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Mike Leffert

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## **21 Dead: El Salvador Starts Year of Peace With Worst Prison Riot in Years**

*by Mike Leffert*

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Rioting that began on Jan. 5 in El Salvador's Apanteos prison resulted in the deaths of 21 inmates. Reports indicated that this is another instance of the consequences of mixing members of gangs in the prison general population. A member of Mara 18 got into an argument with a guard, sparking fighting among members of different pandillas (gangs) who had gathered round. From that beginning, prisoners tore down flimsy interior walls with picks and hammers to get at other cell blocks as guards fled, leaving hundreds of inmates to battle among themselves with shovels, pieces of debris, and makeshift weapons.

It all began on a Friday night; by Sunday, 21 were dead. On Saturday, when officials regained control with the influx of hundreds of police, soldiers, and security guards, according to deputy police director Luis Tobar Prieto, the count was 17, with many injured. Four more died when police lost control again. Wilfredo Olivares, a government human rights attorney, said, "The information we have is that another revolt broke out in Sector 11, where they were safeguarding members of a gang."

Procuradora de Derechos Humanos Beatrice Alamani de Carillo called the mayhem "the worst massacre in recent years." She told reporters that she had been able to see "feet and heads under the rubble inside the cells." The prison is said to be the country's most dangerous. It has a capacity of 1,800, but the government's *mano dura* policy of jailing gang members indiscriminately (see NotiCen, 2004-06-24) swelled the census to more than 3,200. By some counts, El Salvador has about 9,600 gang members, of whom about 3,000 are in prison.

By Monday, Jan. 8, officials had once again declared the situation under control. "The prison is controlled," said Alberto Uribe, spokesman for the Direccion General de Centros Penales. "All 12 sectors have been searched, and the deaths of 21 inmates are confirmed." Uribe said that more than 2,000 officers and soldiers had been used during the weekend in the restoration and quelling operations, and more than 200 prisoners had been transferred to other facilities. The search also netted knives, machetes, and prison-made weapons. The bodies of the dead were in many instances disfigured.

### ***The government spins the story***

With the major action behind them, officials moved on to a damage-control phase of their own. Tobar denied spontaneity in the riot. "According to the initial investigations," he said, "the massacre was planned, since the subjects killed their victims selectively." Chief of the Direccion de Centros Penales Jaime Roberto Vilanova said the weekend's events were part of "plans of destabilization and escape by some inmates. The prison will be in a state of emergency for 15 days, and we will make several transfers to avoid more trouble."

Only Beatrice de Carrillo made mention of the precipitating conditions, pointing to the repeatedly criticized overcrowding and government policies. "These violent acts are a new sign that the penitentiary system doesn't work," she said, reiterating that it was one of the worst of the system's failures of recent times. She also called prison officials to task, saying that she was sending a letter to President Antonio Saca demanding their replacement with "professionals."

De Carrillo said that the role played by the prison officials "left much to be desired." As for what actually happened, "I don't know what to think of all that occurred," de Carrillo said. "First, they picked out 21 people to be executed, because they didn't die in a free-for-all. Second, the authorities allowed a lot of time for the prisoners to act with impunity on the others. So, either the authorities are completely inept or there are other, hidden, intentions." She also reported that she had begun to receive complaints about "disappeared prisoners" whose families were worried because the Apanteos officials would not tell them where they were. She demanded that Saca find some prison officials skilled in crisis management.

De Carrillo also charged that her work and that of her staff was running into official interference in getting to the facts. "Claiming security for me and my people, they did not let us verify the basic situation of the prisoners, either the injured or those who were transferred to the yards inside, who were treated like animals, all packed together, the ones with AIDS, and those in informal detention who had nothing to do with the riot. This is denigrating, because the state must guarantee their security," she said. Despite the lack of official cooperation, de Carrillo said she hopes to have a final report to present to the people, in which she could ascertain the causes of the riot and from which the responsibility of the officials could be determined.

De Carrillo will not be alone in trying to get to the bottom of the episode. The opposition Farabundo Marti para la Liberacion Nacional (FMLN) has also responded with a determination to get to the roots. FMLN deputies called the penal system's leadership negligent and irresponsible and said the officials would be called to testify before the legislature's security committee (Comision de Seguridad). Opposition Deputy Benito Lara told reporters the officials could have avoided the deaths if they had acted in a proactive manner, because there was some evidence that they knew of trouble brewing within the institution but failed to take action.

