



IGARAPÉ INSTITUTE
a think and do tank

**SN
32**

STRATEGIC NOTE 32

APRIL 2019



PRISON POPULISM IN LATIN AMERICA

Reviewing the Dynamics of Prison Population Growth

Carlos Vilalta and Gustavo Fondevila

Index

Introduction	1
Is rapid growth a problem?	2
How big and fast is the prison population growing?	3
The most likely explanation	6
The future of prison population growth in Latin America	7
References	9

PRISON POPULISM IN LATIN AMERICA

Reviewing the Dynamics of Prison Population Growth

Carlos Vilalta¹ and Gustavo Fondevila²

Introduction

Not much information can be found on the size and trends of the prison population in Latin America. Over the past few years, our knowledge base has started to increase. Now we know, with certainty, that prison populations have been growing much faster than the general population, and that their living conditions are extremely harsh.³ Thus it should not surprise us when we often hear of deadly prison riots happening in countries like Brazil, Venezuela, and Mexico, as consequence of overcrowding and poor living conditions. Although living conditions in prisons in the region are still appalling, rapid growth seems to have come to an end. Trend data suggests that the Latin American prison population rate has stabilized.

The objective of this study is to offer a data-driven review of the growth, trends, and the principle reasons behind the rapid expansion of the prison population in the region during the past two decades. A key factor appears to be

the rise of prison populism. We do not provide an argument for the recent decrease in the growth rate, it is too early to determine whether the recent slow-down in prison population growth is due to a regime shift in the time series, or the effect of random variation. Still, *ceteris paribus*, we provide a projection of the prison population rate for the region.

This Strategic Note fills a gap in the literature. Our particular contribution consists of the compilation on quantitative data of the region's prison population, with the purpose of providing a broad but novel overview of the rapid growth and challenges to a wide audience of researchers and practitioners worldwide.

1 Center for Research in Geospatial Information Sciences (CentroGeo), Mexico City, Mexico.

2 Center for Economic Research and Education, Mexico City, Mexico.

3 Bergman (2004); Carrión (2014); Vilalta; Fondevila (2013); Vilalta; Fondevila (2014).

Is rapid growth a problem?

More than 10.4 million people (including pre-trial detainees and convicts) are held in penal institutions worldwide.⁴ Of this, approximately 1.4 million (12.6%) are in Latin America. It must be noted that most of this growth has occurred in the last decade, and that the growth of this population (60.5%) is several times that of the general population (19.8%). Also, with the exception of the Netherlands, it seems prison facilities across the world are already operating at full capacity or are dramatically over-crowded.

A number of major concerns are often advanced when it comes to rapid growth of prison populations.⁵ One is inmate overcrowding. A key problem associated with inmate overcrowding is that it leads to the deterioration of living conditions and can contribute to a wide variety of mental and physical health problems.⁶

Other problems associated with prison crowding include the reduction in the quality of staff-prisoner relationships, inmate and staff safety, and prison services.⁷

The case of Mexico is particularly

disconcerting. Specifically, approximately 30.3% of all prison inmates in the country lack access to drinking water in their cells. More than half of those who have drinking water (59.2%) do not believe that it is safe to drink.⁸

It is often argued that low quality prison services can lead to a negative social environment, undermine rehabilitation and reduce the chances of inmates successfully re-entering society.⁹ In addition, prison overcrowding and the resulting environmental strain seem to trigger higher levels of inmate misconduct.¹⁰ However, it is also argued that the effect is not statistically substantial.¹¹ What is more, there are also concerns associated with litigation and overcrowding and increased (and unproductive) spending on criminal justice more generally.¹²

The negative effects of prison overcrowding have been observed after inmates are released back into society. If a history of incarceration already increases the likelihood of health problems¹³ prison crowding predicts higher rates of parole violations after release from prison, particularly for drug charges.¹⁴

4 Walmsley (2016).

5 Mitchell, (2014).

6 Al bertie; Bourey; Stephenson; Bautista-Arredondo (2017); Fazel; Ramesh; Hawton (2017); Pérez; Duque; López (2015); Rabe (2012); Ginneken; Sutherland; Molleman (2017).

