were brought in to quash the uprising.

Guadalajara

The large state prison in Guadalajara, which is considered a model institution, was relatively new, well laid out, and even with 2,800 inmates was not overcrowded. The grounds were landscaped with gardens of bushes and flowers. The prison owns the surrounding land, and when it becomes overcrowded it constructs new buildings to house the additional inmates.

We toured Guadalajara at night. Unlike our evening visits to Santa Marta Acatitla and San Luis Potosí, where there was a great deal of activity, the prisoners at Guadalajara were locked in their cells. Silence enveloped the institution.

The grounds surrounding each building were teeming with rats. Rat holes were abundant, and rats darted about as we walked along the cement paths. Garbage was everywhere. Officials said they were trying to control the rat population, but admitted their efforts had been futile.

Venustiano Carranza Prison in Topic, Nayarit

The state prison in Nayarit was grossly overcrowded. Over half the 1,275 inmates -- who lived in space designed for 650 -- were sentenced for drug-related offenses. There was no division between *procesados* and *sentenciados*, and teenagers aged fifteen, sixteen, and seventeen were housed with adult criminals.

Nayarit was the scene of a violent prison riot and massacre in the first

[11] Monzón, Cecilio, "Violencia contra reos amotinados en el Cereso de San Luis Potosí," *La Jornada*, Feb. 7, 1989; "Motín de presos en el penal de SLP, por asesinatos," *El Universal*, Feb. 7, 1989.

month of the Salinas administration. According to *La Jornada*, the tragedy began on December 22, 1988 when several prisoners attempted to escape after giving up hope that they would be released before Christmas.[12] The escape attempt was thwarted after the would-be escapees had a shoot-out with guards in the administration building and a run-in with state judicial police near the front gate. The prisoners retreated into the prison and took clerical and administrative staff as hostages.

On the evening of December 23 an elite squad of police from Mexico's Federal District, called "Zorros," arrived at the prison. Their commander, Jorge Armando Duarte Badillo, walked up to the prison gate and ordered the prisoners to surrender. He was shot and died instantly. In the confusing minutes that followed, tear gas was fired and the Zorros attempted to retake the prison. They were forced back by gunfire.

Later in the evening the lights in the prison were extinguished and the Zorros slipped inside. After much shooting, the prisoners surrendered. Once the situation was under control, thirteen of the prisoners were taken outside the prison by the Zorros where they were beaten and kicked. While they were being assaulted, each of the prisoners shouted his name. The incident was videotaped by an NBC cameraman. The Zorros later took the men back into the jail, where each was shot in the head and then sprayed with machine gun fire. When the operation was over, the Zorros were honored at a dinner party hosted by the governor of Nayarit.

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[12] Rivera, Miguel Angel, "Cuestiona la oposición la manera en que se sofocó el motín en Tepic," *La Jornada*, Dec. 27, 1988; Salanueva Camargo, Pascual, "Antes de ser ejecutados por los zorros, 13 reos gritaron sus nombres," *La Jornada*, Dec. 29, 1988; Salanueva Camargo, Pascual, "La matanza pudo haberse evitado, dicen ex rehenes," *La Jornada*, Dec. 30, 1988; Salanueva, Pascual, "Testimonio del padre Toño, sacerdote del penal de Tepic," *La Jornada*, Dec. 31, 1988; Salanueva, Pascual, "Esperar la llegada de los *Zorros*, estrategia en Tepic," *La Jornada*, Jan. 3, 1989; Salanueva Camargo, Pascual, "La noche del viernes 23 en la cárcel de Tepic," *La Jornada*, Jan. 4, 1989; Salanueva Camargo, Pascual, "Testimonios de reos durante una visita al penal," *La Jornada*, Jan. 5, 1989; Salanueva Camargo, Pascual, "Sólo aspirinas y gotas para los ojos, en la enfermería del Cereso de Tepic," *La Jornada*, Jan. 6, 1989; See also, Vega, Marco Antonio, "Se extralimitó en su función el grupo 'Zorros': abogados," *Excelsior*, Dec. 29, 1988.

Current conditions resemble those that existed in December 1988. One observer remarked that "more drugs than ever are being filtered into the prison." Many of the poorest prisoners are Huichol Indians who are serving long sentences for growing marijuana for non-Indian bosses. Prison conditions for these inmates are unspeakable. (See Introduction.)

In contrast, a group of wealthier prisoners live in an area of the prison called "el pozo." These men -- called *considerados* -- help the guards maintain discipline in the prison. There were seventy inhabitants of the single cells in this area. The area was off limits to other prisoners to safeguard the *considerados'* possessions. One *considerado* had a television, a double bed with a thick mattress and a bedspread, a radio, a shower, and a toilet in his room.

The maximum security unit housed seventeen men in two rooms with earthen walls. Some of the prisoners here needed protection from other prisoners; others had committed crimes or infractions in prison. Two, the former chief of guards at the prison and his chauffeur, were charged with murder in connection with the December 1989 riot. One of the maximum security prisoners obviously was mentally ill.

One unforgettable feature of the prison was the inside yard. On the day we visited, throngs of prisoners and more than 600 visitors were sitting on cement benches or walking around the large dirt field. The atmosphere was eerily calm and the inmates gazed silently at the prison director and the guards who were showing us the facility. We had an uneasy feeling that at any moment an altercation might occur or that the prisoners would seize control of the yard. As one prisoner remarked, "you could cut the tension with a knife."

La Mesa Prison

La Mesa, in Tijuana, Baja California, covers an area of about one and one-half hectares (about 4.25 acres). The prison houses both male and female prisoners, including *procesados* and *sentenciados*, who mingle together. We were told that its original capacity was 450 prisoners; the population in January 1990 was 2,283 male and 156 female prisoners. Officials acknowledged that 26 juvenile inmates were confined there. In June, Mexico's National Human Rights Commission toured the facility. It found that in addition to the 2,546 prisoners interned there, some 1,500 family members, including 400 children ranging in age

from infancy to sixteen, were living in the prison. An additional 5,000 visitors enter the prison on each visiting day.[13]

The prison resembled a squatter settlement. Little huts and houses constructed of different kinds of materials were stacked one on top of another, and surrounded an open courtyard where prisoners visited with family members and played soccer. High concrete walls topped with barbed wire and patrolled by armed guards surrounded the facility.

Most of the living quarters for men were treated like private property; those leaving the prison sold their quarters to newcomers. There were a number of apartments with comfortable bedrooms, full kitchens, baths, and patios. We were told that when available these sell for about $25,000 U.S. dollars. For $2,000 a prisoner could buy a twelve foot by twelve foot furnished room with adjoining bath, while for $750 he could buy a bed-sized slab with a roof so low that he could not sit up in bed.

The latter types of accommodations were located in large rooms with corrugated metal ceilings that leak when it rains. Some had walls; others had curtains for privacy. The only doors, locks, or bars were those installed by the prisoners to protect their possessions. There were also some quarters in which metal cots were lined up in rows in an open area.

Prisoners who could not afford a bed slept on the floor of the gymnasium or the dormitories, or out of doors. These prisoners had to buy space to store their bedding and other possessions during the day. Others slept in the workshops where they worked. Some labored for wealthy prisoners in exchange for the privilege of sleeping in their quarters. The prison provided no mattresses or bedding.

The prison was damp and muddy. One common complaint was that water was available only on a sporadic basis.[14] Because tap water is not potable in Tijuana, prisoners must purchase drinking water. Under the previous prison administration, drinking water was sold by prisoner-concessionaires at very high

[13] National Human Rights Commission, Recommendation No.s 8/90 and 10/90.

[14] Apparently this problem also affects the city of Tijuana.

prices. Under the current administration it is sold at cost.[15] Officials in the new administration have improved the quality of the food and food storage facilities. But prisoners in the punishment cells reported in January 1990 that they still found "gorgojos" (insects that lay their eggs in dried beans) in their food.

The "tombs," or segregation cells, had approximately two dozen prisoners. Each cell was a cement square with metal bunk beds. Some held several prisoners, others only one. None of the prisoners we spoke with knew how long he would be there. One prisoner said he was in segregation because he had climbed onto the roof of the prison in search of a place to sleep. We were told that another had passed himself off as the nephew of the prison director and used his "connection" to extort other prisoners. When we arrived at 3:00 p.m., the prisoners were banging on the bars and shouting that they were hungry. They said they had last eaten at 6:00 a.m. Food arrived while we were there.

[15] In July 1989, the National Action Party ("PAN") candidate won the gubernatorial elections in Baja California. This marked the first time in more than half a century that a Mexican state was not governed by the ruling PRI. Upon his inauguration, Baja California's new governor appointed Major Miguel Pérez Bouliart to direct La Mesa. At the time of our January visit, he had been there for less than two months.

