

Prisons of mexico compared to the united states



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Abstract

The following paper includes information on Mexico's and the United States' prison systems. We will take a look inside the prisons of Mexico and America and what adversary's inmate's face. In Mexico, human rights groups have criticized Mexico's law enforcement failures to provide justice to victims of violent crimes and human rights' violations. This results in crime victims having little trust in law enforcement agencies and this makes victims less likely to report crimes. The United States has been trying to help Mexico build civil society institutions and judicial systems since 2010.

Prisons in Mexico Compared to the United States

In Mexico and in the United States, inmates in prison have a lot of adversaries to deal with, whether it be gangs, riots, murders, unhealthy living conditions or forms of abuse. There are also different forms of police brutality that occur before these civilians have been incarcerated. We will take a look at how prisons in both countries are set up and some conflicts that occur in prisons. Finally, insight about women in prisons will also be discussed.

In August 2010, there was a large massacre that occurred in Mexico, done by the Zeta cartel (Moore, 2012). During this massacre, seventy-two immigrants were blindfolded and shot near San Fernando (Moore, 2012). Investigators have taken a look into the case and still have not found out what the Zeta Cartels motive was to annihilate these seventy-two immigrants (Moore, 2012). After investigators looked at this case, they discovered that the Zeta cartel had paid \$150, 000 a year to control a

Mexican prison known as Apodaca (located near Neuvo Leon) (Moore, 2012). It turns out that the Apodaca prison had a secret too large to contain; mass graves with hundreds of corpses on each side of the nation were found (Moore, 2012). The mass graves were found in Tamaulipas and Durango, and investigators are unaware of just how many massacres there have been (Moore, 2012). The mass gravesite located in Durango, has mostly cartel gunman corpses who were killed in secretive feuds and at the gravesite located in Tamaulipas, it is said that the corpses that remain there are of noncriminal bystanders, killed by the Zeta cartel (Moore, 2012).

Eventually, Alfonso Martinez, also known as, La Adrilla, was sent to prison in 2007 for a kidnapping charge, with four other members of the Zeta cartel (Moore, 2012). In 2008, a group men claiming to be with the FBI, pulled up to the prison in three different automobiles (Moore, 2012). When questioned, the guard on duty said that he went to the bathroom and was not on scene whenever the vehicles approached the prison (Moore, 2012). These men stated that they needed to talk to Adrilla immediately (Moore, 2012). The men came into contact with the keys and five Zeta members, along with Adrilla, had escaped without a single shot being fired (Moore, 2012).

Just by this short summary of an incident that occurred among gang members in prisons, one can see that the prison system in Mexico is very corrupt. The first reason being that a gang was basically buying the prison, so that they could have control over their cell blocks, and the second reason being that the guard on duty was not where he was supposed to be, or claims that he was not there. Mexico must become better at having more

control over the prisons or else nothing in the communities will change. The system will just continue to be corrupt, unless something is done about it.

Prison expansion is a large subject being talked about in the United States. In the United States, we believe that the expansions of prisons in depressed rural areas, will recreate more jobs and will revitalize the economy, although evidence shows that prisons do not show economic growth and can have detrimental effects (Reynolds, 2008). Outside the United States, other countries believe that prison expansion is a way to modernize prisons (Reynolds, 2008). Governments in Latin America, think that prison expansion will reduce overcrowding, corruption, and horrendous conditions (Reynolds, 2008).

The living conditions in Mexico's prisons are not too swell. In the Topo Chico prison, it has been reported that inmates are required to pay for a place to sleep (Liga Mexicana, 2015). This requires most of the inmates to sleep on the floor. In their cells, there is no air ventilation, water access, lighting, chairs, tables or closets (Liga Mexicana, 2015). Inmates in this prison also say that the quality and the quantity of the food is awful (Liga Mexicana, 2015). In larger prisons, only about one-third of inmates can be fed, due to low availability (Liga Mexicana, 2015). With the inmates who cannot be fed, they may be required to wait for a family member to bring them food or the inmates must buy their own food (Liga Mexicana, 2015). The findings of cockroaches and rats in Topo Chico is frequent as well (Liga Mexicana, 2015). There is hardly any access to water and most inmates do not shower regularly (Liga Mexicana, 2015). Feminine hygiene products are not supplied

by the prison, so female inmates either have to buy their own products or receive them from their families (Liga Mexicana, 2015).