7 Bergman (2014); Molleman; Ginneken (2015); Vilalta; Fondevila (2014).

8 Inegi, (2017).

9 Harding (2014).

10 Morris; Carriaga; Diamond; Piqueto; Piquero (2012); Steiner; Butler; Ellison (2014); Wooldredge; Steiner (2009).

11 Franklin; Franklin; Pratt (2006).

12 Guetzkow; Schoon (2015); Lugo; Wooldrege (2017).

13 Schnittker; John (2007).

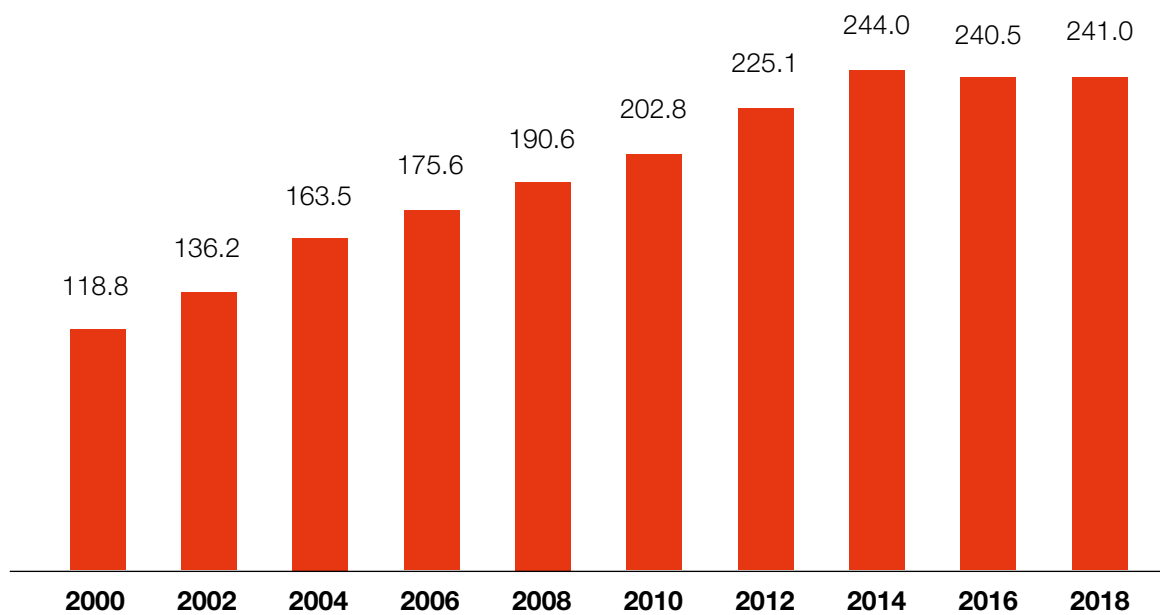
14 Ruderman; Wilson; Reid (2015).

How big and fast is the prison population growing?

In 2016, a total of 10.4 million people were recorded as held in penal institutions worldwide.¹⁵ The global incarceration rate was approximately 44 per 100,000 inhabitants. In Latin America, that is, the Spanish and Portuguese speaking portions of the American continent, the total number of prison inmates was 1.4 million, or roughly 241 inmates per 100,000 inhabitants.

The size of the Latin American prison population has doubled since 2000.¹⁶ No other continent has witnessed similarly high prison population growth rates. In Latin America, the prison inmates has grown faster than the general population. Moreover, prison inmates growth was accelerating until 2014, 2014, after which it started to slow and stabilize (Figure 1).

Figure 1. Incarceration rate per 100,000 in Latin America (2000-2018)



Source: Estimates based on Institute for Criminal Policy Research (ICPR) data and UN data. N = 19

¹⁵ Walmsley (2016).

¹⁶ Walmsley (2016).

We believe a plateauing of prison population rates was reached in 2018 (Table 1). It is likely that the prison population will continue increasing incrementally, likely at a rate of

0.1% a year. Despite this slow-down, Latin America’s prison population rate will still remain proportionately higher than the rest of the world.

Table 1. Latin America’s project prison population (2018-2030)

Year	Prison population	General population	Prison inmate Rate*
2018	1,487,767	617,224,891	241
2020	1,555,380	645,275,215	241
2022	1,626,065	674,600,312	241
2024	1,699,963	705,258,112	241
2026	1,777,220	737,309,183	241
2028	1,857,987	770,816,843	241
2030	1,942,425	805,847,288	241
Change	454,658	188,622,397	
Change (%)	23.4%	23.4%	

Source: Own estimates based on Institute for Criminal Policy Research (ICPR) data and UN data. N = 19

*Per 100 thousand inhabitants.

