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Drugs and the Prison Crisis in Peru

“The degree of civilization in a society can be judged by entering its prisons.”

F. Dostoevsky

Latin America is the second most violent region in the world. The latest global report on homicides showed that 10 out of the 20 most violent countries in the world are located in Latin America, especially in Central America and the Caribbean.¹ Most of the violence is directly linked to drug trafficking and other crimes related to the production, trafficking, and sale of drugs.

Peru is the single largest producer and exporter of cocaine in the world, yet its homicide rates are below world and regional averages.² Official data from the Peruvian National Police (PNP) shows that increasing levels of property and personal crime are not directly correlated to similar trends in homicides.³ In fact, citizens’ concerns about insecurity are less focused on organized criminal activities but rather on the increasing levels of street violence, predatory crimes and specific property crimes.

What would be a sound explanation of such a situation? What elements of the Peruvian context explain lower levels of the use of violence despite increasing presence of illicit activities? There are no clear answers to those questions but lack of reliable data should be noted as an important factor that could be underestimating the magnitude of the problem.

Despite lower levels of violence, Peru has increasing trends in incarceration levels. Clearly lack of a sound governmental response to criminal issues has resulted in the enforcement of punitive populism⁴ by which the prison serves as a vessel for action and effectiveness. Similar

to the case of South African prisons, as analyzed by Buntman, in Peru, policies and practices of imprisonment reflect the societal structure of inequality. Almost all governments have consistently neglected the relevance of prisons; society in general does not recognize the role of prisons, and punitive populism is growing stronger.⁵ These elements have helped contribute to a general crisis of the prison system in Peru, which is characterized by high levels of overcrowding, minimal infrastructure, corruption and a complete lack of rehabilitation programs.

The crisis of the prison system is profound. Responding to this crisis requires strong and continuous political will to define and implement policies that could increase the number of prisons, improve living conditions in existing prisons, and focus on the most efficient ways to punish criminals. In the short and medium term, there is no sign that any political party or leader intends to take this crisis seriously by addressing the underlying causes of the problem.

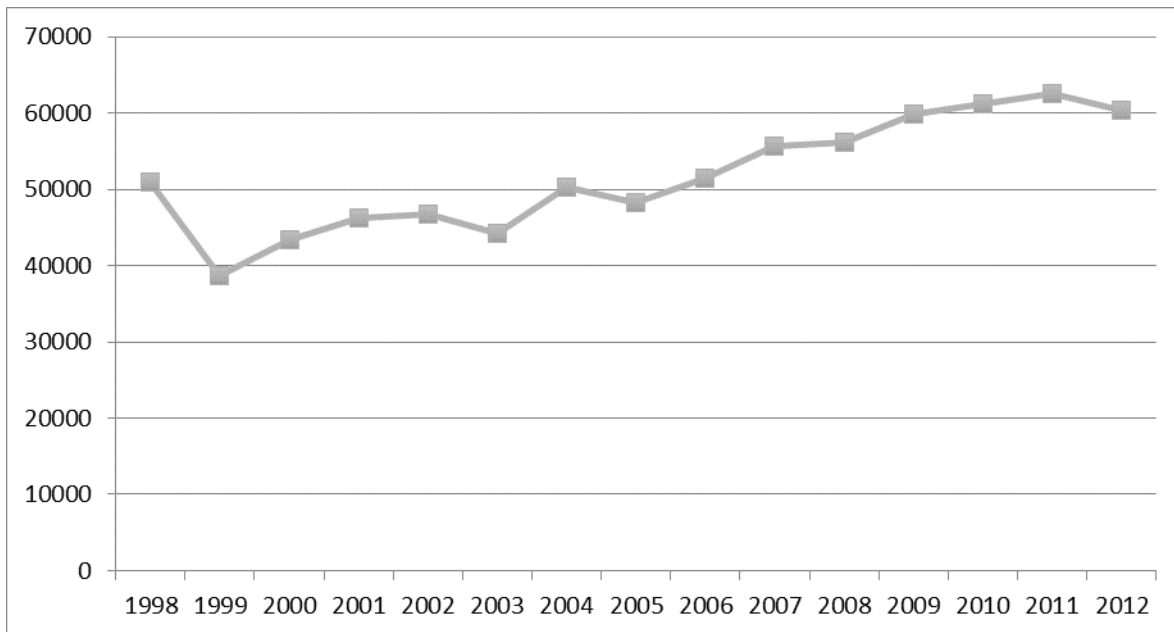
In this grim context, the relationship between organized crime, drug trafficking and prisons in Peru are key issues that should be researched in order to allow for better and more innovative policies. Lack of information and transparency with regards to criminal issues becomes a barrier to identifying not only the drug problem and general presence of organized criminal activities in the country but also hinders the development of solutions. Nevertheless, based on the information that is available, the present chapter is organized around four sections. The first section of the chapter analyzes the problem of crime as well as impunity by examining both official and secondary information that confirms that violence is increasing in the country and drug trafficking is playing a role in this process. The second section analyzes the Peruvian drug market, which is characterized not only in terms of its global role but also by the increasing consolidation of its internal market. The third section focuses on the Peruvian prison system, with an emphasis on the population charged with drug offenses. Finally, the conclusions focus on

potential innovations in the arena of public policy that could help address the aforementioned problems.