### *Changes needed, hearings to be held*

Lara said that, in addition to the security committee hearing, the issue would be brought before the Comision Nacional para la Seguridad Ciudadana y la Paz Social. He stressed the need for change in penal and security policy, where the central strategies would be prevention of criminal violence and rehabilitation of inmates, something that "does not exist in the anti-crime logic of the government of President Antonio Saca." Another legislative committee, Comision de Justicia y Derechos Humanos, announced on Jan. 9 it had scheduled a hearing for which Vilanova has been subpoenaed. Also to be called is the director of the Consejo Criminologico Jose Ediz Rodriguez. He is to testify on why so many inmates whose release documents have been processed have not been released from prison.

This hearing comes not at the behest of the opposition but at the urging of the Federacion de Asociaciones de Abogados de El Salvador (FEDAES). The lawyers want the Asamblea Legislativa

(AL) to pass a temporary decree that would free all those prisoners suffering from AIDS or terminal diseases, the aged, and the severely handicapped who have served more than half their sentences. These measures would clear some of the overcrowding in the institutions and have been in the works for some time, but prison authorities have dragged their feet in implementing them. Also to be called are prison supervisory judges.

### *Conflicting accounts and theories*

Meanwhile, prison officials say they have spoken to witnesses and obtained the names of some of the killers. "Already there are witnesses who say they have the names of those who encouraged the killings, those who chose who was to be killed, and who said, 'This guy, and that one, and that one.' Already there are indications, director Vilanova told me, of some people who lit the match, and those who could have been involved in the atrocious decision of who would be the victims," said Rene Figueroa, minister of public security and justice. Vilanova, however, was sticking to his original story, that the real precipitant was a planned jailbreak. "The prison started to be surrounded by minibuses, like what happened at Quezaltepeque before the discovery of the tunnel through which several prisoners were to escape. It was similar; several people moving extremely quickly outside the prison. These people already had buses rented to do that."

Another theory put forth by the prison authorities was that it was a vengeance operation put together by "an organized crime group that prevents the readjustment and rehabilitation of the inmates." The final theory so far expounded is that this was a "vendetta of maras against common criminals," Figueroa concluded. There has also been speculation that the whole thing broke out because of the planned introduction of blocking devices to stop the use of cell phones inside the prisons. The free use of the phones is said to enable prisoners to continue their criminal activities from the inside.

But whatever the proximate causes, government officials seem intent on ignoring the more fundamental elements of the violence in the prisons, or any relationship to the culture of violence in Salvadoran society. The closest Vilanova came to considering rehabilitation, reinsertion, or any sociological approach to the problem was, to the disgust of editorialists, the suggestion that mixing gang populations with common criminals was itself a rehabilitation measure. "This is the best way for the gang prisoners to achieve a re-education, reinsertion into the job market, and resocialization," said the official. The comment of Vilanova's was not a hastily contrived defensive blurt.

The admixture of gang members into the prison population was a policy executed last August, when the Direccion General de Centros Penales decided to abolish prisons exclusively for the gangs. Deputy director Gilbert Caceres admitted, "The idea was to strengthen social reinsertion through coexistence with prisoners known as civilians." Immediately after Caceres made this statement to the newspaper Prensa Grafica, Figueroa attempted to deny it, telling the paper, "The information we have is that the gang members were separated, they were not with the common prisoners." But just minutes later, the minister's spokesperson issued a correction, saying that the prisoners had indeed been mixed.

On Jan. 10, Apanteos warden Oswaldo Portillo gave an interview to Prensa Grafica in which he confirmed that prisoners were separated not by affiliation but by length of sentence, with the result that the approximately 700 gang members were distributed throughout the prison's sectors and that they were placed together even within the individual cells. Portillo also confirmed that prisoners had warned officials of the danger, but he downplayed this. "Some prisoners have always been fearful, especially those who had had problems with them [the gangs]. There are always comments like this, but I insist, the gang members were coexisting peacefully with the civilians and with each other. It was being monitored, and there had been some kind of comment, but nothing concrete."

The newspaper Diario Co Latino lamented the situation in an editorial saying, "The governmental authorities have been careful to characterize as an isolated event and not as part of the generalized violence in which the country has been living for the past two years, the massacre that occurred last weekend in the Apanteos prison." And it concluded, "Today, we must not only mourn the deaths of these 21 people but also that the Year of Peace starts out stained with the blood of a massacre."

El Salvador celebrates this year the 15th anniversary of the signing of the peace accords that ended its bloody civil war.

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