While these figures are worrisome, they are by no means representative of all Latin American countries. Each country has a different prison population rate and trajectory with a high concentration of prisoners in a small number of countries. The countries with the largest prison populations are nowadays Brazil, Mexico and Colombia, with 607,000, 255,000 and 121,000 respectively.¹⁷ These three countries account for 68.5% of the entire prison population in the region. Cross country variation is significant and not due to data validity issues.¹⁸

Figure 2 indicates that the highest prison population rates are concentrated in Central America, namely Belize, Costa Rica, El Salvador and Panama. But again, there is considerable variation within central America. Guatemala and Nicaragua are well below the regional average. Likewise, in South America, Argentina, Bolivia, and Paraguay register far lower prison population rates than their neighbors.

17 Walmsley (2016).

18 As The Institute for Criminal Policy Research (ICPR) collects valid and reliable data from primary sources worldwide.

Figure 2. Latin American prison population rates (2016)



Source: Institute for Criminal Policy Research (ICPR) data. N = 22 as it includes the Guianas and Suriname.

The most likely explanation

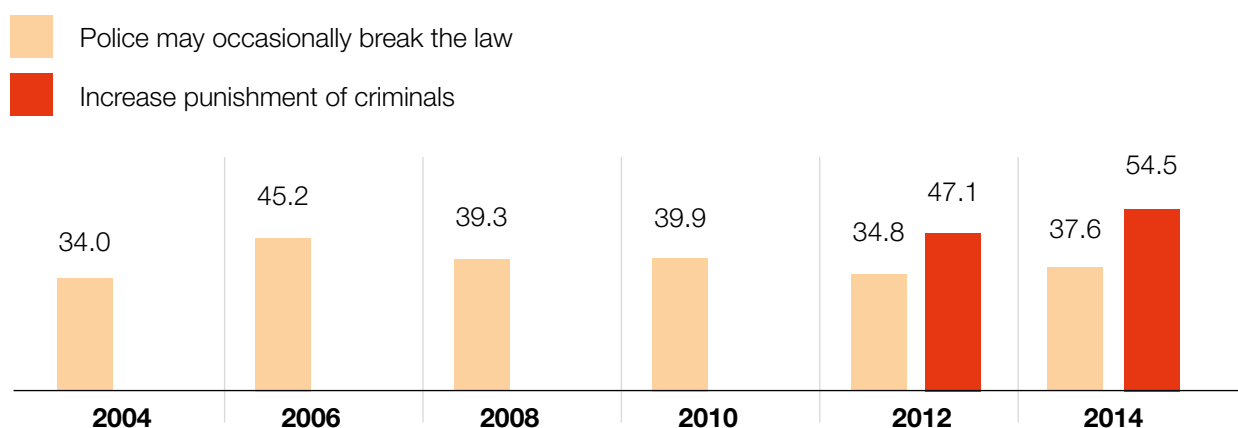
Latin America’s rapid prison population growth did not occur by accident. The Iron Law of Prison Populations states that the size of a prison population is determined by two factors: how many people go to prison and how long they stay.¹⁹ In this regard, it stands to reason that the growth is related to an increase in punitive attitudes and policies across the region.

The rise of punitive attitudes and policies in Latin America is well documented.²⁰ Among the reasons that might explain mass incarceration, are the failure of public institutions to adequately address to crime and poverty.²¹ There has been a noticeable rise in *mano dura* rhetoric across the region. The turn to repressive approaches to law and order is due in part to growing disillusionment with democracy, on the one hand, and deepening inequality on the other. It is likely

that neo-liberal economic policies pursued during the 1980s and 1990s are partly to blame.²² Sensationalist accounts of crime and victimization have also strongly influenced electoral campaigns and penal policy across the region.²³ The media has also played a role in exacerbating fear of crime and reinforcing punitive attitudes among the public.²⁴

Punitive policies could not develop without tacit support from the elites (from above) or the general population (from below). A considerable proportion of Latin Americans support “tough on crime” and punitive approaches pursued by law enforcement. More than a third of victims of crime are in favor of the police occasionally breaking the law to fight crime (Figure 3). In fact, the proportion of Latin Americans in favor of reducing crime by severely punishing criminals increased from 47.1% in 2012, to 54.5% in 2014.

