

Colombia's Mirror:

War and Drug Trafficking in the Prison System

Written by James Bargent
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AP image /William Fernando Martinez

Colombia's prisons are a reflection of the multiple conflicts that have plagued the country for the last half-century. Paramilitaries, guerrillas and drug trafficking groups have vied for control of the jails where they can continue to manage their operations on the outside. Instead of corralling these forces, prison authorities have joined them, while multiple government efforts to reform the system have failed.

The first explosions rang out shortly after the day's visitors had left Bogota's La Modelo prison on July 2, 2001. They were the opening shots of a battle that would rage inside for around 20 hours as Marxist guerrillas fought off an assault by right-wing paramilitaries, while the authorities watched, powerless to intervene.

The [attack began](#) when paramilitaries blew open the doors to the wings housing guerrillas with explosives and around 150 inmates poured in, assault rifles and machine guns blazing, and grenade launchers firing. Word of the assault had already reached the patio's 400 guerrilla inmates, who had retrieved their weapons from stash holes in walls, floors, and bathrooms, and had positioned themselves behind barricades.

By the time 500 police and guards retook the prison the following morning, ten lay dead, another 15 were wounded and the guerrilla wing of the prison was in flames. La Modelo was left as one more smoking ruin consumed by [Colombia's](#) civil conflict.

Fifteen years on, and a new investigation into the dark secrets of La Modelo (pictured below) has revealed this was no isolated event -- Colombia's war had entered the prison system.



Prosecutors are investigating the 2001 battle and two more massacres along with the disappearance of over a hundred people inside the prison as well as cases of [arms trafficking](#), drug trafficking, and [extortion](#). It was all part of an orchestrated campaign, says Carlos Villamil, director of the Transitional Justice unit of the Attorney General's Office, which is handling the case.

"People committing crimes inside the prisons is nothing new. What was new is that this was a paramilitary policy to position the organization internally to take over the prison system," he said.

According to Villamil, the orders came from the very top. The notorious Castaño brothers, Carlos and Vicente, who led the paramilitary coalition the United Self-Defense Forces of Colombia (Autodefensas Unidas de Colombia – [AUC](#)), had charged two [AUC](#) commanders imprisoned in the maximum security wing with taking and holding La Modelo.

The paramilitaries' ambitions were not limited to breaking the control of the guerrillas, says Villamil. They also controlled the prison drug trade, ran [extortion](#) networks, and even performed a key role in the [AUC's](#) external business.

“The prison functioned as a drug trafficking ‘collection office,’” he said. “If people didn’t meet their obligations in the drug trafficking business, [the imprisoned paramilitaries] would be responsible for collecting the debt.”

In a heavily pixelated video provided by the Attorney General’s Office, a demobilized paramilitary who was part of the operation describes the grim logistics of this business.

“They would capture people in the street who had an order to kill out on them, then they would bring them to the prison and disappear them,” says the witness.

“They would cut their throats, or drown them, then chop them up,” he adds. “Then they would disappear them in containers of waste food.”

La Modelo was the frontline in the paramilitary campaign to drive back the guerrillas and take over the prisons, but it was not the only battlefield. Other prisons such as [La Picota in Bogota](#) and facilities in the cities of [Barranquilla](#), [Popayán](#) and [Bucaramanga](#) also saw prison battles and dirty war tactics as the [AUC](#) tried to seize control.

The advances of the paramilitaries in the prison system mirrored the advances of the [AUC](#) across Colombia. Just as they did inside the jails, the [AUC](#) had built a dark alliance with drug traffickers and factions of the state and were driving the guerrillas out of their territorial strongholds with massacres, disappearances and assassinations.

The prisons were suffering from the same malady as the conflict zones: an absence of state control -- in the prisons a result of overcrowding and under resourcing -- had created a vacuum that was filled by corruption, armed groups, and organized crime.

This synchronization between the outside world and the prisons around the turn of the century was neither coincidence nor anomaly. Colombia’s prison system has long been a mirror to the country’s underworld and its civil conflict. Although the prisons have their own internal ecosystems of control and profit, who wields that power and how they wield it remains inextricably linked to events in the world outside.

Despite numerous attempts to reform the prisons, this dynamic largely continues to this day, and with both the war and the underworld currently on the cusp of seismic changes due to a peace deal with Colombia’s largest guerrilla group, the Revolutionary Armed Forces of Colombia (Fuerzas Armadas Revolucionarias de Colombia – [FARC](#)), [the aftershocks](#) are once again set to reverberate around the prison system.