The Drug Problem

The 2013 World Drug Report named Peru as the world's largest grower of coca bush with an estimated 64,400 hectares under cultivation in 2011.⁶ Furthermore, Peru is the leading producer of dried coca leaf, with the potential to produce more than 126,100 tons annually. The same source estimates that more than 90 percent of that leaf goes toward the illicit production of drugs. Thus, the United Nation's figures indicate that Peru has once again ascended to reclaim its position as the leading cocaine producing nation in the world.

Graph 1. Area of Coca Cultivation, Peru (1998-2012)



Source: UNODC 2013

Even though consumption has decreased in the United States, the drug market of Peruvian cocaine has consolidated as a result of increasing demand in the world's second leading consumer of cocaine: Brazil. In that sense, the diversification of the drug market is a new

challenge for already weak institutions that cannot keep abreast of the technological innovations, diversification of strategies, and corruption schemes implemented by national and international criminal organizations.

National security is also challenged by the increasing presence of the cocaine market, since there are signals of an increasing involvement of remnants of the guerrilla movement Shining Path (*Sendero Luminoso*) in the drug trafficking business.⁷ During the 1990s, the insurgent group had indirect links to traffickers, most by selling their services to protect traffickers from the police and armed forces. In 2014, however, there have been clear indications that remaining members of the movement have links with foreign criminals and have become the intermediaries between peasants and cartels.

The drug problem in Peru is not only an external issue. There is mounting evidence that shows that the growing drug trade is expanding within the internal market and is causing increases in violence. According to a report published by CEDRO, cocaine use has increased by more than 60 percent in just three years -- from a rate of 1.5 percent of the population aged 12 to 65 in 2010 to 2.4 percent in 2013.⁸ Over the same time period, use of crack (*pasta base*) and marijuana jumped from 2.1 percent to 2.9 percent and from 5.6 to 7.5 percent, respectively. Furthermore, the highest prevalence of drug users live in Peru's main cities as cocaine and marijuana use in Lima stands at 5.1 and 8.9 percent respectively.⁹

Increasing availability of low-cost crack and cocaine has increased the number of drug addicts committing crimes such as robberies and assaults while under the influence.¹⁰ Another social malaise that is proliferating in Peru includes killings by *sicarios* (hired assassins), which increased by over 50 percent between 2005 and 2008. In many cases, these killings have targeted members of drug cartels from Colombia and Mexico.