Figure 3. Reported victim support for police ‘breaking the law’ to fight crime in Latin America (2004-2014)



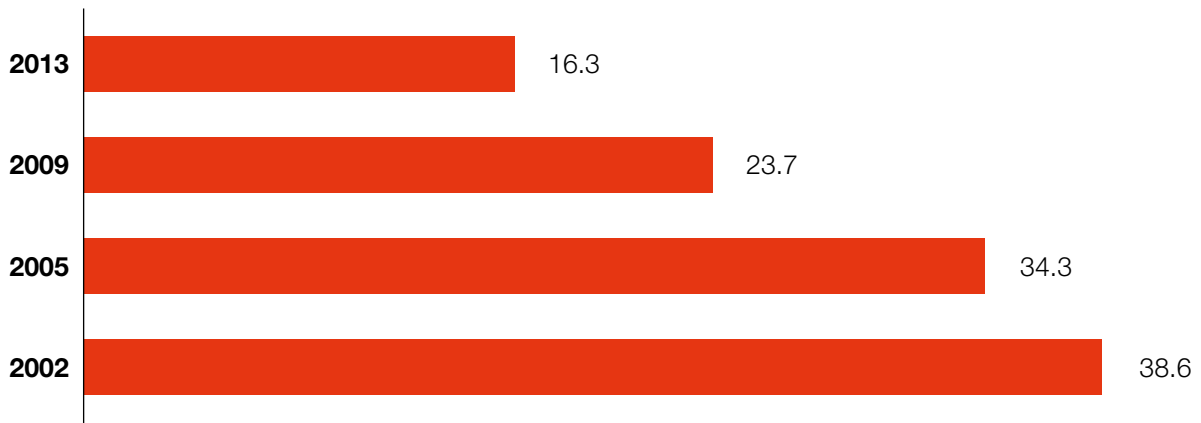
Source: LAPOP data.

19 Clear; Austin (2009).
 20 Barahona; Lejarraga (2011); Müller (2012); Hathazy; Müller (2016).
 21 Iturralde (2018).
 22 Beckett; Godoy (2008); Hathazy (2013).
 23 Müller; Sozzo (2016).
 24 Bonner (2018).

There are signs of increased tendencies of Latin American states to adopt punitive approaches²⁵ to controlling crime. In Mexico, this is evidence by an upward trend among judges to allocate ever harsher sentences.

Figure 4 shows that the average sentence for convicts that committed homicide in the Mexico City Metropolitan Area more than doubled between 2002 and 2013, rising from 16.3 years to 38.6 years.

Figure 4. Average sentence length (years) for convicts of homicide in the Mexico City Metropolitan Area (2002 - 2013)



Source: Calculations with the Mexico City and State of Mexico Prison Surveys.

The future of prison population growth in Latin America

We have provided evidence that rapid prison population growth in the region seems to have slowed since 2014. It is likely that Latin America's prison population plateaued in 2018. This was not the case at the beginning of the twenty first century. During the first decade of this century, the prison population was growing rapidly, even if it varied from country to country. While Latin America's prison population rates are still the highest in the world, they recently stabilized.

While Latin America's prison population rates are still the highest in the world, they recently stabilized.

25 Fortete; Cesano (2009).

The rise in prison populations appears to be connected to the concomitant rise in prison population. We have provided evidence of punitive attitudes in the region. These attitudes seem to be associated with low confidence in democracy and disenchantment with neoliberal economic policies. It may be that, given other circumstances, penal populism would not have developed in the manner observed in Latin America. Explanatory, explanatory research is needed to demonstrate if penal populism, as we argue here, was the main reason behind the rapid expansion of prison populations across the region.

An outstanding priority is to improve the living conditions of prisons. We have shown evidence of the negative effects of living in prisons under poor conditions such as overcrowding. Among the effects are mental health issues, exposure to high rates of in-prison victimization, inmate misconduct, and higher rates of parole violations. These effects may not be eliminated entirely, but perhaps attenuated by reducing prison overcrowding. Notwithstanding the exceedingly high levels of inmates and poor conditions, the stabilization of prison population growth is moderately good news for the region as a whole.