Conditions in Prisons for Women

Physical conditions for women prisoners are as bad as or worse than those for men, and opportunities for women to make meaningful use of the time spent in prison are even more limited. This is especially true in facilities housing both men and women outside of Mexico City. Most state prisons invest far fewer of their limited resources in housing or programs for women. Their living quarters are often among the worst in the prison. Many women are idle due to lack of programs, work opportunities, and money. Far fewer women than men do handicrafts, largely because women have fewer materials and supplies available to them. Women are often subjected to greater restrictions on their movements and activities than men.

In addition, incarcerated women are stigmatized by Mexican society and once in prison many are abandoned by their families and friends. In contrast to male prisoners, many of whose wives and families visit regularly and bring them food, blankets, clothing, and other necessities, incarcerated women get much less of this type of support. Ideally, prisons should give extra institutional and psychological support to women who are not being helped by their families. In fact, the system only makes prison life more lonely and tedious for them.

One exemplary feature of many Mexican prisons was the policy of keeping mothers and infants together. In some prisons this policy was supported by providing mothers and their infants and toddlers with childcare centers and housing segregated from the general prison population. Unfortunately, this policy was not applied across the board; in some state institutions, infants are not allowed to remain with their mothers. In other institutions the policy is abused and older children remain in the prison. In La Mesa, for example, elementary school-age children, and even some teenagers, live inside the prison walls.

Reclusorio Oriente

According to the prison director, Reclusorio Oriente was designed to hold 151 female *procesadas*; there were 205 women housed in the facility when we visited, most of whom were accused of robbery, fraud, or drug trafficking. The physical conditions in the main part of the facility were reasonably good but the

Ingreso was overcrowded and some prisoners slept on the floor. The new director was a well-educated professional who planned to institute treatment, rather than punitive programs.

Prisoners who needed to be disciplined were isolated in maximum security cells. The one woman in the maximum security area, who was being punished for attacking another prisoner, said she had no idea how long she would have to remain there. The director told us she would probably be there a week. The uncertainty about how long she would be segregated was part of her punishment.

CERESO Almoya de Juárez

Sixty-three women, both *procesadas* and *sentenciadas*, occupied a small section of Almoya. Seven children lived with their mothers. According to prison rules they could remain there until they reached the age of three. They were then placed either with family members or in foster care.

Prisoners told us that two cells at the back of the dormitory were used for punishment, and that in those cells women slept on the floor without blankets.

San Luis Potosí

There were 96 women in San Luis Potosí out of a total population of 1,300 prisoners. Twelve children up to age three lived with their mothers. Women were restricted to a small living space, and were unable to move freely about the grounds. Their lives were controlled by their guards, who decided everything from what work they could do to what they could buy in the canteen. At the time of our visit, guards had recently decreed that no one could purchase sanitary napkins. As a result some women had to use clothing or rags during menstruation. A mother of a young child told us that diapers and bottles could not be purchased in the prison store and had to be supplied by family members from the outside.

Cells were sparsely furnished. Each housed three or four women at least one of whom slept on the floor. Most of the beds were shared by two women.

Guadalajara

There were 194 women and six children at Guadalajara. Over one-third were convicted of drug-related offenses. Very few had visitors; most spent their time making aprons for hospitals and government employees. Three women were segregated from the rest of the population. They were being punished for fighting among themselves and had been in segregation for three months.

Tepepan

Tepepan was built sixteen years ago as a mental hospital. In 1982 it was converted into a women's prison because it was too expensive to maintain as a hospital. Whereas the mental hospital housed 100 patients, the prison held 531 prisoners, both *procesadas* and *sentenciadas*, on the day of our visit. The average stay was five years. Most of the women were incarcerated for drug-related offenses and over twenty percent were Colombian nationals. To alleviate the overcrowded conditions some of the women were scheduled to be moved to a new module at Reclusorio Norte.

The prison was shabby and in a state of decay. There were chunks of concrete lying in the hallways and on the stairs. Stairway railings were cracked, broken light bulbs had not been replaced, and floors were dirty. Overcrowding did not appear to be the cause of the disrepair; rather it appeared that there were not enough resources for the maintenance and repair of the facility.

The most noteworthy feature of the prison was the nursery where 61 children were playing with their mothers and staff members. The center had several cheerful rooms and resembled a small day care center. Children up to age six could remain at the prison. Their clothes, sheets, and beds looked clean and they appeared to be well cared for. There were, however, no toys, games, or arts and crafts supplies.

Another appealing aspect of the prison was the outdoor area where the concession stands were located. These had tables with umbrellas and were designed to look like cafes. The concession stands made it possible for prisoners with money to purchase food, rather than eat the prison fare. The women who ran them shared the proceeds with the institution.

The workshop area consisted of several large, airy rooms, that were well stocked with equipment. But few women were working there. Most of the equipment was in need of repair. In one room we saw at least thirty unused sewing machines; women sitting in the room told us that all were broken.

At the time of our visit there were sixteen women in the *Ingresa*. Some told us they had been there for months.

The area housing the sentenced prisoners was a large, bright dormitory. It looked tidy and well cared for by the prisoners, but clusters of electrical wires hung all over the beds and doorways. One woman mentioned there had been a fire in another part of the building that caused a prisoner to be badly burned.

One of the worst areas of the prison was the segregation unit which was located in the basement next to the psychiatric ward.[16] The unit was dark, damp, and cold, and pools of water lay on floors of the halls. The eight cells housed women who were mentally ill. Most appeared angry or uncommunicative. They were sitting on their beds, wrapped in blankets. There were no nurses, aides, social workers, psychologists, or physicians in the unit during our afternoon visit.

La Mesa

The women's area in La Mesa at the time of our January, 1990 visit consisted of a row of small rooms off an open-air corridor, each containing several tiers of bunk beds, two or three bunks high. Overcrowding was appalling; many women reported sharing a single bunk with two other women. One group of six women lived together in a tiny room with two bunks. One was six months pregnant and planned to bring her baby back to the cell once it was born.

When we returned in November, the women's section had been demolished and a new facility for women was under construction. The women were housed mostly in military-issue tents that completely filled the courtyard, though a few had found sleeping quarters in rooms constructed elsewhere in the men's section of the prison. The director assured us that once the women's unit

[16] For a description of the psychiatric ward, see Mental Health Care section, below.

was complete, women would be separated from men.

One woman at La Mesa had two of her children, ages 4 and 6, with her. She shared a small room with two other women. Whenever she had to leave her room, she locked her kids inside it. The prison environment was clearly unhealthful for children of that age and there were no educational programs for them there. She told us she had her children with her because her husband was dead and her relatives, who were already raising her other two children, refused to care for them unless she provided the money to support them.

Activities

Despite constitutional requirements that prisons achieve, through work and education, the social readaptation of prisoners, there is very little for prisoners to do in Mexican prisons. Most pass the time milling around, talking among themselves, entertaining visitors, or making handicrafts. Many prisons have workshops but few prisoners work there. Nearly all have classrooms, but we rarely saw them in use. On the other hand, prisoners with the financial means to purchase tools and supplies engage in various crafts which they sell to prison visitors or ask family members to sell on the outside.

At Reclusorio Sur there was a carpentry shop where fourteen prisoners worked at long tables. One man was carving an elaborate wood decoration that he hoped to sell for around $40.00 U.S. He had purchased the materials for $10.00 and was counting on his family to find a customer.

At CERESO Almoya de Juárez, 16 men worked in the brick factory, 12 were in the carpentry shop, and six were sewing uniforms. (There were 1,367 inmates in the prison when we visited.) The men in the carpentry shop earned less than $4.00 U.S. for fifteen days work. Those making uniforms earned 30 cents a day. Women were not allowed to work. The five classrooms were empty when we visited.

At San Luis Potosí only a handful of men were working in the workshops. The staff in charge candidly told us that there was little work because the institution did not have enough money to purchase materials or equipment. Four men made key chains and coin purses, six were using the sewing machines, and several were making conductors. They earned 26 pesos for each conductor, which meant they had to make 100 conductors to earn $1.00 U.S. The men pointed out that there were not enough materials to make 100 conductors. Women were permitted to work here.

At La Mesa, at the time of our January 1990 visit, soccer in the courtyard was a popular pastime,[17] and small numbers of prisoners were engaged in other activities. A dozen prisoners were exercising in the gym, and shopkeepers and

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[17] At the time of our November 1990 visit, the courtyard had been replaced by a tent city that housed the inmates from the section of the prison that was being remodeled. Aside from some basketball hoops, there was, temporarily, no area for recreation in the prison.

barbers were at their posts. There were two workshops in which thirty to forty prisoners made costume goldlink chains. School was in session in the only classroom in the prison; about ten inmates were taking a class.

Throughout the Mexican penal system, participation in work can lead to a reduction of sentence. The failure of prisons to make meaningful work opportunities available to inmates in practice results in the arbitrary increase of the sentences of those prisoners who wish to work. It also contributes to the deterioration of prison facilities and to the neglect of prisoners with special needs. Prisons have an idle work force available to provide many needed services and improvements at little cost, while fulfilling the constitutionally stated purposes of penal confinement.