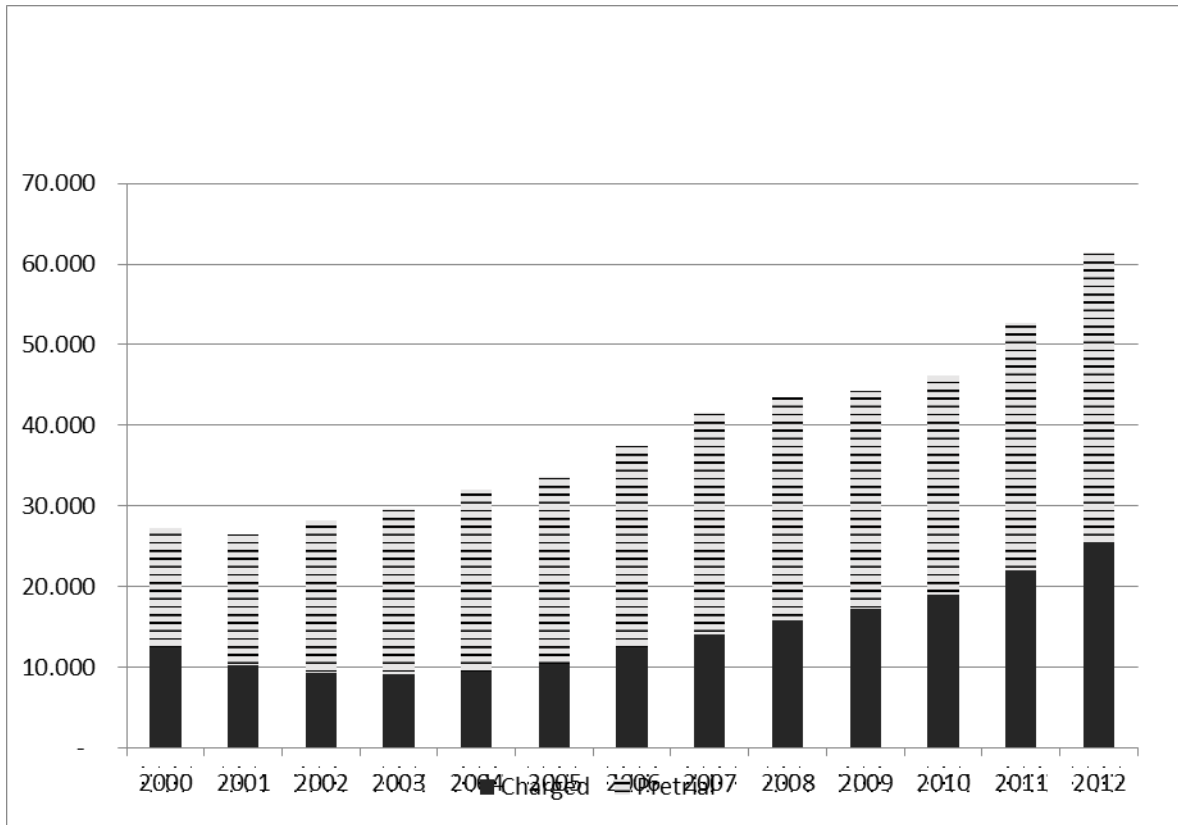
*The Peruvian Prison Crisis*¹¹

The crisis of the Peruvian prison system is evident with the national average rate of overcrowding in prisons being 119 percent. In fact, at the end of 2013 the number of beds available nationwide in prisons was 31,010 while the number of inmates reached 67,676.¹²

Many years of limited governmental funding to the prison system have contributed to increasing levels of overcrowding. For example, the number of beds available in the year 2006 was 22,548, which failed to respond to the need to accommodate 37,445 prisoners. The unresolved issue of prison overcrowding is exacerbated by the increasing number of people being imprisoned daily. The latest numbers show that between 2006 and 2012, the number of inmates inside the prison system almost doubled, increasing from 37,445 to 61,390 inmates. During the period of 2006-2013, the number of beds increased by 37 percent while the prison population grew by 80 percent. Every day there are more inmates than spaces that are being created for them, which over the years has led to a crisis of monumental proportions.

Furthermore, there is no clear link between the increasing number of people incarcerated and crime rates in the country. The increasing use of pre-trial detention for drug-related crimes can last up to 15 days.¹³ However, most of Peru's prisoners have not actually been found guilty of any wrongdoing and are awaiting trial. Figures from Peru's prison service estimated that by the end of 2013, around 59 percent of those currently in prison were awaiting trial. To further complicate the matter, the foreign inmate population is growing quickly. In the year 2013, foreigners represented 3 percent of Peru's total prison population, with half of them in pre-trial detention.

Graph 2. Prison Population, Peru (2000-2012)



Source: INPE, 2014.

The prison population is comprised mostly of men (94 percent) younger than 35 years-old (54 percent of whom only have a high school education). In most cases those being imprisoned in Peru are first timers (47 percent) who are not being separated from other inmates based on criminal records or criminological traits. In fact, as of 2014 no classification method exists that ensures that first time offenders are housed in separated areas from repeat offenders. Furthermore, of the 17,742 inmates that were released in 2012, around 12,000 had spent less than one year in prison. This goes against all empirical evidence that confirms that short periods of time in prison do have long-term consequences for those imprisoned as well as their families.¹⁴ In fact research done in other countries shows that short term sentences could do more harm than good, especially to non-violent inmates.¹⁵ If that is the situation in countries whose prison

systems are adequately funded and have acceptable living conditions, clearly short sentences for non-violent crimes will not be effective in overcrowded prisons. By the end of 2013 more than 6 thousand inmates in Peru were charged with crimes that carry sentences of 5 years or less. Also, of the number of inmates who left the prison system in the year 2012, around 68 percent (12,036 inmates) had been imprisoned for less than a year. It is worth mentioning that 5,731 people were inside the prisons for less than 3 months.

Punishment is a clear tactic in Peru. More than 41 percent of those sentenced were sentenced to more than 10 years, most of whom have no possibility of requesting any benefits such as early release for good behavior, which would allow them to leave the prison earlier. Inmates are incarcerated mainly for three types of crimes: property crime is the leading cause of imprisonment in Peru, accounting for more than 38 percent of the prison population, followed by drug-related crimes (25 percent) and sex crimes (21 percent).

The chronic problems of overcrowding, the poor living conditions of inmates and corruption in the penitentiary system have reached a crisis point. President Humala (2011 to present) recently declared a state of emergency in the country's penal system.¹⁶ The U.S. State Department's 2012 report on human rights in Peru¹⁷ stated that prisoners were vulnerable to abuse by guards and other prisoners and confirmed that prisoners who lacked money to pay for basic essentials experienced much more difficult conditions than those with funds. Another report stressed that inmates had intermittent access to potable water, inadequate bathing facilities, and unhygienic kitchen facilities. Furthermore, inmates with money had access to mobile phones, illegal drugs, and meals prepared outside of the prison.