Prison Power: From El Patrón to El Cacique

One of the earliest, and to this day the most lurid reflection of Colombia's underworld in its penitentiary system was an episode that would leave a permanent scar on Colombian thinking on prisons: Pablo Escobar and his personal prison, La Catedral, or The Cathedral.

By 1991, Pablo Escobar had spent over a decade as Colombia's king of cocaine, flaunting his wealth and power, and taunting an impotent state. However, after becoming bogged down in a war against the state in an attempt to prevent extradition of drug lords to the United States, Escobar brokered a deal: he would surrender, but he would not be extradited. Instead, he would be held in a prison designed and built to his specifications.



La Catedral (pictured) was a monument to the unchecked ego and power of Escobar and to a failing state that could not even incarcerate its most notorious criminal. Dubbed the “Maximum Comfort Prison,” [La Catedral was not so much a prison as a holiday home](#), complete with game rooms, a gym, a waterfall, and a soccer field. Escobar personally selected the prison guards, and they ensured the prison perimeter was porous, with everything from drugs to celebrity party guests passing through freely.

Escobar's luxury confinement lasted 406 days. He escaped La Catedral after the authorities, pushed into action by murders at the prison, attempted to transfer him to a common facility. He would spend the rest of his life on the run before the police finally caught up with him and he was gunned down on a Medellin roof top on December 2, 1993.

Nothing but the foundations and a single watchtower remains of La Catedral today. However, the episode's mark on the Colombian prison system endures thanks to two government responses to the debacle: the return of extradition, and the construction of new maximum security wings to house crime bosses and commanders of armed groups.

Outside of the prison walls, the fall of Escobar and his associates, and later his main rivals in the Cali Cartel, marked the end of the cartel era. Drug trafficking was no longer the preserve of monolithic criminal organizations that controlled every step of the supply chain, but of networks of smaller traffickers, less powerful but more agile and not as vulnerable to decapitation.

In addition, the boundaries between the worlds of drug trafficking and Colombia's civil conflict were eroding fast. The [FARC](#) was on the march, seizing up to a third of national territory in a rapid expansion largely funded by their growing involvement in the drug trade. Paramilitary counter-insurgent groups rose up to combat this advance, and they too formed a symbiotic relationship with the world of drug trafficking.

As a result, in the 1990s, the prisons filled up with guerrillas, paramilitaries and members of drug trafficking organizations, concentrating this volatile underworld dynamic within the prison walls.

Juan Camilo Hernández, a now demobilized fighter from the [AUC](#), entered this world when he was captured and sent to Medellín's Bellavista prison in 1997.

On his arrival, Hernández was escorted to an area reserved for paramilitaries, which was little more than a corridor in which each prisoner staked out their tiny plot of space and sought what privacy they could find with curtains or wooden boards.

“The fact that we were locked up did not mean we had lost the ideology of being a combatant, and the ideology of the [AUC](#) was to kill guerrillas”

Within the corridor, paramilitary discipline was maintained. Every morning they would line up and receive news of combat from the outside world, or be issued their jobs for the day. But discipline was not the only thing the paramilitaries sought to maintain.

“The fact that we were locked up did not mean we had lost the ideology of being a combatant, and the ideology of the [AUC](#) was to kill guerrillas,” he said.

Within the prison, the paramilitaries' mortal enemies were never far away. Hernández's wing, which in Colombian jail argot is known as a patio, also had a corridor populated by guerrillas of the [FARC](#), their smaller rebel cousins in the National Liberation Army (Ejército de Liberación Nacional – [ELN](#)) and urban rebel militias. However, the rivals for the most part observed an uneasy truce, as the patio did not belong to either side. It belonged to the Cacique, or Chieftain.

“When you enter the prison, the guards leave you at the door and from then on it is the Caciques that are in charge,” said Hernández. “The Cacique decides who can be in the patio and who can’t, who lives and who dies.”

In the Cacique system -- which persists in many prisons today -- each patio had one leader, a crown claimed by the prisoner who could best project their authority internally.