References

- Albertie, A., Bourey, C., Stephenson, R., & Bautista-Arredondo, S. (2017). Connectivity, prison environment and mental health among first-time male inmates in Mexico City. *Global Public Health*, 12(2), 170–184. <https://doi.org/10.1080/17441692.2015.1091023>.
- Beckett, K., Godoy, A. (2008). Power, politics, and penalty: Punitiveness as backlash in American democracies. *Studies in Law, Politics and Society*, 45, 139-173.
- Barahona, E., Lejarraga, S. (2011). Democracy and 'punitive populism': Exploring the Supreme Court's role in El Salvador. *Journal Democratization*, <https://doi.org/10.1080/13510347.2011.532615>.
- Bergman, M. (2004). Cárceles en México: un estado de situación. *Informe Presentado Para El Proyecto Prisons in Crisis*.
- Bergman, M. (2014). Cárceles en México: cuadros de una crisis. *URVIO - Revista Latinoamericana de Estudios de Seguridad*, 1(1). <https://doi.org/10.17141/urvio.1.2007.1054>.
- Bonner, M. D. (2018). Media and Punitive Populism in Argentina and Chile. *Bulletin of Latin American Research*. <https://doi.org/10.1111/blar.12744>.
- Carrión, F. H. (2014). ¿Por qué todos los caminos conducen a la miseria del panóptico? *URVIO - Revista Latinoamericana de Estudios de Seguridad*, 1(1). <https://doi.org/10.17141/urvio.1.2007.1050>.
- Clear, R., Austin, J. (2009). Reducing mass incarceration: Implications of the iron law of prison populations. *Harvard Law and Policy Review* 307-24.
- Fazel, S., Ramesh, T., & Hawton, K. (2017). Suicide in prisons: an international study of prevalence and contributory factors. *The Lancet Psychiatry*, 4(12), 946–952. [https://doi.org/10.1016/S2215-0366\(17\)30430-3](https://doi.org/10.1016/S2215-0366(17)30430-3).
- Fortete, C., & Cesano, J. D. (2009). Punitive Attitudes in Latin America. *European journal on criminal policy and research*, 15(1-2), 121-136.
- Franklin, T., Franklin, C., Pratt, T. (2006). Examining the empirical relationship between prison crowding and inmate misconduct: A meta-analysis of conflicting research results. *Journal of Criminal Justice* 34(4). <https://doi.org/10.1016/j.jcrimjus.2006.05.006>.
- Guetzkow, J., & Schoon, E. (2015). If you build it, they will fill it: The consequences of prison overcrowding litigation. *Law & Society Review*, 49(2), 401–432. <https://doi.org/10.1111/lasr.12140>.
- Harding, R. (2014). Rehabilitation and prison social climate: Do 'what works' rehabilitation programs work better in prisons that have a positive social climate?, *Australian & New Zealand Journal of Criminology*, 47(2), 163–175. <https://doi.org/10.1177/0004865813518543>.

Hathazy, P. C. (2013). (Re)Shaping the Neoliberal Leviathans: the Politics of Penalty and Welfare in Argentina, Chile and Peru. *European Review of Latin American and Caribbean Studies/Revista Europea de Estudios Latinoamericanos y del Caribe*, 5-25.

Hathazy, P., & Müller, M. M. (2016). The rebirth of the prison in Latin America: determinants, regimes and social effects. *Crime, Law and Social Change*, 65(3), 113-135.

Instituto Nacional de Estadística y Geografía, Resultados de la Primera Encuesta Nacional de Población Privada de la Libertad (ENPOL), INEGI, July 26, 2017.

Iturrealde, M. (2018). Neoliberalism and its impact on Latin American crime control fields. *Theoretical Criminology*, 1362480618756362.

Lugo, M. A., & Wooldredge, J. (2017). Overcrowding in prisons. In *The Encyclopedia of Corrections* (pp. 1–8). American Cancer Society. <https://doi.org/10.1002/9781118845387.wbeoc163>.

Mitchell, M. (2014). The rise in state prison populations. Retrieved 13 July 2018, from <https://www.cbpp.org/blog/the-rise-in-state-prison-populations>.

Molleman, T., & van Ginneken, E. F. J. C. (2015). A multilevel analysis of the relationship between cell sharing, staff-prisoner relationships, and prisoners' perceptions of prison quality. *International Journal of Offender Therapy and Comparative Criminology*, 59(10), 1029–1046. <https://doi.org/10.1177/0306624X14525912>.

Morris, R. G., Carriaga, M. L., Diamond, B., Piquero, N. L., & Piquero, A. R. (2012). Does prison strain lead to prison misbehavior? An application of general strain theory to inmate misconduct. *Journal of Criminal Justice*, 40(3), 194–201. <https://doi.org/10.1016/j.jcrimjus.2011.12.001>.