The United States prisons living conditions are not much better than Mexico's. Correctional officers use Tasers and stun guns on inmate's way too often in prisons (Cruel, Inhumane, and Degrading Conditions, n. d.). Most of the time this can lead to unnecessary suffering and sometimes even death (Cruel, Inhumane, and Degrading Conditions, n. d.). In all countries, rape and sexual abuse occurs whether it be inmate-on-inmate, staff-on-inmate, or inmate-on-staff. In the United States, inmates whom are pregnant, have a mental illness, LGBT people, and people who have disabilities are often discriminated against (Cruel, Inhumane, and Degrading Conditions, n. d.). Abusive treatment such as shackling occurs. Finally, prisons in America have dangerous environments such as extreme heat or cold, a lack of basic cleanliness, and contaminated food (Cruel, Inhumane, and Degrading Conditions, n. d.). It is hard to provide every inmate with the medical care that they need, due to overcrowding purposes (Cruel, Inhumane, and Degrading Conditions, n. d.).

The Mexican Prison system is divided into two categories; state jurisdiction and federal jurisdiction (Liga Mexicana, 2015). With state jurisdiction, the states of Mexico make up their own laws (Encyclopaedia Britannica, 2018). They also look at each case that comes into the court individually, and then decide on a punishment based solely on that individual case. Federal jurisdiction is based off three branches, just like the United States (Encyclopaedia Britannica, 2018). The first branch is the judicial branch. The Supreme Court of Justice falls under this branch. The second branch is the

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legislative branch and the president of Mexico has the authority in this branch (Encyclopaedia Britannica, 2018). Finally, the last branch is the executive branch. The Congress of the Union falls under this branch (Encyclopaedia Britannica, 2018).

In the American prison systems, prisons are primarily used for punishment, deterrence, and rehabilitation (Bowman, 2018). The United States has the greatest number of incarcerated inmates around the world, sitting at 2, 220, 300 adults as of 2013. There are three types of prisons in the United States; minimum security prisons, medium security prisons, and maximum/supermax security prisons (Bowman, 2018). Minimum security prisons have a more relaxed exterior compared to the medium and maximum/supermax prisons (Bowman, 2018). Maximum/supermax prisons have layers of barbed wire, walls, lights, cameras, guards and attack dogs on the exterior (Bowman, 2018). Medium security facilities have the same exterior as maximum/super maximum facilities (Bowman, 2018). Inside maximum/supermax institutions, they are more concerned with isolation and deprivation (Bowman, 2018). On the inside, they have solitary confinement options available for those inmates whom cannot follow the rules and who always act out. Supermax prisons were supposed to serve as a deterrence but researchers suggest that they are not effective in reducing violence or disturbances within the general population. Although the exterior is the same, the interior is a bit different. The interior of medium security prisons has more school opportunities, more treatment, and church programming (Bowman, 2018). The cells inside are like dormitories or they are single cells. Some minimum-security prisons may have no walls or fence (Bowman,

2018). On the inside of these facilities, inmates can roam more freely, and they are provided with far more programming (Bowman, 2018). The inmates' cells are either single cells or they are like dormitories, just like medium security institutions (Bowman, 2018).

In jails and prisons, gangs have effective control of cell blocks and fight among themselves, triggering riots and murders and escapes. An issue with the Mexican prisons is that there is an excessive amount of overcrowding. There have been 29 inmates that have escaped from prison during the first half on 2017. Mexico's judicial system suffers from corruption and insufficient resources. Because of how corrupt Mexico's legal system is, two Mexican lawyers believe that Mexicans are more afraid of the criminal justice system than crime itself (Weissman, 2014). The thought of innocence exists in theory in the Mexican prison systems, but judges accept confessions through torture and other mistreatment (Weissman, 2014). This means that someone could give a false confession to make the torture and mistreatment stop, and judges would accept the confession. In Mexico, domestic and international scrutiny is questioned. This is because law enforcement does not adequately respond to crime and violence (Weissman, 2014). This happens because of the absence of legal rights and accountability (Weissman, 2014). Victims are very reluctant to go to authorities because of how corrupt Mexico's legal system is (Weissman, 2014). On multiple occasions, there was no justice brought to victims of violent crimes and their human rights have been violated (Weissman, 2014). There have been incidents reported where people have been taken from the streets without a warrant for no reason (Weissman, 2014). Officers have abused many of