Visiting

In most Mexican prisons, visiting policies are fairly liberal. Most allow prisoners to have visitors at least twice a week for several hours at a time, and many allow prisoners multiple visitors. Some prisons provide a special yard and/or building for visitors; often these have playground equipment, tables and chairs, and concession stands. Other prisons allow visitors to congregate in prisoners' living quarters.

Most prisons make some provision for conjugal visits. Some have special conjugal visiting rooms. Others allow conjugal visitors to spend the night in a prisoner's cell. In some cases prisoners pay their cellmates to sleep elsewhere to ensure privacy.

Mexican prison officials encourage family visits not only because family members bring prisoners food and other necessities but because visitors have a stabilizing effect on the prison population. Visits by relatives and friends were the major activity in all of the prisons we visited. Families stream in and out on visiting days laden with boxes and bags of food and clothing. Visiting children run through the corridors and yards, play soccer and basketball, and eat with their families in the cellblocks.

Between 500 and 600 visitors come each day to Guadalajara. Up to 1,000 arrive on a weekend day. Prisoners are allowed visitors three times a week and up to four visitors at each visiting session. The visiting area had a pleasant patio and a clean and well cared for play area for children. It was clear that the prisoners and staff took pride in keeping the area well maintained.

Visitors are prisoners' lifeline to survival. A prisoner at Guadalajara told us that his family lived too far away to visit, and that he therefore had nothing to do all day and no money or means to make a livelihood. Even if he made items to sell, he had no way to sell them without outside help.

Prison guards are aware of the importance of family visits, and use them as a means of control and, sometimes, extortion. At San Luis Potosí only prisoners selected for "good behavior" were allowed to receive visitors. At Reclusorio Sur prisoners who could pay for visits were automatically guaranteed the privilege.

Many prisoners told us that because of the limited number of conjugal visit cells, prisoners had to bribe the guards to have conjugal visits.

In some institutions, visitors also have to pay for the privilege of visiting. According to an article in *La Jornada*, the cost of each visit in prisons in the Federal District is between 9,500 and 30,000 pesos, or $3.50 and $10.00 U.S.[18] Visitors who are unwilling to pay may be denied entry or harassed by having problems detected in their identification papers, or by being sent to the end of a very long line. The motto reiterated by the guards is: "If you don't pay a tip, you don't get in."[19]

At La Mesa, there were two official visiting days, and two conjugal visit days each week. In fact as many as 5,000 visitors came into the prison every day. Intimate visits were not restricted to a particular part of the prison. Prisoners who could not afford a private sleeping area rented space from other prisoners for intimate visits.

Visiting at Nayarit was a study in how those who had regular visitors benefitted, while those without suffered. Indigenous prisoners rarely received guests either because they lived too far away or because they could not afford to travel to the prison. One 21-year-old prisoner who had spent four years at Nayarit had never had a visitor because of the distance between his home and the prison. He told us that many of the youngest prisoners rarely had visitors. Judging from the impoverished conditions in their cells, particularly in comparison to the other cells in the prison, these young men were in desperate need of financial and personal support.

In contrast to the hustle and bustle occasioned by the steady flow of visitors at most of the prisons for men, visiting was almost nonexistent at the women's prisons. At Tepepan, Guadalajara, and San Luis Potosí, there were no family members walking around the cellblocks or in the yards. At Nayarit, prisoners told us they had no visiting rights "on orders from Mexico City." But the prison director and security officials told us that a "shame" attaches to women

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[18] Ballinas, Víctor, "La Propina, pase expedito para quienes visitan reos" *La Jornada*, April 4, 1989.

[19] Id.

who are incarcerated, and family members and friends abandon them during their imprisonment.

Denial of family visits was the most common form of discipline. Prison officials claimed that fear of loss of family visits and the food and other necessities family members provided kept most prisoners in line. We heard of very few incidents of assaults or robberies of visitors. Prisoners who engaged in such conduct usually were punished with loss of their own visiting privileges or a period in a punishment cell.

Medical Care

Health services in Mexican prisons are seriously deficient. Among the most pervasive problems are insufficient staff, substandard equipment, lack of medications and supplies, inadequate access to outside specialists and hospital care, and insufficient attention to communicable diseases such as tuberculosis and AIDS. In many respects prison hospitals and clinics are an inappropriate extension of prison life: access to food, medicines, bedding, and other necessities is determined by a patient's wealth or what family members are able to provide. Patients with money can obtain needed medicines, special foods and supplies, and even consultations with personal physicians from outside the prison. Those without money eat prison food, sleep in their own often unclean bedding, and do without needed medicines unless the prison happens to have them in stock. By and large the in-patients in the prison hospitals we visited were poor. Wealthier prisoners told us they avoided the prison hospital when ill and preferred to receive medical care as out-patients.

Continuing increases in the prison population can only aggravate the existing problems in prison health care delivery. At Barrientos, a doctor expressed fear that overcrowding will lead to more disease, an increase in the number of prisoners with parasites, and a general deterioration of conditions. The director agreed that population growth will lead to more illness and injury caused by more prisoners sleeping on the floor, poorer food, a general strain on services, and greater violence between prisoners.

Medical Facilities, Staffing, and Supplies

Many of the medical facilities showed serious, health-threatening maintenance and sanitation problems. Others had adequate physical plants, but lacked the staff to provide proper patient care. As a result many prisoners received inadequate or inappropriate medical treatment; others received no care at all.

Tepepan contains a thirty-five-patient medical unit. This unit was formerly a mental hospital, and few or no resources were devoted to its conversion. It appeared unused and poorly maintained, and sanitation problems were apparent. At the time of our visit, only two patients were in the unit, both as a result of unsuccessful surgeries in local hospitals.

At Barrientos, a physician is on duty twenty-four hours a day, but the doctor we saw, while caring, appeared overworked and beleaguered. He expressed frustration with the scarcity of medicines and supplies, the inadequate size of the medical unit, the limited staff, and the fact that the only specialist is a psychiatrist. He also complained that there is no place to perform surgery and that hospitals in the area are unwilling to accept prisoners as patients. The prison's director admitted that the food served to patients is of very poor quality.

In the high security unit in Barrientos we encountered a patient with a bullet in his hip and a colostomy bag; he said he had last been seen by a doctor the previous month. When questioned about his case, the doctor said that he could not remove the bullet because he lacked the technical skill and surgical tools and equipment. The doctor agreed that the prisoner required medical treatment, and should have been seen more often. But he added that many other prisoners needed care, and attention was given first to those with the greatest need.

The hospital at Santa Marta Acatitla serves not only the prison population, but as a surgical unit for the men's detention facilities throughout the Federal District. There are 55 beds in the hospital, 32 of which were occupied when we visited. Only sixteen patients were from Santa Marta.

According to a federal prison official, the hospital's director, who is also its chief of surgery, has a callous attitude towards prisoner patients. This was reflected in the hospital conditions we observed. Although the hospital had a medical staff of fifty-seven, patient care was inadequate. Patients relied on other patients for help getting to the bathroom, and for other basic nursing functions. In one room a man with an intravenous drip had vomited on the floor next to his bed; there appeared to be no staff to clean it up. In another, we observed a 76-year-old recent amputee lying on tattered and filthy bedding.

The sanitary facilities in the hospital were disgusting. The bathroom shared by the men in the regular wards was filthy, the bathtub was caked with dirt, the showers had paper in them, and the sinks appeared stopped. Hot water was available only two hours a day. This filth and neglect are inexcusable in a facility with 2,000 inmates who have little to do, especially since, under the sentence reduction program, prisoners who work inside the prison can reduce the amount of time they must serve.

Medicines, dental instruments, and supplies for laboratory tests were

also in short supply in Santa Marta. The room housing the x-ray machine was not insulated against radiation leaks, and the only protection for the x-ray technician was a shield that fit vertically onto the end of the x-ray table.

The hospital at San Luis Potosí was destroyed by fire during a riot in February, 1989. There is now no medical unit to serve the 1,300 prisoners at this institution. There are similarly no medical facilities at the Tijuana and Zacatelco municipal jails, though we were informed that doctors are on call twenty-four hours a day. Medical facilities at Guadalajara, while clean and modern, appeared bare and unused.

Access to Outside Medical Care

Aside from maternity care, access to outside care for prisoners with complex medical problems is rare. The doctor at Barrientos complained that while some prisoners need more specialized care, outside hospitals are reluctant to treat them because of fears of violence or escape, and other negative stereotypes about prisoners. According to this doctor, prisoners are put at the bottom of the list for treatment by hospitals which serve the indigent population in the outside community.