The number of people who died within the prison system in 2013 reached 193. These deaths are associated with health problems of the inmate population. In fact, 89 percent died due

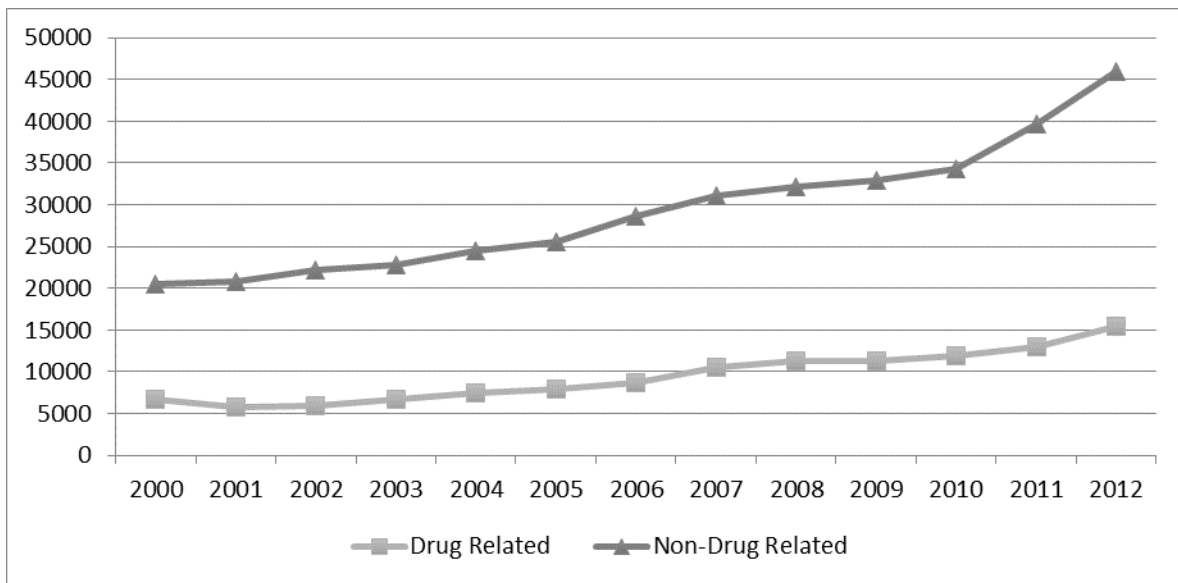
to health problems, with a disproportionate number of people affected by TBC (17 percent) and HIV (9.3 percent). Both illnesses require a strong health infrastructure that is not currently present in the prison system in Peru, where there is only one doctor for every 568 inmates in the country.

All available information depicts a grim picture characterized by overpopulation, substandard living conditions and the volatile mixing of violent and nonviolent criminals. Contrary to common perceptions, most of the inmate population is charged with petty crimes. These inmates find themselves sharing spaces with murderers, drug traffickers, and the leaders of criminal organizations. In this sense, prisons become “universities of crime” as non-violent inmates and first time offenders are housed with hardened criminals.

Prison and Drugs

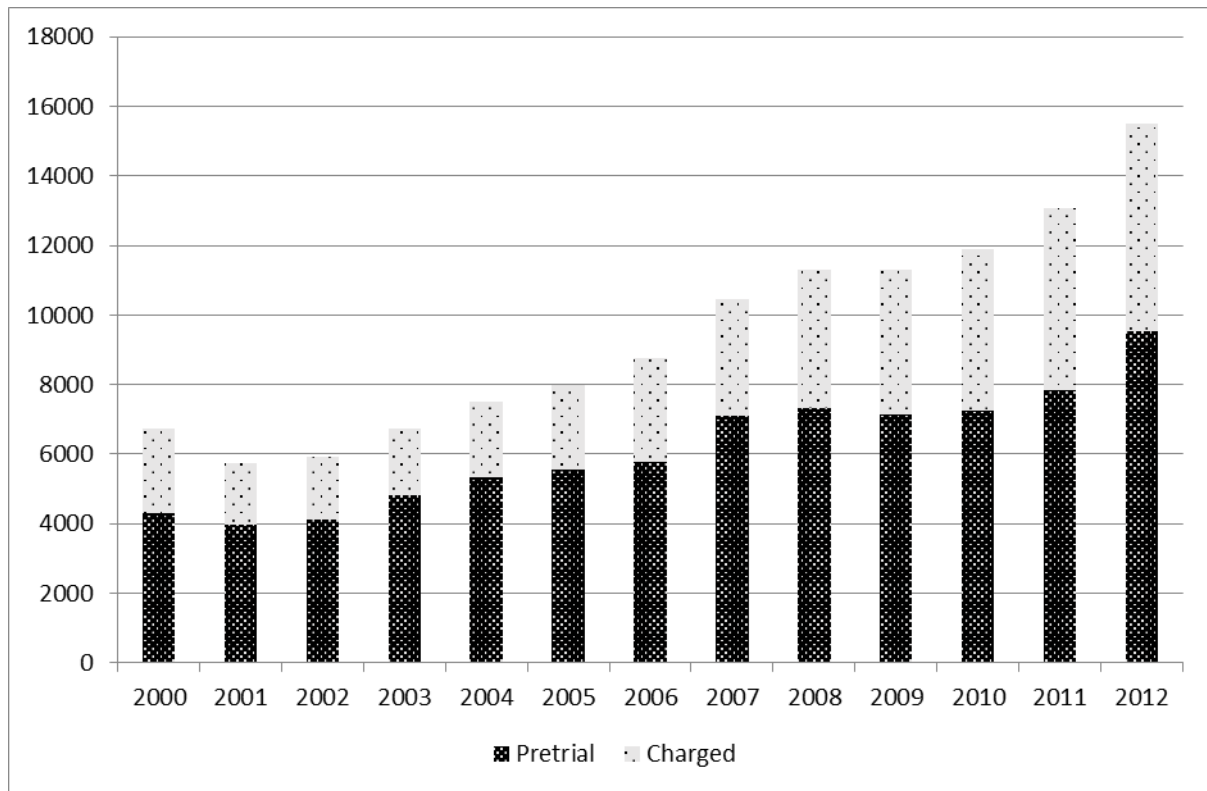
One cause of the crisis in the penitentiary system is the number of inmates imprisoned for drug-related offenses. It is quite striking that in 2012 only 4 percent of the total crimes in the country were linked to the drug trade, while the prison population incarcerated for drug offenses comprises 25 percent of the total prison population in the last decade. The following graph illustrates the increasing trend of imprisoning those linked to drug offenses.