In some patios, the highest ranking guerrilla or paramilitary would assume the role. Once a patio was under the control of one armed group, the authorities and the Caciques would ensure any new arrivals from their enemies were housed elsewhere. However, other patios saw a blend of prisoners, in which case the Cacique would be the highest ranking member of the group with the most internal manpower and wealth, which in Bellavista often meant leaders of Medellin organized crime networks and gangs.

The hierarchies of the external underworld and the alliances between different networks ensured this rarely provoked conflict, Hernández explained.

“If a Cacique sees a person higher up enter, then they will negotiate with his people, [and] say, ‘You run the patio, but let’s talk,’” he said.

In the system, the Cacique oversees a sophisticated organization dedicated to two things: maintaining order and making money. At their disposal they have lieutenants, bodyguards, workers and even servants. If the prison authorities want to act in the patio, they must first negotiate with the Cacique.

Colombia's Prison System

PRISON POPULATION TOTAL <i>Including pre-trial detainees / remand prisoners</i>	120,173
PRISON POPULATION RATE <i>Per 100,000 of national population</i>	239
PRE-TRIAL DETAINEES / REMAND PRISONERS <i>Percentage of prison population</i>	32%
FEMALE PRISONERS <i>Percentage of prison population</i>	6.6%
JUVENILES / MINORS / YOUNG PRISONERS INCL. DEFINITION <i>Percentage of prison population</i>	0% - Responsibility of Centro Especializado para Adolescentes (CESPA)
FOREIGN PRISONERS <i>Percentage of prison population</i>	0.6%
NUMBER OF ESTABLISHMENTS / INSTITUTIONS	137
OFFICIAL CAPACITY OF PRISON SYSTEM	78,246
OCCUPANCY LEVEL <i>Based on official capacity</i>	153.6%

Source: Institute for Criminal Policy Research (ICPR)

insightcrime.org

From their first moments inside, the prisoners are aware of where the power lies.

“When you enter for the first time, they give you the rules. They say to you, “Look, this is how things are here,”” said Hernández.

The rules governing behavior in Bellavista were extensive and the punishment for breaking them was severe, ranging from a beating to a death sentence. Crimes such as theft and unauthorized murder were prohibited and even social norms such as not staring at other inmates’ female visitors were strictly enforced. The Caciques also took responsibility for prison rules such as attending the morning headcount and ensuring prisoners were confined to their cells at night.

The business of the Caciques, meanwhile, touched every aspect of prison life. Arriving prisoners had to pay for the right to a space to sleep, with options ranging from a tiny patch of floor to luxury cells. Those that could not pay would have to find space where they could, such as in a passageway or bathroom. Any prisoner with a business, such as selling water, washing clothes, or running food stalls had to pay for the right to operate. [Contraband](#), especially drugs and alcohol was the exclusive business of the Caciques. Even soccer tournaments in the patio were pay-to-play.

“With the Caciques, those that end up in prison sell their drugs, and they leave richer than when they entered,” said Hernández.

While the patios of Colombia’s prisons began to resemble the country’s war zones, those that directed the fighting often remained far from the front lines, living in relative peace and comfort inside the prison system.

The new maximum security wings, which were built in the wake of La Catedral, were initially installed in four prisons. But instead of isolating the country’s most dangerous criminals, they became luxury wings for the wealthy and the powerful.

Among the first inmates of these wings were notorious cartel leaders and commanders of armed groups. [According to an El Tiempo report from 2001](#), these prisoners enjoyed “bathrooms with luxurious wall coverings, wall-to-wall closets, ceilings decorated with plaster figures, Jacuzzis, saunas, gyms, and kitchens with private cooks.”

Not only did they enjoy a lifestyle of relative comfort, they were also free to run their operations both in and outside of the prisons with cellular phones and through the free flow of visitors.

Cali Cartel leaders like Miguel and Gilberto Rodríguez Orejuela, for example, were [convicted in the United States in 2006](#) of trafficking cocaine while imprisoned in



maximum security wings; the principal architect of the violence in La Modelo, Miguel Arroyave, alias “El Arcángel,” (pictured) gave orders from the comfort of the prison’s maximum security wing.

In 2001, the prison authorities, the National Penitentiary and Prison Institute (Instituto Nacional Penitenciario y Carcelario – INPEC) declared this luxury regime to be over. After consulting with United States experts, they announced a new program for High Security Wings (Pabellones de Alta Seguridad – PAS) in which security would be airtight and the prison rules would be rigorously enforced.

José Crisanto Gómez entered those same maximum security wings seven years later, and saw little sign that INPEC’s words had been turned into actions.