The Red Cross clinic in Tijuana declared in September 1990 that it would no longer accept inmates from La Mesa. The announcement followed two incidents that jeopardized the safety of the clinic: in one a guard dropped a pistol that discharged into the air; in the other an inmate patient stabbed a sleeping guard with a knife. Earlier that year the clinic provided extensive surgical and medical care to Ruben Oropeza, an inmate at La Mesa penitentiary who had been tortured by Federal Judicial Police officers prior to his detention.[20]

Communicable Diseases

Measures to prevent and control tuberculosis and AIDS were substandard in the institutions we toured. Tuberculosis is a growing problem in Mexican prisons, partly because tuberculosis rates are increasing generally, and

[20] See Introduction.

partly because the disease is easily transmitted in crowded institutional environments. Our visits revealed that measures to prevent and treat tuberculosis are rarely taken. The pharmacist at Santa Marta stated that one key medicine used in the treatment of tuberculosis is usually unavailable. At Guadalajara, there is no routine screening of prisoners upon admission; tests are administered only when a prisoner shows symptoms of tuberculosis.

HIV infection and AIDS also present serious public health threats in prisons, largely because many incarcerated persons have risk factors for HIV infection, such as intravenous drug use and sexual promiscuity. Although the disease apparently causes death in all cases, treatment can prolong life and delay serious illness. Moreover, prisoners who know their HIV status may modify their behavior to reduce the risk to others.

Care for HIV positive and AIDS patients at the institutions we visited was mixed. The prison in Guadalajara tests for HIV infection on a voluntary basis; we were told that no prisoner has yet tested positive. Barrientos, by contrast, conducted compulsory HIV tests in 1989. Again, we were told that no prisoners tested positive. Another round of compulsory testing was scheduled for March 1990. At Tepepan a physician told us that his institution has had two AIDS cases since 1985, when all prisoners were tested. He added that the drug AZT is not available in Mexico for treatment of AIDS patients.

Santa Marta, the only facility for prisoners with AIDS in the Federal District, had a clean and comfortable 16-bed AIDS ward that housed 15 patients at the time of our visit. *Procesados* and *sentenciados* from all prison facilities in the Federal District were transferred there if they were diagnosed with AIDS. While most of the AIDS patients we talked with appeared to be comfortable and did not complain about living conditions or nursing care, only those with the means to acquire medicines outside the prison received appropriate medication. One destitute AIDS patient was dressed in seasonally inappropriate clothing and had no sheets or blankets on his bed despite cold nighttime temperatures. Another patient told us that his only blanket had been stolen and that the prison had not replaced it.

We were disturbed to note that in many cases, high-level prison personnel demonstrated ignorance and irrational fear of AIDS. Such persons are ill-prepared to implement rational and effective policies for controlling this serious public health problem.

Mental Health Care

Prisoners with serious mental health problems typically are segregated, heavily medicated, and because most are also poor and abandoned by relatives, forced to live in squalid, inhumane conditions. Many of these prisoners appear to have been warehoused for lack of an appropriate placement. The director at Reclusorio Sur told us that many of the 205 men in the psychiatric unit had spent fifteen to twenty years in prison, but had nowhere else to go. The same situation existed at CERESO Almoya de Juárez, where the fly-infested cells had torn, dirty, and tattered foam mattresses, no sheets or blankets, and smelled of urine and feces.

There were 35 women in the Tepepan female psychiatric ward, the only such ward in the Federal District. Located in a basement, the unit is cold, unsanitary, and in a state of disrepair. There were no lights in the bathrooms, which were dirty and flooded with water. There was trash and other dirt on the floors. Most of the women were lying in their beds under the covers in an effort to keep warm. No psychiatric staff was evident, nor did there appear to be any programs or activities to occupy inmates.

The psychiatric ward at Barrientos was appalling. The bathroom was unlit and foul-smelling, and there was excrement on the floor. Men in ill-fitting uniforms lined up against a wall for our inspection. Many had difficulty holding up their heads and their eyes were glazed. We were told that all mentally ill prisoners in need of chronic care are transferred to other institutions; only those who can be maintained on drugs remain.

The psychiatric unit at Guadalajara houses 120 prisoners. We were told that it is staffed by three nurses and five full-time doctors, but none of them were in evidence. The unit seemed to be a dumping ground for troublesome prisoners. Some men had been confined there for years. Indeed, some had already completed their sentences, but were still confined because they were mentally ill and had no where else to go.

One of the most pathetic sights we encountered was the cell of a seriously mentally ill elderly man in the municipal jail in Zacatelco. The cell was concrete, windowless, and no more than four-and-a-half feet by 12 feet in size. It had no furniture or mattress, and no sanitary facilities. A tattered blanket was heaped along one wall and the room stank of urine and feces. The man was

permitted out of this cell by day but locked up at night.

One of the better mental health units we saw was at La Mesa. Each male prisoner in this unit had his own bunk, and the dormitory seemed relatively clean, though not leak-proof. Many of the mentally ill prisoners were sitting in a common area in front of a television. They appeared to be heavily medicated and few took note when an entourage of strangers entered the room. The one female mentally ill prisoner did not fare so well. She was housed in the female segregation unit and apparently was not receiving medication. Her appearance was ragged; her hair was unkempt, and her teeth rotten. She clutched at our hands as if she did not want us to go. Her female guard showed obvious hostility towards her.

Prison Security

While Mexican prisons seem secure in the sense that we heard few reports of escapes, internal security is lax. Guards are poorly paid, poorly trained, and required to work long shifts that leave them exhausted much of the time. On-the-job training programs are rare. Guards typically work 24-hour shifts and then have 48 hours off. During their off hours many work second jobs.

These factors contribute to a high level of guard corruption in the prisons. Prisoners in La Mesa told us in January 1990 that many of the guards are corrupt, and active in the sale of contraband. Under the previous administration, the concession system also was corrupt; authorities gave concessions in exchange for cuts in the profits, and goods and services were sold at exorbitant prices. Guard corruption was confirmed by the prison's new director who was earnestly trying to clean up the guard staff but, because of a strong union, could only fire corrupt guards if they were caught engaging in illegal activities.

In addition, because of overcrowding and lack of funds, most institutions are under-staffed. For example, at Reclusorio Sur two guards were in charge of a unit with 250 men; another four supervised a cellblock with 330 men. The guards tended to hover near the entrances to the cellblocks, leaving the actual cells and hallways unattended. At Santa Marta Acatitla 100 security personnel guard nearly 2,000 men. Those who patrol the living areas of the prison do not wear uniforms and are not readily discernible from the inmates. One prisoner remarked there are so many prisoners and so few guards that the prisoners must watch over the security staff.

Some prisons do not have sufficient guards to patrol prisoners' living areas. Instead this task is left to squads of inmates who are often corrupt or abusive. At Barrientos, prisoner squads and a malfunctioning electronic surveillance system were used to assist the inadequate guard staff maintain security. At Nayarit, heavily armed guards were stationed at the entrance to the facility, but, according to the director, only entered the living areas for roll calls. These areas were patrolled instead by a select group of prisoners called *bastoneros*, who, according to one inmate, used knives to uphold order. Fear was notable among the prisoners whenever one of the *bastoneros* appeared.

At Guadalajara we witnessed the midnight arrival of about fifty police

dressed in riot gear. As they lined up to go inside, they told us that they were conducting a random search of the prison for weapons and other contraband. The security problems at Guadalajara, which was not overcrowded, must have been much more severe than appeared if the police were going to these extremes. But the search also suggested to us that the authorities did not trust the prison's guards to maintain order.

A similar incident occurred on April 7, 1990 at La Mesa in Tijuana. A team of 300 federal, state and city law enforcement officials entered the prison around 5:00 a.m. to search for drugs.[21] According to Mexican human rights workers, a disturbance broke out about two hours later, after the raid was nearly over, when police began pilfering prisoners' personal possessions. One inmate died during the disturbance and six other persons, including four police officers, were wounded. The prison's new director apparently had no advance warning of the raid and, when he arrived at work that morning, was not immediately permitted by police to enter.

In most prisons, inmate discipline is maintained through an elaborate -- but easily corrupted -- system of rewards and punishments. Well-behaved prisoners are entitled to receive visitors, have conjugal visits, make phone calls, work in workshops, and have other privileges. These privileges are withdrawn for misbehavior. Serious infractions can result in a prisoner being sent to a punishment cell. Confinement in a punishment cell is accompanied by few, if any, due process protections. In addition, it is a common practice not to tell prisoners how long their punishment will last.

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[21] McDonnell, Patrick, "1 Dead, 6 Injured in Riot After Drug Search at Tijuana Prison," *Los Angeles Times*, April 8, 1990.

Corruption

Corruption is an endemic feature of life in Mexican prisons. Prisoners in almost all the prisons we visited reported that drugs, alcohol, and heterosexual and homosexual prostitutes are available for a price. We heard many accounts of prisoners paying other prisoners for protection, and bribing guards for jobs, visiting privileges, food, and other necessities. Corruption seems to be accepted by both officials and inmates as an inevitable part of the prison system, even though it results in enormous inequities in treatment between wealthy prisoners and those less fortunate.