Graph 3. Population imprisoned for drug-related crimes, Peru (2000-2012)



Source: INPE, 2014.

Graph 4. Prison Population, Non Drug-related and Drug-related, Peru (2000-2012)



Source: INPE, 2014.

Three key factors help explain the prison crisis and the importance of drug related offenses: The adoption of stricter laws; the increased use of pre-trial detention, and the increasing imprisonment of women and foreign nationals.

Criminal legislation on drugs can best be described as draconian. In the last two decades, legislation has resulted in increased penalties while removing and creating new types of crimes, all of which are linked to drug trafficking. Possession of drugs for personal use continues to go unpunished, and the law does not define precise criteria for police action. This situation opens the door for police corruption and allows for the abuse of those who possess drugs for personal consumption. An example of this punitive populism is a law approved in August 2013 that

included “aggravated assault,” “promotion of drug trafficking,” “extortion,” and “illicit association” as crimes without bail or any early release alternative. At the time around 16 percent of all inmates (10,416) were not able to receive any benefit to reduce their sentences, but with the new law, which was conceived for those who are already in the prison system, increased that percentage to 73 percent of all inmates (48,717). The scope of the crisis that this new juridical framework nearly created was monumental not only in terms of increasing horrible living conditions but also in terms of possible retaliations such as acts of violence from inmates that were expecting benefits¹⁸ The rapid response of INPE’s National Director changed the provisions for those already charged, but a crisis is unfolding since punitive populism is using penalties as the only tool to respond to general fear of crime.

In the same vein, pre-trial detention is widely used in the Peruvian criminal justice system. In 2013, of those who were in prison for drug trafficking and aggravated-drug trafficking, 56 percent and 48 percent respectively were awaiting trial. Therefore, more than 7,000 people were inside the prisons on charges that, in many cases, related more to drug consumption or small-scale trafficking operations than organized crime. Although there is no official data on recidivism, all experts interviewed stated that in most cases, prisoners make connections to criminal organizations, and risk further developing addictions, and are encouraged to be involved in criminal activities. This is exemplified by the increasing instances of crimes that are planned, supervised, and sometimes even carried out from behind prison walls.¹⁹

Another reason for the rising number of prisoners who are incarcerated for drug-related crimes is the growing number of foreign nationals arrested in Peru—primarily for cocaine trafficking. Potential profits from the illicit trade are high, but so are the penalties for those who

are caught and found guilty. This could mean 6 to 12 years in prison for possession with intention to traffic, or 8 to 15 years for drug production or trafficking. Peru's National Prisons Institute states that in 2013 more than 90 percent of the 1,696 foreigners in the country's prisons are either sentenced or awaiting trial for drug trafficking. In fact, 49 percent of all foreigners are in pre-trial detention with little or no legal aid and family support.²⁰

The participation of women in drug-related offenses is a trend that still receives little attention and even less governmental concern. Although women account for only 6 percent of the total inmate population, more than 63 percent of them are awaiting trial for drug-related offenses. Abominable living conditions, high levels of corruption, violence, and even drug trafficking in prison facilities for women affect their possible rehabilitation as well as the lives of the more than 200 children who were living inside the system at the end of 2013. Peruvian law allows incarcerated mothers to keep their children with them until they are 3 years old, but does nothing regarding the protection of children's basic human rights or providing the special care needed in order to allow them to develop a life separate from violence and criminal activities.

Organized Crime and the Prison Crisis

The prison crisis also has a strong institutional component. For decades, the system was abandoned by governments that did not invest in infrastructure or policies designed to address the growing inmate population. The National Penitentiary Institute (INPE) has not undergone significant modernization, and allegations of corruption, inefficiency, and ineffectiveness of its employees are alarming. At present, the total number of prison staff officers reaches 7,000,

which for a prison population of more than 67,000 signifies a ratio of one officer for every nine inmates.

Prison personnel are divided into three different areas: 59 percent are dedicated to safety, 22 percent to administration and 19 percent to treatment. Notably, personnel dedicated to security are hired under a job regulation called “24x48” (the officer works a full day and should rest for three days), which certainly impacts the institutional performance. Thus, at any given time in the country, no more than 1,400 guards are responsible for the safety of more than 67,000 inmates²¹. There is no doubt that this figure is inadequate for reducing insecurity behind the walls of the system.