these people who have been taken off the streets (Weissman, 2014). With these cases, these individuals due process rights have been violated.

In the United States, our legal system has failed in more ways than one. One way it has failed is because of police brutality. In the news, everyone hears about how police abuse their power and how people die from the misuse of force. In the United States it is illegal to coerce a confession from someone. A case that I know of, that was relooked at because of a coerced confession was the Brendan Dassey case. This case had to be relooked at due to a coerced confession from a minor whom also had mental disabilities. There have also been a few cases in which individual's amendment rights have been broken. Two examples include when a minor spent three years in jail, although he never received a conviction or trial, and a confession was beat out of a man and he spent thirty years in prison for a coerced confession (Flatow, 2013).

In American prisons, there are also gangs and gang violence throughout the institutions, although they are primarily in big cities and near the border. The Florida Department of Corrections, states that there are six prison gangs in the United States (Bowman, 2018). These prison gangs include: NETA (Puerto Rican American/Hispanic), the Aryan Brotherhood (Caucasians), the Black Guerilla Family (African Americans), the Mexican Mafia (Mexican American/Hispanic), La Nuestra Familia (Mexican American/Hispanic), and the Texas Syndicate (Mexican American/Hispanic) (Bowman, 2018).

Managers in American institutions try to control or suppress gang involvement in their facilities by identifying their gang members and leaders (Bowman, 2018). The correctional staff will then try and separate gang

members from the gang leaders. Since there is such a large amount of overcrowding, it is almost impossible to always keep gang members away from their leaders. American prisons are often underfunded and unfocused (Bowman, 2018). There is also a large amount of overcrowding and these institutions are extremely expensive to operate. Supermax facilities are the most expensive institutions (Bowman, 2018). These facilities expenses are not limited by incarceration costs, but also include costs associated with: abuse, violent treatment, being kept in dehumanizing conditions, threats to mental health, etc.

The first prison to be made for women in the United States was originally known as the Indiana Reformatory Institution for Women and Girls (Jones & Record, 2017). Before this institution was opened, there were an enormous amount of Catholic prisons open, dating back to the 1840's (Jones & Record, 2017). It was discovered that the women imprisoned were incarcerated because their sexuality offended mainstream society (Jones & Record, 2017). This means that if a woman were to be bisexual or lesbian, then they were arrested. It was found out later that the women whom were incarcerated, were never arrested for sex-related offenses, it was just because of their sexuality (Jones & Record, 2017). The women in Mexico prisons (and prisons across the world) have a high percentage rate of being incarcerated for drug related offenses. More than fifty percent of incarcerated women in the United States and in Mexico are imprisoned because of drugs. In Thailand, about sixty percent of women are incarcerated for drug offenses. A woman, Carmela Rodriguez, went to prison for two years for selling crack cocaine (Garsd, 2018). Recently a lot more

women have been becoming incarcerated due to drugs (Jones & Record, 2017). The numbers continue to increase.

As stated previously, women in prisons in Mexico are not supplied with the necessities that they need. Women are not granted free feminine hygiene products and may even become shackled (Liga Mexicana, 2015). There is a high rate of sexual abuse on female inmates, due to male correctional officers (Liga Mexicana, 2015). A decent proportion of female prisoners whom are incarcerated are dark skinned, poor, and are incarcerated for drugs (Diaz-Cotto, 2007).

In conclusion, both Mexico and the United States prisons are corrupt and need to be reevaluated. There are steps that can be taken to reduce corruption in prisons and they need to be done immediately. If we believe that nothing is wrong with the prison systems, then nothing will be done to change them.

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