Both staff and prisoners at the women's facility at Reclusorio Oriente described in detail the corruption under the previous director. In addition to running a prostitution ring,[22] she charged women for showers, mattresses, food, and other essential items. She also required the inmates running the canteens to charge inflated prices and kept the profits for herself. While vast improvements have been made since her departure, one prisoner told us that prices in the canteen are still inflated, though she did not insinuate that kickbacks were being paid to the new director.

The most notorious example of corruption involved drug kingpins Rafael Caro Quintero and Ernesto Fonseca Carrillo who have now received lengthy sentences for murdering former U.S. Drug Enforcement Administration agent Enrique Camarena. They lived for months in luxury in Reclusorio Norte, taking up enough space for 250 prisoners. Their cells were equipped with a pool table, aquarium, Turkish baths, radio and video equipment, televisions, fruit trees, and a telephone.[23] According to Caro Quintero, their plush life style ended in 1989 when prison officials attempted to extort from him one million dollars in exchange for protecting his privileges.[24] They are now detained in far less comfortable maximum security quarters. According to a leading Mexico City newspaper, other noted Mexican prisoners such as former banker Eduardo Legorreta Chauvot and

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[22] See Introduction.

[23] *Los Angeles Times*, July 20, 1989.

[24] Williams, Dan, "La Mordida: Big Bite Out of Mexico," *Los Angeles Times*, June 21, 1987.

oil workers boss Joaquín Hernández have enjoyed similar comforts inside Reclusorio Norte.[25]

Members of the Mexico City Assembly of Representatives' Justice Commission recently conducted an investigation into the management of the prison system in the Federal District. Commission President Victor Orduña Muñoz wrote a lengthy report critical of overcrowding and corruption, and made recommendations for improving the penal system.[26] According to Orduña, overcrowding provides wealthy prisoners with a labor force and customers for their businesses. These prisoners view their cellblocks as little fiefdoms and demand loyalty from those who live there. But Orduña also praised the Salinas administration's efforts to ensure that affluent drug traffickers, such as Caro Quintero and Fonseca Carrillo, live more like prisoners and less like business entrepreneurs.

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[25] Adorno, H. and Gutierrez, I., "Caro y Fonseca Tenían Armas en sus Dormitorios del Reclusorio," *Excelsior*, July 19, 1989.

[26] Rep. Victor Martín Orduña Muñoz, Reglamentos de Reclusorios y Centros de Readaptación Social del Districto Federal, Jan. 9, 1990.

Government Steps To Reduce Overcrowding

The Mexican government acknowledges that prison overcrowding has caused widespread deterioration of conditions for Mexican prisoners. As noted in the Introduction, one of the key steps the government is taking to reduce overcrowding is new prison construction. We toured the construction site of a new federal maximum security penitentiary in the state of Mexico. Intended to house 400 long-term inmates, the prison consists of eight fifty-cell blocks with small connecting concrete patios. Each cell has built-in and immovable concrete bunk beds, shelves, and a table and stool. A state of the art electronic surveillance system is planned. While there is no doubt that the prison's physical facility will meet minimum international standards, it is an inhospitable, concrete monolith, the location of which will make vital family visits difficult.

Other more promising steps being taken by the government include assistance to state governments engaged in expanding or rehabilitating existing prisons, and various programs designed to reduce prison populations. One federal program, called the "dignification program," is designed to identify specific health and safety problems at prisons throughout the country and provide the money to alleviate those problems. Lamentably, this program does not have enough funding to meet all the serious health and safety problems facing the nation's prison system.

In the early months of his administration, President Salinas, in cooperation with a number of states, created an amnesty program aimed at reducing overcrowding by releasing from prison persons whose cases had political overtones. In less than one year, 1,412 prisoners were released.[27]

A second program created specifically to reduce overcrowding in prisons was an early release program whereby prisoners deemed to present no danger to the community were paroled. During 1989 approximately 1000 such prisoners were granted early release each month. According to Luis Ortíz Monasterio, former Director for Human Rights in the Ministry of Government and

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[27] Hernández López, Rogelio, "En Menos de un año Fueron Liberados 1412 Prisioneros," *Excelsior*, December 26, 1989.

now a high-ranking member of the National Human Rights Commission staff, most of the persons who qualified under this program were social activists and peasants who had in some way been involved in the drug trade but were not "true delinquents."[28] On December 23, 1989, 457 men who were serving their sentences at Santa Marta Acatitla and 30 women sentenced to prison in the Federal District were released under this pre-release program.

A third program involves inter-agency review of prisoners' files to determine whether they have completed their sentences or are eligible for parole. During one 30-day period the files of 10,600 inmates were reviewed. Of these it was found that 2,073 were entitled to parole. Most of these were indigenous people and inmates without financial resources.[29] According to the National Human Rights Commission, 1,086 prisoners had been paroled as of mid-December 1990. The National Human Rights Commission also accepts individual petitions from inmates who seek to challenge the length of their detentions. As of mid-December 1990, it was considering 131 cases including seven from prisoners with AIDS.[30]

The National Human Rights Commission is contributing to the process of improving Mexico's prison system by investigating and condemning conditions in some of the country's worst prisons. In addition to its investigation of conditions in La Mesa, the Commission examined prison conditions in the CERESO in Tampico, Tamaulipas. It found conditions that "flagrantly violated the human rights of the inmates and their families."[31] Among these were punishment cell conditions that were so severe they constituted torture. The Commission recommended the immediate firing of the prison's director and first commander, and an investigation of punishable acts the two had committed. It also called for the

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[28] Quintero Arias, José, "Obtendrán su libertad más presos que no representan peligro; Ortíz Monasterio," *Uno más Uno*, January 22, 1990.

[29] "Investigan las condiciones de vida de los internos en las penitenciarías del país," *El Universal*, September 8, 1990.

[30] National Human Rights Commission, *Primer Informe Semestral*, June-December, 1990, p. 41.

[31] National Human Rights Commission, Recommendation 13/90, September 21, 1990.

modernization of the facility and for the prison to stop using the torturous punishment cells.

Conclusions And Recommendations

Mexico's overcrowded prison system is in a disastrous state of disrepair. While we recognize that Mexico is a developing country with many urgent demands on its limited national budget, additional resources for prison rehabilitation must be appropriated. In addition, corruption and outright brutality, like that uncovered by the National Human Rights Commission in Tamaulipas, must be exposed and punished. Imaginative, compassionate, and dedicated prison administrators must be hired and trained to run the nation's prisons. These professionals should be encouraged to implement programs that achieve Mexico's goal of social rehabilitation of delinquents through education and work opportunities that contribute not only to the training of prisoners but the improvement of living conditions in Mexico's prisons.

Americas Watch welcomes the steps being taken by the Salinas administration to alleviate overcrowding and to provide a more humane prison system but urges that even more aggressive measures be implemented. These include:

I. Immediately take steps to reduce prison overcrowding that do not involve costly investments in infrastructure:

A. Inform *procesados* accused of crimes for which bail is not constitutionally prohibited of their right to post bail. Bail amounts should be limited to that required to ensure that an accused will appear for trial;

B. Speed up trials and appeals so that *procesados* are detained only for constitutionally prescribed periods;

C. Review sentence structures to be sure that sentences are appropriate for crimes (e.g., impoverished Indian first offenders convicted of marijuana cultivation should not be sentenced to seven-year prison terms);

D. Educate the judiciary about alternatives to prison for offenders who pose minimum risk to society or whose rehabilitation can be accomplished without serving a prison term. Such alternatives might include house arrest, probation, community service, fines, and/or the payment of restitution;

E. Require judges, or establish other procedural mechanisms, to ensure that records of prisoners' release dates are kept and periodically reviewed. Have the judge or reviewing body follow up with prison authorities to make sure that prisoners are not held beyond the expiration of their sentences;

F. Strengthen the parole eligibility review system for all federal and state prisoners, including foreign nationals, to monitor eligibility for and grant early release.

II. Increase prison work opportunities to relieve inmate idleness and make it possible for more prisoners to take advantage of early release options. Expand opportunities for prison industries. Wherever possible give prisoners work assignments that improve conditions or the quality of life inside the prison.

III. Expand vocational training opportunities.

IV. Place female prisoners in smaller, community-based facilities instead of isolating small numbers of women in large institutions for men. Provide equal opportunities for women to participate in work, vocational training, and educational programs. Extend opportunities for women prisoners to keep their infants and toddlers with them to those prisons not already permitting this practice.

V. Improve medical and psychological services for all prisoners. Require local hospitals to meet prisoners' medical needs that cannot be provided for adequately within penal institutions.

VI. Identify individuals with mental health problems who are eligible for release and find appropriate hospital or community placements for them outside the prison system.