In 2008, Gómez was transferred to a maximum security wing after he was threatened by a [FARC](#) inmate over his case. He had been accused of [kidnapping](#) after the [FARC](#) left the sick baby of one of their most high profile hostages in his care.

First in La Picota and later La Modelo, Gómez, a poor peasant farmer from an isolated rural area, lived alongside commanders of both the guerrillas and the paramilitaries, leading drug traffickers and corrupt politicians and military leaders until his release in 2012.

The world of the maximum security wings Gómez found was far removed from the savagery of the Cacique run patios.

“It is no secret that prisons are very stratified,” said Gómez. “People of high security risk or with good names are never going to be taken to the patios.”

Each prisoner had their own private room and bathroom and access to a kitchen to prepare their own meals. They were largely left to their own devices inside the wing and any outside animosities were laid aside.

“There was no Cacique that had everyone imposing his rules. Everyone there got along peacefully,” said Gómez. “Things were very organized. There was this coexistence between the prisoners.”

The inmates made large payments to the guards to allow them to live how they pleased, Gómez said. This also involved bringing in contraband, including the top of the line

cellular phones they used to communicate with their underlings in the patios and their organizations outside.

Gómez, who was destitute at the time, also earned money in the wing, making enough to help his struggling family outside.

“I earned their trust and affection, and they trusted me to prepare their food and clean their bedrooms. I was like a domestic help,” he said.

However, there are some prisoners whose power was more ephemeral, the ones Gómez referred to as “the extraditables.” Extradition was reintroduced in Colombia in 1997, after years of wrangling in the wake of Escobar’s death. The speed and quantity of extradition proceedings has increased progressively since then and many underworld bosses now expect to spend a matter of months in the Colombian prison system before departing to the United States.

“They extradited a lot of people from La Picota,” said Gómez, “There were rounds of them. Some would go, and then more would arrive.”

Extradition altered the power dynamic in the prisons, especially as it related to the drug traffickers. From the moment they arrived, the clock was ticking for the extraditables. This sapped them of important social capital, helping open the door for other prison leaders to take command.

The Maximum Security Model

As the loss of control of Colombia’s prisons to Caciques and powerful maximum security inmates mirrored the Colombian state’s slippery grip on much of the country, so did the solution the government employed.

In 1999, the Colombian president announced a new deal for a multi-pronged US aid package. The program, which would come to be known as [Plan Colombia](#), would see [\\$10 billion](#) of largely military aid transferred to Colombia over the following 16 years.

Plan Colombia included funding for the prison system, and in 2000, Colombia’s Ministry of Justice, the US Embassy and the US Federal Bureau of Prisons launched “The Program for the Improvement of the Colombian Prison System ([pdf](#)).”

According to the policy document, the aim was “to consolidate strategies aimed at controlling illicit actions committed from the interior of the prisons by persons that belong to groups on the margin of the law and that are related to the [narcotics] traffic and crimes against humanity.”

The program included funding and logistical support for the construction of a series of new prisons and maximum security wings in existing prisons based on US facilities, as well as training for prison staff.

The push for the “New Penitentiary Culture” the program was supposed to usher in continued after direct US involvement ended through new prisons and wings built as part of Colombia’s National Order Prison Establishments (Establecimientos de Reclusión del Orden Nacional – ERON) program, which was based on similar designs and philosophy.

The new facilities followed the security first logic of the US prison system and introduced a raft of new security features and measures. The crown jewel of the new

system was Cómbita in Boyacá (pictured), which was built to house the country’s most dangerous criminals and included three rings of perimeter security, four rings of internal security and technology such as motion sensors, high resolution security cameras, x-ray scanners, and electronic locks.



However, the US-style harsh security regimes have proven highly controversial with human rights groups, who claim they have led to prisoner abuse and represent the abandonment of ideals of preparing prisoners to return to society.

“It is undeniable that there has been a certain reduction in violence, but at what cost?” said Alexandra González from prisoners’ rights group the Committee for Solidarity with Political Prisoners (Fundación Comité de Solidaridad con los Presos Políticos – FCSP). “The prisons have lost the aim of re-socialization and have become prisons that punish inmates through security measures.”