Problems are also evident among the staff in the area of treatment. INPE official information states that Peruvian prisons only have one doctor for every 568 inmates, which contributes to the serious health problems described in the previous section. Despite the obvious need for more medical professionals and personnel, the emphasis has been placed on ensuring lower levels of violence within the prisons and preventing prison escapes.

Ensuring security within the prisons is virtually impossible under these conditions. As previously mentioned, from 2006 to 2013, the prison population grew from 37,000 to 67,000 and the number of beds from 22,000 to 31,000, which illustrates the government's inability or lack of will to build and develop new prisons²². The construction of the new projects has been particularly slow. Notably, an interview with the National Director of INPE confirmed that the governmental process for the construction of a prison generally takes more than a decade, which certainly does not create incentives for the inclusion of prisons on the list of administrative priorities.

Table 1. Building of new prisons in Peru, 1993-2013

TABLE 1. Building of new prisons in Perú, 1993-2013

Year of construction	Peruvian Departments	Beds
1993	Cajamarca, Huaraz, Pucallpa	1,238
1994	Callao, Chimbote, Huánuco, Piura	2,482
1995	Juliaca, Ayacucho	1,05
1997	Chachapoyas, Cañete, Tumbes, Huaral	1,816
2003	Arequipa	78
2008	Ancón I	972
2009	Ancón II	2,2
2011- 2013	General	4,072

Source: INPE 2014.

Not only have the most recent governments constructed fewer buildings, but also each one has adopted a different model of operations and has different levels of capacity. The fact that there is no clear pattern or protocol to build facilities generates multiple problems regarding safety and security measures. In that sense, each facility has its own security protocols and need specific training for guards and administrative staff. Lack of protocol is a problem that the penitentiary system faces in Peru at many different levels,

The Humala administration has emphasized the need for progress on the construction of new facilities. Information from INPE (2013) stated that projects for 2014 involve 1,912 beds that should be provided in the near future. Furthermore, future projects have planned for the creation of 3,997 new beds in 2015 and 5,463 in 2016. In that sense, during his administration, President Humala will increase the capacity of prisons by 15,444 beds by creating new infrastructure. Despite these programs, if current levels of inmates arriving to prisons each month is maintained at December 2013 levels, a total of 37,774 new inmates will be incarcerated during

the Humala administration (2011-2016). As a result, the proposed building plans will not change the current deplorable conditions that most inmates experience on a regular basis.

Allegations of self-government of prisons by inmates are constant and linked to prison-based criminal organizations that have been developed among inmates charged with violent crimes. The increasing presence of petty criminals, sex offenders, burglars, and small-scale traffickers may help contribute to this type of organizing within the prisons. In addition, overcrowding plays a role in the process of gang formation inside the prison system, as it can help to organize internal protection systems while facilitating access to drugs and other goods with the help of corrupt guards. In a cell that is inhabited by more than 10 people with little to no space for personal activities multiple activities to ensure informal internal safety are being developed. The second stage of the development of the prison-based gangs is the planning of crime inside and outside of prisons, with the most notable being extortion and kidnapping. Prison gangs involved in extortion and kidnapping have received extensive media coverage in 2013, though very little political attention.

Prison overcrowding can lead to less careful classification, monitoring, and managing of inmates with psychological problems or who otherwise pose a threat of violence to other inmates. Various studies have shown a correlation between population density in prisons and infraction and assault rates.²³ Studies also show that overcrowded and poorly regulated prisons tend to have higher rates of rape and sexual violence.²⁴ Thus, prison overcrowding can cause crime both within prison walls and after inmates are released.

The Peruvian prison situation differs from the situation in other countries such as Guatemala, Brazil, and Mexico where prisons are controlled by drug traffickers and organized

criminals with international links. The global pyramidal organization of drug trafficking does not have a Peruvian group in dispute over cocaine trafficking routes. Quite the contrary, there is a hierarchical organization of the drug trade that has the Peruvian groups at the base of the pyramid. Peruvians are specialized on coca plantation and some *burreros* (drug mules are the name given to those in charge of smuggling drugs out of Peru).

The prognosis is of great concern. Given the current conditions of the drug trade, with significant interventions in Mexico and Central America as well as the continued policies in Colombia, Peru has become a target for organized crime. This has occurred in a context of limited political interest in the prison system, low levels of investment in infrastructure, and a refusal to implement minor reforms to consolidate a public institution so that it will be prepared not only to punish criminals, but also to protect and rehabilitate them.

Challenges

Peruvian prisons are in a state of increasing deterioration and crisis at all levels. The investment in infrastructure is insufficient, overcrowding is an increasing trend, and rehabilitation programs form part of public policies but lack sufficient budgetary allocations and practical implementation. Overall, the quality of life of inmates is in a state of emergency. Furthermore, alternative sentencing programs that house a significant number of offenders have not brought about clear results and face the shared problem of institutional weaknesses that exists within the prison system.