VII. All new prisoners admitted to penal institutions should be given routine screening for tuberculosis. Those who test positive by skin test should have a chest X-ray and other examinations necessary to rule out active tuberculosis. Those who have active disease should receive full treatment with anti-tuberculous medications, and should be placed in

respiratory isolation until they are non-infectious. When medically indicated, infected prisoners who do not have active tuberculosis should receive prophylactic treatment to prevent the development of active disease.

VIII. All prisoners should be offered voluntary and confidential testing for HIV infection, with pre- and post-test counseling. Those who test positive should receive all medically indicated treatment, including prophylactic treatment for diseases that most frequently attack HIV-positive persons. Because education about HIV has been shown to reduce transmission, prisons should provide such education to all prisoners and staff.

IX. Establish national guidelines for the punishment of prisoners who commit crimes or infractions inside prisons. In no case should a prisoner be placed in isolation for more than three weeks. In addition, punishments should be for stated reasons and prisoners should be granted sufficient procedural safeguards to ensure that all punishments are merited. No prisoner should be placed in isolation or a punishment cell without knowing the length of time he or she must remain there. Conditions in punishment cells should meet minimum standards of habitability.

X. Punishments involving denial of family visits should not be excessive so as not to penalize unfairly family members.

XI. Urgently invest resources to ensure that all prisons are habitable and adequately provide for inmates' exercise and recreational needs.

XII. When new prison construction is necessary, select sites with consideration for access by family members.

XIII. Establish minimal educational standards for guards and provide them with on-the-job training. Increase salaries of guards to discourage guard involvement in bribery and other forms of corruption. Punish guards who engage in such activities.

XIV. Under no circumstances should inmates be assigned guard duty or other internal security roles.

XV. Remove all juvenile offenders from prison facilities for adults.

XVI. Ensure that all prisoners have equal access to basic necessities including habitable cells, mattresses and bedding, clothing, food, drinking water, sanitary supplies, and necessary medicines.

Appendices

[On National Human Rights Commission letterhead]

Mexico, D.F., 13 August 1990

Recommendation No. 8

RE: Case of "La Mesa" Penitentiary in the city of Tijuana, Baja California[32]

Lic. Ernesto Ruffo Appel
Governor of the State of Baja California

The National Human Rights Commission, based on Articles 2 and 5, Section VII, of the presidential decree by which it was created, has analyzed the situation at "La Mesa" state penitentiary, located in the city of Tijuana, Baja California:

I. BACKGROUND

In mid-July 1990, the National Human Rights Commission received numerous requests to intervene with respect to the hunger strike begun by 65 prisoners at "La Mesa" state penitentiary.

These requests came by phone. In addition, files were sent to the Commission and representatives of the hunger strikers came to Commission offices.

As a result, the National Human Rights Commission agreed to send a working group to "La Mesa" to carry out an on-site investigation and examine the alleged human rights violations against the hunger strikers.

II. EVENTS

At the end of last June, a group of prisoners at "La Mesa" began a hunger strike to demand better living conditions because of the terrible state of the prison.

[32] Recommendation 10/90 of the National Human Rights Commission repeats the findings of Recommendation 8/90 and calls on federal judges in Tijuana to accelerate the judicial process for the 766 federal *procesados* incarcerated in La Mesa.

There were two groups of hungers strikers: those who had been sentenced and those who were still being prosecuted. Those in the first group demand "preliberation;" they believe that they deserve preliberation because of the amount of time they have been incarcerated. Those in the second group also are asking for acquittal because of the irregularities in the proceedings against them; they claim that they were tortured in order to extract confessions from them.

III. FACTS

As a result of the visit to "La Mesa," this Commission was able to confirm that the human rights of the prisoners and their family members are being violated because of the [poor] prison conditions there.

The prison was constructed in 1952 to hold a maximum of 600 persons. As of 7 August 1990, however, four thousand and forty-six individuals live in "La Mesa." Of these persons, 2,546 are prisoners and 1,500 are family members. Four hundred of these family members are children (ranging from unweaned babies to 16 years of age). These totals do not include prison staff and directors. This Commission realizes that the practice of family members living within the prison with their inmate relatives has gone on for many years. Also, on visiting days, approximately 5,000 additional persons come to the prison, which makes for a total of almost 10,000 persons who must spread out over prison's one-and-a-half hectares.

As can be observed, the facilities are obsolete for achieving the goal of social readaptation. They are completely deteriorated and unsanitary and the overcrowding in the prison results in residents living piled one on top of the other. The prison lacks a designated eating place and the kitchen contains only the minimal infrastructure necessary to be of use. Also, the prisoners receive their food in unsanitary containers. It is important to note too that the food they receive daily is insufficient for the entire prison population. The bedrooms are extremely small (2 by 1.5 meters) and sometimes hold up to seven persons.

In the prison's current state, it is not possible to classify the prisoners nor separate the men from women, nor the sentenced from those being prosecuted, as is mandated by the Mexican Constitution.

Due to the deplorable conditions observed at the prison, it was impossible for the Commission investigators to offer assistance to the hunger strikers so that they

would abandon their strike so as to not cause themselves irreparable harm. However, they were informed that an inter-institutional group -- formed by [representatives of] the Interior Ministry (Secretaría de Gobernación), the National Indigenous Institute (Instituto Nacional Indigenista), the Attorney General's office (Procuraduría General de la República) and the National Human Rights Commission would give priority to their cases and proceed with granting them freedom in accordance with the law establishing basic norms of sentenced prisoners' social readaptation, independently of investigating their other petitions.

IV. JUDICIAL STATUS

The population of "La Mesa" is composed of 766 persons being prosecuted for federal crimes and 1,011 for common [state] crimes. Also, another 529 have been sentenced for federal crimes and 240 for common crimes. In total, there are 2,546 prisoners; they are not separated within the prison, which is a violation of Article 18 of the Constitution. A high number of prisoners being prosecuted have not received a sentence in the first instance even though they have been detained for over a year, which is in notable excess of constitutional norms. At the same time, some of these prisoners deserve the benefit of liberty in accordance with the law establishing basic norms of sentenced prisoners' social readaptation ("Ley de Normas Mínimas").

V. OBSERVATIONS

Before the panorama [of problems] presented by "La Mesa" penitentiary in Tijuana, the National Human Rights Commission finds that fundamental human rights are being violated, and that the hunger strike is not a suitable means of denouncing this abuse of rights, as other ways exist that do not put one's life -- which should be respected even by the individual himself -- in danger.

It is impossible that in such a site one can speak of an authentic attempt at social readaptation. To the contrary, those persons held in "La Mesa" are in an accelerating process of social "deadaptation" which is also dragging in those persons who should not even be in the prison -- such as their family members.

The decision by penitentiary authorities to allow family members to be with prisoners appears to have been made on humanitarian grounds. The tolerance [of such poor conditions], however, constitutes a flagrant violation of human rights.

As a result, this Commission deems it necessary to make the following:

RECOMMENDATIONS

1. That urgent steps be taken which will ensure compliance of Article 18 of the Constitution which demands the separation of the sentenced from the prosecuted, men from women, and minors from adults, which would reestablish order within the prison. The prison should contain only persons who should, as a result of committing crimes, be deprived of liberty. Family members should not be in the prison.

2. That priority is given to construction projects begun eight years ago on the prison in Tecate, Baja California. This would alleviate to a great degree the overcrowding and living conditions under which prisoners are piled up one on top of the other.

Sincerely,

[signature]

Dr. Jorge Carpizo
President of the
Commission

[On National Human Rights Commission letterhead]

Mexico, D.F., 21 September, 1990

Recommendation No. 13/90

Subject: Center for Social
Readaptation, Tampico
"Palacio de Andonegui"
Tampico, Tamaulipas

Very distinguished Señor Governor:

The National Human Rights Commission, authorized by articles 20 and 50, Section VII, of the presidential decree by which it was created, as well as 80, Section VII and 32 of the governing Regulations, published in the *Diario Oficial de la Federación*, the 6th of June and 1st of August of 1990, respectively, has analyzed the situation which prevails in the Center of Social Readaptation, Tampico, Tamaulipas, "Palacio de Andonegui," and found the following:

I. EVENTS

During the past month of August the National Human Rights Commission received several requests to intervene with respect to acts occurring in the Center for Social Readaptation, Tampico, Tamaulipas, "Palacio de Andonegui," which presumably violated human rights.

Said requests were presented to the Commission by relatives and representatives of those affected.

Owing to the foregoing, the National Human Rights Commission agreed that a work group would go to the place of the acts to carry out a visual inspection of the installations of said Center of Readaptation, as well as to investigate the alleged violations of the human rights of the inmates.

Likewise on 3 September of the current year it requested from C. Tito Reséndez, General Director of Prevention and Social Readaptation, a report on the situation of said Penal Center. In an answer dated 17 September 1990 it was stated that:

"The Center for Social Readaptation displays a deficit of spaces for male inmates and sufficient spaces for female inmates; the installations are old, inadequate and found to be in a poor state; in the men's dormitory area one observes overpopulation; food, medical services and hygiene do not display the grade of proposed quality; the Director General's office has received complaints from inmates concerning the conduct which the authorities of the Center for Social Readaptation observe toward them; the ones which are being investigated."