The first new facility built with US designs and staffed by US trained guards has become one of Colombia’s most notorious prisons. Human rights groups that have entered the facility in the northeastern city of Valledupar, colloquially known as La Tramacúa, have [condemned the prison](#) for its hellish conditions, rampant abuse of prisoners and denial of even the most basic prisoners’ rights.

By 2014, La Tramacúa was the subject to a [ruling by the Constitutional Court](#) ordering the closure of the prison within 12 months if it did not “overcome the massive violation of human rights” going on within its walls. However, campaigners say the prison has yet to comply with the ruling, and the prison remains open.

The impact has also been patchy as it has left Colombia’s system as a hodgepodge of different security regimes, some of which function well, many of which do not, says architect Oliverio Caldas, who helped design two of the ERON facilities. When Caldas visited one of the facilities he worked on years later, he discovered these stark contrasts are sometimes even evident within the same facility.

The old part of the prison continued to function with the prisoners self-governing, without uniforms and handling money and an impressive quantity of other things,” he said. “In the new part, they were in uniforms and did not handle money. It was like they were two completely different regimes.”

In addition, any security success the program has had has been undermined by two curses of the Colombian prison system that it has proven incapable of overcoming: overcrowding and corruption.

Despite the new prisons, overcrowding has only got worse since the start of the program. [According to Colombia’s Ombudsman’s Office](#) (Defensoría del Pueblo), in 2003, the standard prison system was at 130 percent of its capacity, with 58,977 prisoners in a system built to hold 45,308. [By 2014, this had risen](#) to 153 percent, with 117,018 prisoners in a system built for 76,553.

While such overcrowding exists, some level of prisoner control is all but inevitable no matter what the security measures, argues the FCSPP’s González.

“In some way [the authorities] have promoted this logic of prisoners’ self-organization in the sense that without it, the penitentiary system would have been flooded decades ago because it is impossible for five guards to control 1,000 inmates,” she said.

While overcrowding made many of the new facilities ungovernable, widespread corruption ensured that in wings with no such problems, the security aims of the prison plan still often fell well short.

Even the supposed fortress of Cómbita has not been immune. A recent [surprise raid by the police and INPEC](#) in the maximum security sector busted an [extortion](#) ring operating from within the prison and seized cellular phones, tablets, acrylic keys for the doors, weapons, marijuana, and cocaine.

As Jose Crisanto Gómez witnessed, the maximum security wings that were a central part of the new prison plans became the biggest hubs of corruption as the wealthy inmates made for lucrative business opportunities for the guards.

“The corruption inside prisons through INPEC itself is incredible. It’s huge. The extent of it has never come out publicly,” he said.

Evolving Underworld, Evolving Prisons

After the peaks of violence seen at the turn of the century, there were some improvements in Colombia’s prisons, especially as it related to inmate security. By 2003, the spectacular battles that had raged in Colombia’s prisons were increasingly rare.

Prosecutor Carlos Villamil attributes this to government intervention.

“A lot of the inmates were transferred to different prisons and after that things got better,” he said.

However, guerrilla prisoners claimed they were transferred more than the paramilitaries and accused the prison authorities of openly conspiring with the paramilitaries against them, a claim [later seconded by demobilized paramilitary commanders](#).

“Those responsible for three massacres that have claimed over 50 lives in patios 4 and 5 of La Modelo are allowed to stay in the prison,” reads a letter sent by a guerrilla prisoner to the INPEC director general in May 2000. “While in the case of the [FARC](#) and the [ELN](#), they are trying to send them to other prisons in order to eliminate their physical presence.”

For Alexandra González, the military strength of the paramilitaries and the breaking up of concentrations of guerrillas meant the violence dissipated, not because the state had



reclaimed the prisons, but because the paramilitaries had essentially won the war.

“The [FARC](#) became a much smaller group that still generated resistance, but it was no longer an armed resistance,” González said. “It was a more a logic of survival than trying to confront the group that had seized power.”

With the [FARC](#) a weakened force, in 2002 a new external process began that would also alter the dynamic for the paramilitaries and ultimately usher in a new era for both the prisons and the underworld: the [AUC](#) negotiated their demobilization (pictured).

Under the terms of the agreement struck between the [AUC](#) and the government, paramilitary leaders were to serve five to eight-year prison sentences, with the top commanders to be secluded in a special detention center. Then President Álvaro Uribe promised it would be no easy ride for the paramilitaries “in contrast with the country’s experiences with La Catedral.” However, his words proved shallow.