A factor that further complicates the situation is the citizens' high perception of impunity. This perception has helped consolidate the idea that the only way to solve the problems

associated with crime is through the use of punishment and imprisonment. Therefore, in the last few decades, punitive populism has gained popularity at various levels of government as well as in the public sphere. Ironically, the underfunding of prisons has been one of the main consequences of the extensive use of punishment and pre-trial imprisonment.

This context has seen the creation of new types of crime, increased punishment and a proposed reduction of the age at which minors may be charged as adults. Discussions have also been held among politicians about the possible application of the death penalty for some specific crimes. At the same time, Congress has not conducted a significant analysis of the prison situation and the policies that are currently being implemented. In fact, yearly budget debates do not include the National Penitentiary Institute (INPE), as it is not seen as a relevant actor in solving this urgent matter.

The Humala Administration recognizes this problem and has proposed a plan for action. Although progress is slow and there is little political will to reform the institution, it should be noted that in the last two decades the importance of INPE was only apparent when the system faced tragedies such as prison fires or scandals especially linked to corruption. The proposed program to build new infrastructure is a step in the right direction, but it is insufficient to solve the issue of overcrowding. Overcrowding will remain at current levels or even increase, as many of the new prisoners will serve extended sentences with no access to benefits such as early release.

Focusing on the criminological characteristics of the prison population, it is clear that inmates are mostly linked to crimes against property and crimes with low organizational levels. Additionally, a large group of inmates are linked to drug-related crimes, but these are mostly

small-scale operators rather than large-scale drug traffickers and kingpins. It is worth noting that the strategy to combat crime has been concentrated on street crimes.

Official data also shows that many of those who enter the prison system are incarcerated for less than three years (INPE, 2013). This situation is aggravated when considering the group of inmates awaiting trial, who in some cases will be released after a short stay in the prison system. The main consequence is the process of criminal contagion that involves linkages among those charged and others awaiting trial. Furthermore, another negative externality is the consolidation of prison-based criminal networks.

It should be noted that unlike the prison situation faced by countries such as Brazil, Guatemala, and Mexico, the presence of organized crime inside Peruvian prisons remains weak. Prisons do not act as the main operational center for criminal activities occurring in urban centers. However, this panorama has begun to change.

As was seen in the previous sections, the situation has slowly evolved from a prison crisis where the inmates were running much of the internal organization of prisons, towards a better strategy of internal control. Corrupt officials have helped inmates gain access to drugs, phones, and even prostitutes. However, a much more sophisticated scheme has developed. Peruvian prisons have a self-developed management system among the inmates which helps oversee internal safety while bringing protection to criminal activity on city streets. Multiple complaints of extortion have been linked to prison-based gangs in recent years. The government, however, has been incapable of adequately tackling this problem.

Faced with this situation, policies have been centered on the transfer of prisoners between prisons. But little has been done to meet the institutional challenges of the INPE that require greater investment in new staff as much as training and better administrative tools to ensure

effectiveness. The corruption of officials is a problem of epidemic proportions and initiatives to deal with it have been ineffective.

Treatment programs are limited. In addition, prisons are overcrowded and lack the capacity to separate inmates based on their crimes. One area where greater emphasis should be placed includes women's prisons, which also face serious problems in terms of living conditions. Because mostly women involved in non-violent drug-related crimes inhabit these prisons, they are ideal places to implement mechanisms and practices to help inmates receive education and job training in order for them to become productive members of society.

The signs are negative and foreshadow a future characterized by an increased presence of organized crime within the Peruvian prison system. Unfortunately, those signs are not evident to most public policy decision makers. Especially to those in Congress that although the prison crisis, continue to increase punishment for all crimes.

The solutions are not simple. They required a change in the way citizens' perceive crime and punishment, especially imprisonment. For many Peruvians, prison has lost its rehabilitative function, serving as a form of punishment that does not address the roots of the problem. The effects of confinement are not evident, and the worsening of crime, corruption and above all the criminal contagion that affects hundreds of people daily is not taken into account by a frightened citizenry.

Politics are another critical area of concern. The political use of the topic of crime, limited expertise in the criminal justice sector, the lack of prioritization of investment in prison infrastructure and the lack of a clear perspective on alternative sentences are elements of a context with many challenges.

The complexity of the problem is enormous and requires creative and appropriate responses to crisis in the Peruvian penitentiary system. Deciding to use technology to monitor defendants under house arrest is one way. It is certainly not the solution to the problem, but it at least limits the criminal contagion and deteriorating prison conditions.

Another initiative that could be evaluated is the transfer of incarcerated foreigners to their home countries. This type of initiative has been utilized in other countries and could lead to a reduction in the rates of prison overcrowding, particularly in women's prisons.

Prisons desperately need a detailed review of the backgrounds of and procedures utilized for the entire prison population. This would allow for the identification of people who are in prison even though they have fulfilled their sentences or who are eligible to apply for some kind of benefit but have not been informed of the possibility.

Finally, contrary to what has been done with Peru's legal architecture, it is necessary to discuss the trend to limit all possibilities to early release or conditional release for those who commit offenses. International experience shows that beyond sexual or violent crimes, the path for convicted people living in prisons are multiple. Denying alternatives to imprisonment from the beginning for various offenses does not necessarily reduce crime but could even encourage the use of violence. This is especially pertinent for those whose crimes are drug related, whose hidden mental health problems or addictions, if treated, could lead to positive results.