II. EVIDENCE

As a result of the visit to the Center for Social Readaptation, Tampico, Tamaulipas, "Palacio de Andonegui," the National Human Rights Commission finds that the Penal Center, because of the conditions in the facility, is flagrantly violating the human rights of the inmates and their families. This penitentiary was built in the first years of this century, by reason of which at the present time its construction is rendered totally obsolete for the humanitarian ends of social readaptation; its installations are found to be completely deteriorated, they are unhealthy and the existing overpopulation exceeds by three times the quota for which it was designed.

A) SERVICES

This penitentiary lacks medical care; the one who attends to the sick is an inmate who has studied Medicine. At present, within the prison population there exists a patient affected by Acquired Immune Deficiency Syndrome (AIDS), and another with tuberculosis, who are not provided necessary medical attention.

There is one psychologist and one social worker who were recently incorporated into the Center. For the care of such an elevated number of inmates this is insufficient personnel.

Administratively, the deficiencies are notorious. Bookkeeping is the responsibility of an inmate; the person who acted as Subdirector was prohibited, by the Director, from intervening in the matters of the inmates; only three secretaries are working and, according to the one in charge, they do it by necessity, and that they lack all support services, their wages being minimal.

The vigilance personnel, besides being few in number, lack professional preparation; the armaments they use are completely obsolete and, as with the

rest of the personnel, they don't have social benefits.

The kitchen service is tended by an inmate, helped by other prisoners.

B) INSTALLATIONS

As pointed out earlier, there is not an appointed doctor, and what they call an infirmary in reality is two beds lacking hygienic conditions.

The school where they impart Primary and Secondary classes to a little more than 60 students in each level is comprised of two sheds, without adequate improvements and lacking a stocked library.

The carpentry and metal shops have only rudimentary tools and scarcely 12 people work in them, directed by the inmates themselves.

Given the limited amount of space of Center, it lacks areas for recreation and in one of the "blocks" they set up a space to play basketball or football.

The dormitories, besides being insufficient and improvised, have been expanded to the detriment of the few open spaces. They are being constructed with easily combustible materials and without any order; electrical cables are found in ceilings, walls and floors, along with stoves with gas tanks within the dormitories themselves, which in the majority of cases serve the function of dining halls.

The kitchen is insufficient and anachronistic, with just one refrigerator in deplorable condition and serving the entire prison population; because of which the inmates themselves have improvised kitchens. Only one "block" has a dining room set up as such.

Fourteen children live permanently with the inmates, many of whom were born while their mothers were imprisoned, without having the opportunity for a better level of life; there exists a deteriorated place which the Director told us he asked the State DIF to rehabilitate to establish a nursery, but, to date, it is still lacking.

Conjugal visits are permitted two times a week but, due to a lack of adequate installations, these visits occur in the places where the inmates are confined.

In addition to the deplorable conditions that exist in the prison, it is necessary to

emphasize the existence of two punishment cells with dimensions approximately 1.2 x 1.2 meters, where last Wednesday, 29 August the Commissioners found, in one punishment cell known as "The Five," five people who stated they had been locked up five days, observing them apparently under the influence of narcotics, with precarious food and having to take care of their physical necessities in this place; in the other cell, called "The Six" was one inmate in the same condition as the foregoing ones, but totally naked, the Director himself stating that he is punished in this manner, that is, without clothes, in order to prevent him from committing suicide. According to reports of some inmates, they were given to know that various persons, without regard to sex, had remained up to two months in these cells.

On the other hand, there are inmates who enjoy privileges, such as air conditioning, refrigerator, television, stereo, etc., privileges which they stated were not free.

It was insistently mentioned that prostitution exists within the Center, patronized by the Director himself, in collusion with supporting inmates, who are called "Block Foremen," who, furthermore, are charged with applying the physical punishments which the authorities order to those who do not comply with them.

Together with the foregoing, they have received reports from inmates, female employees and suppliers of this same Center, in which they claim to have been treated in a vulgar way by the Director of the Center, Capitán Piloto Aviador Robert Gonzálex Saldívar; the women, having received indecorous propositions from him and, not accepting them, having suffered the consequences, which are mistreatment, dismissal and on up to suspension of pay. In the same way, others complained they had been extorted by the Director, through Comandante Leoncio Cruz Delgado, demanding different quantities through diverse schemes.

There exists medical evidence of lesions that some inmates have suffered who had opposed these pretenses, some of whom have sought recourse through *amparo* proceedings.

The work group that visited the Center was able to verify that the Director does not allow inmates or employees to communicate with him, treating them in an authoritarian and despotic way, which contributes to a general unrest.

III. JURIDICAL SITUATION

The population of the Center for Readaptation, Tampico, "Palacio de Andonegui," comprises 596 inmates, of whom 42 are women; 257 are in the process and 339 are sentenced, 271 being for federal crimes and 325 for common [state] crimes. These prisoners are not separated as required by Article 18 of the Constitution and are not provided with any legal advice.

In the months of August and September of the current year, seven inmates petitioned the District Judge of the State of Tamaulipas, for the aid and protection of the Federal Judiciary against acts of authority, consisting of the torments which they had been subjected to by the prison director, Capitán Piloto Aviador Roberto H. González Saldívar, who violated them by harming the guarantees of the petitioners contained in Article 22 of the Constitution.

The Director of said Center, rendering his report justifying his conduct before the District Judge of that State this past August 9, flatly denied the acts attributed to him, without providing any proof; however, such denials were weakened by the proofs and testimonies provided by the petitioners.

Petition number 533/90, interposed by Señor Tomás Sobrevilla, to whom the District Judge granted the aid and protection of the Federal Judiciary, has been resolved by means of a resolution dated 20 August 1990.

As to the other six persons, Señor Luciano Mascorro Cruz, petition number 578/90 and Señora Guadalupe Niño de Eng, petition 579/90; Señores Eliseo Olachia Ramírez, Francisco del Río Cordova, Juan Carlos Cruz del Angel and Jesús Pérez Vázquez, petition 635/90; the Judge decreed the immediate suspension of the claimed deeds, by means of resolutions of August 20 for the first two, and September 6 for the latter four.

IV. OBSERVATIONS

In the face of the panorama presented by the Center for Social Readaptation, Tampico, Tamaulipas, "Palacio de Andonegui," the National Human Rights Commission concludes that it is violating the fundamental rights of man and that it is impossible that a way of life like that which this Center provides can be

translated into an authentic program of social readaptation. On the contrary, the prisoners face social "deadaptation," and this process drags others into the system who should not be in prison, like their minor children.

As a consequence, and with the greatest respect, owing to the especially grave circumstances that prevail in said Center, this National Human Rights Commission makes to you, C. Constitutional Governor of the State, the following:

V. RECOMMENDATIONS

FIRST. Through the combined obtained evidences, such as documents, reports, interviews and visual inspection, it is recommended, in the first place, the immediate discharge from their posts of the Director of the Center for Social Readaptation, Tampico, Capitán Piloto Aviador Roberto H. González Saldívar, and the First Commander of the said Center, Señor Leoncio Cruz Delgado.

SECOND. Open an investigation into the presumably punishable acts that could have been committed and, if they are found to have been committed, charge those responsible.

THIRD. To submit to the consideration of the responsible authorities that Block Foremen who have been sentenced be transferred to other Social Readaptation Centers, since their presence in this prison has a negative impact due to the behavior problems they create. The foregoing should take place in accordance with the corresponding legal provisions.

FOURTH: Apportion the means necessary to the end that the Center for Social Readaptation has the resources for its adequate functioning and, if possible, its expansion, using lands adjacent to this same Center, modernizing its system and retiring the services of the punishment cells known as "The Five" and "The Six," since inmates are tortured in these.

I reiterate to you the assurances of my most distinguished consideration.

THE PRESIDENT OF
THE COMMISSION

DR. JORGE CARPIZO

[On letterhead of the National Human Rights Commission]

Mexico, DF, 4 March, 1991

Recommendation No. 12/91

Recommendation on the case of the Medical Center of the *Reclusorios* [prisons for detainees not serving sentences] of the Federal District

Lic. Manuel Camacho Solís
Head of the Department of the Federal District

Dear Mr. Regent:

The National Human Rights Commission, based in articles 2 and 5, fraction VII of the Presidential Decree establishing it on June 6, 1990, has examined numerous aspects related to the Medical Center of the *Reclusorios* in the Federal District, and viewing that:

I. BACKGROUND

The Lecumberri penitentiary was inaugurated at the beginning of this century, on September 29, 1900, and later became known as the "Black Palace of Lecumberri" because of the atrocities committed there.