Even after the leaders were transferred to normal prisons when the government claimed it had caught wind of escape plans, it rapidly became clear that not only were [AUC](#) leaders living privileged lives inside the prisons, they were also continuing to direct the criminal activities of networks of paramilitaries that had rearmed or never truly demobilized following the accord.

Within the prisons, [AUC leaders maintained](#) armed guards, offices, communications equipment and in some cases an entire support network in the surrounding area outside. They operated with impunity thanks to what was [labelled their “parallel payroll”](#) for prison officials and even more troublingly thanks to alleged top level political support. [Recordings obtained by Colombian media](#) showed how even the directors of the prisons that held the [AUC](#) warlords despaired over their helplessness in confronting the paramilitaries.

“It is getting worse every day. They change the orders every day,” said the director of Itagüí prison in a phone conversation with a colleague in 2007. “If I say no to something, then straight away I will get a call from the [INPEC] director general, the commissioner [for peace], a minister; or if not them, then the president.”

However, in May 2008, the government took a sudden and unexpected decision that would prove a watershed moment in the evolution of Colombian organized crime and the prisons: [it extradited 14 of the AUC’s top leaders](#) to the United States, accusing them of breaking the terms of their agreement with the government and continuing to operate from prison.

The rearmed paramilitary networks were suddenly cut adrift from their leadership and to some extent their paramilitary roots. Former mid-level [AUC](#) commanders stepped into the vacuum, triggering the evolution of the newest mutation in the Colombian underworld -- paramilitary-criminal hybrids known as the BACRIM, a play on the Spanish for “criminal bands.”

The criminal reigns of many of the leaders of the BACRIM have been short and numerous important figures from their ranks have passed through the prison system. As with their predecessors, many have enjoyed the comforts of maximum security wings, from where they have continued to direct violence on the outside and have even brokered criminal pacts with imprisoned rivals, [according to media investigations](#).

However, the ever quicker extradition process means their stays in Colombian prisons are transitory, and they are often sent to the United States after a matter of months, limiting their ability to influence life inside and out.

“They charge taxes. They have every type of business with the guards, such as telephones, drugs”

In many of the prison patios, the rule of the Cacique remains in place, and prisoners report it remains largely unchanged.

“The Cacique’s organization doesn’t allow the prisoners’ struggles for rights. They charge taxes. They have every type of business with the guards, such as telephones, drugs, etc. They pay the guards weekly bribes out of the taxes they charge prisoners, and if anyone is not in agreement with this, they beat them indiscriminately,” reads a 2015 letter from guerrilla prisoners in La Picota to a prisoners’ rights group.

If anything, the Caciques’ operations have [become even more sophisticated](#). Overcrowding has made them landlords, and assigning living space has evolved into finely tuned internal criminal estate agency. Meanwhile [extortion](#) networks have expanded to include everything from visiting rights to access to medical supplies.

The rules governing the selection of each patio’s Cacique remain largely the same, but the new external dynamic has altered the pool from which they are drawn.

The BACRIM are much less centralized organizations, with local factions operating semi-autonomously and loyal only to the national networks that pay the best. They also maintain fluid alliances with a broad range of criminal structures including street gangs and high-level drug trafficking networks. This fragmentation and regionalization means Caciques often emerge from local criminal structures that may be associated with BACRIM but are not necessarily members themselves.

The BACRIM era has also seen new attempts to reform the prisons, beginning in 2012 with an attempted overhaul of prison administration.

Since 1992, Colombia's prisons have been overseen by INPEC, which was created as an independent administrative body answering to the Ministry of Justice. However, almost since its inception INPEC has existed in a state of near constant crisis and has had 50 directors in less than 25 years, largely thanks to a series of scandals around corruption and incompetence.

In 2011, the latest INPEC crisis sparked calls to dissolve the organization and start anew. Instead, the government created another body to ease the burden and in 2012 launched the Penitentiary and Prison Services Unit (Unidad de Servicios Penitenciarios y Carcelarios – USPEC) which was placed in charge of infrastructure, administration, and logistics. However, the new body has been riven with problems of its own and in a span of two years, it had had six directors.

The year after the creation of USPEC, the government declared another state of emergency in the prison system, and the search began for new solutions to the crisis. Oliverio Caldas was once again called upon to design new facilities, but this time the focus, in line with the latest international thinking, had shifted from security to developing more humane systems focused on rehabilitation and re-socialization.