If we continue to think of the prison as a remote, faraway place that is closed off from the rest of society, the situation will only continue to worsen. In Peru, the ground is fertile for a horizon of more violence and deterioration within prisons since the presence of organized crime is growing and criminal justice institutions do not show any sign of concern or effective course of actions.

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² Lucia Dammert, *Seguridad Ciudadana en Perú: las cifras del desconcierto*, (CAF, 2012). accessed march 10, 2014. http://www.academia.edu/2916705/Peru_Los_datos_del_desconcierto

³ The lack of reliable information in the criminal justice system in Peru is a problem that highly impacts policy design and implementation.

⁴ David Garland, *The Culture of Control. Crime and Social Order in Contemporary Society* (Oxford: University of Oxford Press, 2001). John Pratt, *Penal Populism* (New York: Routledge, 2007). Julian Roberts, Loretta Stalans, et al, *Penal Populism and Public Opinion* (New York: Oxford University Press, 2003).

⁵ Fran Buntman, “Prison and Democracy: Lessons Learned and Not Learned, from 1989-2009,” *International Journal of Politics, Culture and Society* 22, 3 (2009): 401-418.

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⁷ Phil Williams, “Insurgencies and Organised Crime,” in *Drug Trafficking, Violence, and Instability*, ed. Phil Williams, Vanda Felab-Brown. (U.S. Army War College Strategic Studies Institute, 2012), 34-36.

⁸ CEDRO, *El problema de las drogas*. (2013) El problema de las drogas en Peru. CEDRO: Lima.

⁹ For further information see: Carlos Alvarado, “Peru: Narco Trafficking Spawns Common Crimes,” *Infosurhoy.com* (2013).

¹⁰ Gino Costa, “Security Challenges in Peru”, *Americas Quarterly*, (2012). Accessed March 25, 2014 <http://www.americasquarterly.org/node/1900>

¹¹ This section is based on information requested to the Peruvian National Prison Institute (INPE).

¹² Data available by INPE at December 31 2013.

¹³ Francisco Soberon <http://www.druglawreform.info/en/publications/systems-overload/item/875-drug-laws-and-prisons-in-peru?pop=1&tmpl=component&print=1>

¹⁴ Camille Boutron and Chloé Constant, “Gendering Transnational Criminality: The Case of Woman’s Imprisonment in Peru”, *Signs: Journal of Women in Culture and Society*, 39, no. 1 (2013): 177-195.

¹⁵ For further discussion about the effects of incarceration and alternative programs see: Hilde Wermink, et al, “Comparing the Effects of Community Service and Short Term Imprisonment on Recidivism: A Matched Simplex Approach”, *Journal Of Experimental Criminology*, 6 (2010): 325-349; M. Lipsey, F. T. Cullen, “The Effectiveness of Correctional Rehabilitation. A Review of Systematic Reviews”, *Annual Review of Law and Social Science*, 3 (2007): 297-320; F. Losel, “Offender treatment and rehabilitation: What works? In: M.R. Maguire, R. Reiner (Eds.), *The Oxford Handbook of Criminology*, (Oxford: Oxford, 2012).

¹⁶ Amnesty International UK Blogs, *Peru’s Prison Conditions –a state of emergency*.

Accessed February 19, 2014 <http://www.amnesty.org.uk/blogs/belfast-and-beyond/peru%E2%80%99s-prison-conditions-%E2%80%93-state-emergency>

¹⁷ United States Department of State, *Peru 2012 Human Rights Report*. <http://www.state.gov/documents/organization/204682.pdf>

¹⁸ <http://elcomercio.pe/noticias/crisis-carcelaria-221000>

¹⁹ For more details see some news reports: <http://peru21.pe/actualidad/extorsiones-uso-anfo-y-polvora-aumentan-lima-2166173>, <http://www.larepublica.pe/24-07-2011/crece-ola-de-extorsiones-en-lima>, <http://elcomercio.pe/mundo/actualidad/coronel-linares-creo-poder-paralelo-region-policia-lambayeque-1-noticia-1675810>

²⁰ <http://www.theeuropean-magazine.com/sue-lloyd-roberts/7698-perus-drug-mules>

²¹ INPE 2013.

²² INPE, 2013.

²³ Gerald G. Gaes & William J. McGuire, Prison Violence: The Contribution of Crowding Versus Other Determinants of Prison Assault Rates, 22 *J. Crime & Delinquency*. 41, 41 (1985); Edwin I. Megargee, The Association of Population Density, Reduced Space, and Uncomfortable Temperature with Misconduct in a Prison Community, 5 *AM. J. CMTY. PSYCHOL.* 289, 295 (1977)

²⁴ Phil Gunby, Sexual Behavior in an Abnormal Situation, 245 *JAMA* 215, 215 (1981); Michael B. King, Male Rape in Institutional Settings, in *Male Victims of Sexual Assault* 67, 70 (Gillian C. Mezey & Michael B. King eds., 1992).