This penitentiary ceased to function as such in 1957 and was converted into the Preventive Prison of the Federal District once the Santa Marta Acatitla Prison was inaugurated. The latter prison is still functioning today.

As the years passed, it was necessary to close down Lecumberri, so that the so-called "great prison reform" could proceed; before the new currents in humanism, it was thought necessary to modernize the procedures involved in the issuing of punishment. As a result, the law establishing the *Normas Mínimas sobre Readaptación Social de Sentenciados* (Basic Laws on the Social Rehabilitation of the Sentenced) was born. Its purpose was to organize the penal system in Mexico. This law filled a gap that had existed for many years.

In 1976 Lecumberri ceased to operate as a prison and its inmates were sent to the

modern North, East and South Preventive *Reclusorios*.

Parallel to the penal reform, the decision was made to comply fully with the legal stipulations in the area of penal matters, and on May 11, 1976, the Medical Center of the *Reclusorios* of the Federal District was installed. Its mission was to concentrate on the sick, deafmutes and *inimputables* [those who are not criminally responsible for their own actions, e.g. very young children, senile persons and the mentally infirm], whether they be *procesados* [those awaiting a trial] or *sentenciados* [the sentenced] and provide them with expert medical, surgical or psychiatric attention.

The benefit brought in by the new Medical Center was that mentally ill prisoners were removed from the prisons. This is not to say that it was an ideal means of controlling [someone with] a mental illness or allowing him to recuperate. Not [separating the mentally ill from the general prison population], however, can allow for their marginalization or stigmatization. This permits the non-sick [prison] population to take advantage of the situation and abuse the mentally ill, thereby violating the latter's basic rights.

In strict adherence to the law, [the Medical Center's] genesis was a great benefit for sick prisoners and their families. The law foresees the deprivation of liberty of *imputables* [those who are criminally responsible for their own actions] and security measures for the *inimputables*. This separation, of course, implies a differentiation that was well respected at the time.

This Center achieved renown in Latin America for the advanced technology implemented in its operation.

Unfortunately, this humanist conviction was frustrated in 1984 when the government decided to close the Center's doors, arguing that the Center's maintenance was very expensive.

Among the diverse proposals on the possible fate of this hospital was one to incorporate it into the IMSS (*Instituto Mexicano del Seguro Social* or Mexican Social Security Institute). It was decided, however, that it would be a propitious site for the inmates of the Women's Prison, which had been constructed in 1954, and that the "old" Women's Prison, located at the exit of Mexico City on the way to Puebla, would not be used further.

And so, the so-called Women's Prison was moved to the former facilities of the Medical Center, which is now the Federal District's Women's Center for Social Rehabilitation.

Consequently, the former Women's Prison has become a great depot of the Ruta 100 urban transport [system] and with the passing of time, its structure has deteriorated little by little. This jail, before its inmates were removed, needed some remodeling and adequate maintenance.

On the other hand, the current Federal District's Women's Center for Social Rehabilitation is inadequate. It was designed to be a hospital. For that reason, it is completely lacking in its function as a prison.

II. FACTS

The National Human Rights Commission has been able to determine the following facts, which allows us to come to the conclusions upon which we base our Recommendations:

The Medical Center of the *Reclusorios* of the Federal District, inaugurated in 1976, was constructed at a size of 20,500 square meters. The construction cost and equipment was approximately 200,000,000 pesos. The facilities permitted the attending of prisoners of jails in the Federal District who required psychiatric treatment and surgery. The mentally ill received much of the medical services.

In performing tests and treatment on the prisoners, an Interdisciplinary Council [*Consejo*] also participated in decisions regarding the release of prisoners.

[The Center] was constructed in two wings, one for aggressive sick prisoners and another for controllable ones. At the same time, it housed men and women, who were also separated.

Obstetrics-gynecological services, general medicine, operating rooms and intensive therapy were located in the principal tower, which today still serves -- precariously -- for medical services of the Women's Center for Social Rehabilitation.

Upon closing the doors of the Medical Center of the *Reclusorios* of the Federal District, this system took a step backwards; the prisoners who were there

receiving medical attention had to return to the Centers of Social Rehabilitation [*Centros de Readaptación Social* or CERESOs]. And even though separated from the *imputables*, today the mentally ill are incarcerated in a Preventive *Reclusorio*, contravening the law which stipulates that the *inimputables* should not be deprived of liberty, but rather subject to what the law calls "security measures."

This situation violates the individual guarantees of the sick, and a huge distance between family [and prisoner] is being created, causing an abandonment of the sick [prisoner], which further aggravates the problem.

On the other hand, the current Women's Center for Social Rehabilitation functions in what was a hospital. It lacks any possibility of [offering] social rehabilitation.

III. JUDICIAL STATUS

The Federal District's Penal Code for common crimes [*del fuero común*] and the Federal Penal Code, in the second title, chapter I, corresponding to sentences and security measures, in article 24, establish security measures as:

Internment, or treatment while free, of *inimputables* and those persons who have the habit or necessity of consuming narcotics or psychotropics.

Article 67.- In the case of *inimputables*, the judge will order the applicable method of treatment, either under internment or liberty, according to the corresponding procedure. If under internment, the *inimputable* will be interred in the corresponding Institution.

Article 69.- In no case will the treatment method demanded by the Penal Judge exceed the duration corresponding to the maximum penalty for the crime. If once this time has expired, the competent authority considers that the subject still needs treatment, he will place the subject at the hands of the health officials; they may proceed according to the applicable laws.

Once [this] legal base has been examined, it is evident that the stipulations regarding this topic are not being carried out fully and that both *imputables* and *inimputables* are being deprived of their liberty under the same conditions. In the case of this latter group, this results in grave abuses and violations of their human rights, in addition to the unsanitary and subhuman conditions under which the prison population lives.

IV. OBSERVATIONS

The Mexican Prison System, regarding the treatment of *inimputables*, advanced greatly between 1976 and 1984. In 1984, it took a big step backwards when it closed the doors of the Medical Center of the *Reclusorios* and suspended that Center's service. As a result, the *inimputables* and the sick were again sent to the Preventive *Reclusorios* and the Centers of Social Rehabilitation [CERESOs], which are not ideal places for the treatment of these persons.

Once the facilities of the Women's Prison were abandoned, this site became a depot for units of the Ruta 100 transport system. The installation has suffered serious physical deterioration over the years. As a result, it would be more expensive to repair it than to construct a new prison. Building a new one would allow for the use of grand advances in penal architecture and social rehabilitation. On the contrary, repairing the old prison would not allow for adequate security as regards social rehabilitation.

For the reasons mentioned above, Mr. Regent, the Commission offers with total respect the following:

V. RECOMMENDATIONS

FIRST. That a new facility, which would be the Federal District's Women's Center for Social Rehabilitation, be put into operation. Also, [the Commission] suggests that the new facility be located in the western part of the city.

SECOND. That the building currently housing the Federal District's Women's Center for Social Rehabilitation be restored as the Medical Center of the *Reclusorios*.

THIRD. That once the new Medical Center of the *Reclusorios* of the Federal District is operational, all *inimputables* and sick prisoners currently held in the different Preventive Reclusorios and Centers of Social Rehabilitation be moved there.

FOURTH. That the participation of the family of the subject being treated in the Medical Center's work programs be made obligatory, so that the dictated security measures achieve favorable results.

FIFTH. That the directors and personnel in charge of the Medical Center's

operation and administration (*Dirección Administración y Operación*) be highly qualified and [successfully complete] mandatory training courses, as is established in the corresponding Law.

SIXTH. That the Commission be kept informed of the compliance of the above-mentioned Recommendations.

SEVENTH. In accordance with Agreement number 1/91 of the Counsel of the National Human Rights Commission, I ask that you inform us of your response within 15 days of receipt of this Recommendation. Equally, I ask that, within 30 days of receipt of this Recommendation, you provide corresponding proof to the Commission attesting to the full compliance of the Recommendation. Failing to provide this information will be interpreted as a rejection of the Recommendation, and the Commission will be free to publicize that fact.

VERY SINCERELY YOURS,

[signature]
DR. JORGE CARPIZO
PRESIDENT OF THE
COMMISSION

THE PRISON PROJECT

The Prison Project, established in 1988, cuts across the five regional divisions of Human Rights Watch to focus on a single issue: prison conditions worldwide. The Prison Project has investigated conditions for sentenced prisoners, pre-trial detainees and those held in police lockups. It examines prison conditions for all prisoners, not just political prisoners. The work of the Prison Project is guided by the Prison Advisory Committee, whose chairman is Herman Schwartz. Other members are: Nan Aron, Vivien Berger, Haywood Burns, Alejandro Garro, William Hellerstein, Edward Koren, Sheldon Krantz, Benjamin Malcolm, Diane Orentlicher, Norman Rosenberg, David Rothman and Clarence Sundram. The director of the Project is Joanna Weschler.