Müller, M. M. (2012). The rise of the penal state in Latin America. *Contemporary Justice Review*, 15(1), 57-76.

Pérez, Ó. M., Duque, D. V. C., & López, S. C. A. (2015). Riesgo suicida y depresión en un grupo de internos de una cárcel del Quindío (Colombia). *Revista Investigaciones Andina (En Línea)*, 13(23), 268–280.

Rabe, K. (2012). Prison structure, inmate mortality and suicide risk in Europe. *International Journal of Law and Psychiatry*, 35(3), 222–230. <https://doi.org/10.1016/j.ijlp.2012.02.012>.

Rudermar, M., Wilson, D., Reid, S. (2015). Does prison crowding predict higher rates of substance use related parole violence? A recurrent events multi-level survival analysis. *Plos One*. <https://doi.org/10.1371/journal.pone.0141328>.

Schnittker, J., John, A. (2007). Enduring stigma: The long-term effects of incarceration on health. *US National Library of Medicine National Institutes of Health*, 48(2), 115-30. <https://doi.org/10.1177/002214650704800202>.

Sozzo, M. (2016). Democratization, politics and punishment in Argentina. *Punishment & Society*, 18(3), 301-324.

- Steiner, B., Butler, H. D., & Ellison, J. M. (2014). Causes and correlates of prison inmate misconduct: A systematic review of the evidence. *Journal of Criminal Justice*, 42(6), 462–470. <https://doi.org/10.1016/j.jcrimjus.2014.08.001>.
- Van Ginneken, E. F. J. C., Sutherland, A., & Molleman, T. (2017). An ecological analysis of prison overcrowding and suicide rates in England and Wales, 2000–2014. *International Journal of Law and Psychiatry*, 50, 76–82. <https://doi.org/10.1016/j.ijlp.2016.05.005>.
- Vilalta, C., & Fondevila, G. (2013). *Perfiles criminales I: Frecuencias y descriptivos*. México: CIDE.
- Vilalta, C., & Fondevila, G. (2014). *Perfiles criminales II: Teorías, correlativos y políticas preventivas*. México: CIDE.
- Walmsley, R. (2016). *World prison population list* Institute for Criminal Policy Research. London.
- Wolf, S. (2009). Subverting democracy: Elite rule and the limits to political participation in post-war El Salvador. *Journal of Latin American Studies*, 41(3), 429–465. <https://doi.org/10.1017/S0022216X09990149>.
- Wooldredge, J., & Steiner, B. (2009). Comparing methods for examining relationships between prison crowding and inmate violence. *Justice Quarterly*, 26(4), 795–826. <https://doi.org/10.1080/07418820802427841>.

Other related publications by Igarapé Institute



STRATEGIC PAPER 38

Na porta de saída, a entrada no trabalho: políticas para expansão do emprego de presos e egressos no Rio de Janeiro

Dandara Tinoco and Ana Paula Pellegrino

(November 2018)

In Portuguese



STRATEGIC PAPER 36

La "Mano Dura": los costos de la represión y los beneficios de la prevención para los jóvenes en América Latina

Robert Muggah, Juan Carlos Garzón and Manuela Suárez

(May 2018)

In Spanish



STRATEGIC PAPER 33

Citizen security in Latin America: facts and figures

Robert Muggah and Katherine Aguirre Tobón

(April 2018)



IGARAPÉ INSTITUTE

a think and do tank

The Igarapé Institute is an independent think and do tank devoted to evidence-based policy and action on complex social challenges in Brazil, Latin America, and Africa. The Institute's goal is to stimulate debate, foster connections and trigger action to address security and development. Based in the South, the Igarapé Institute undertakes diagnostics, generates awareness, and designs solutions with public and private partners, often with the use of new technologies. Key areas of focus include citizen security, drug policy, cyber security, building peace and safer cities. The Institute is based in Rio de Janeiro, with personnel across Brazil, Colombia and Mexico. It is supported by bilateral agencies, foundations, international organizations and private donors.

Igarapé Institute

Rio de Janeiro - RJ - Brasil
Tel/Fax: +55 (21) 3496-2114
contato@igarape.org.br
facebook.com/institutoigarape
twitter.com/igarape_org

www.igarape.org.br

Art direction

[Raphael Durão - STORM.pt](#)

ISSN 2359-0998

www.igarape.org.br



IGARAPÉ INSTITUTE
a think and do tank