The program will see the construction of nine new medium security prisons designed not only to include ample facilities for productive activities such as work and study programs, and for treatment programs such as for substance abuse, but also to be less environmentally aggressive. The change in approach is out of concern for human rights and the result of new, more long term, thinking on security, says Caldas.

“Many prisoners are just people that have made mistakes and if there is no intervention inside the prisons then these people can easily fall prey to any type of [criminal] organization,” he said.

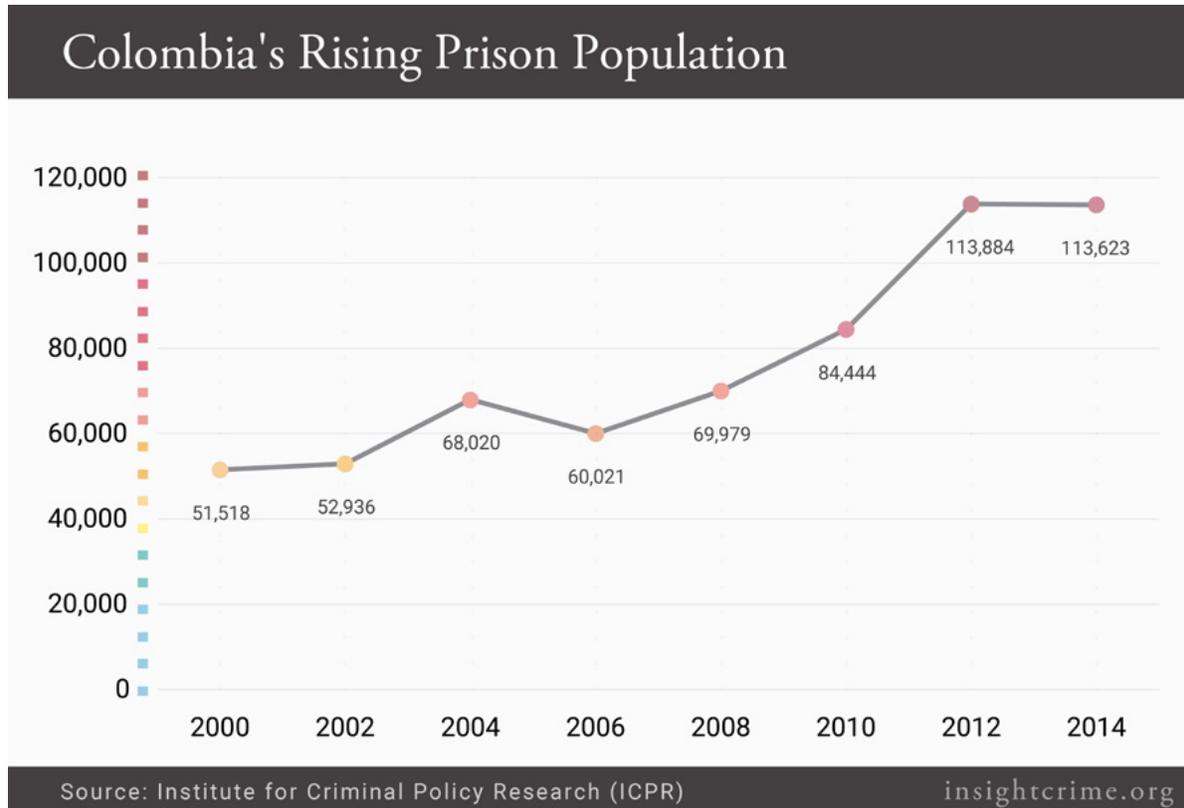
This not only represents a risk inside the prisons but also when inmates leave, filled with resentment at their treatment and corrupted by their time in close proximity to hardened criminals.

“The security approach is different,” he said. “The security focus is not about stopping prisoners escaping or punishing them, but about helping make sure they do not later become a social problem.”

According to Caldas, the key to the success of the new prisons will be proper classification and division of prisoners. The system must be able to identify the estimated 70 percent of inmates that have excellent chances of being rehabilitated -- who will be the target for the new prisons -- the 20 percent that will be more problematic, and the 10 percent of

hardened criminals that should be submitted to maximum security regimes to prevent them corrupting or exploiting the others.

However, Caldas warns, the new facilities can achieve little if deeper structural issues are not resolved.



“With overcrowding and corruption, there is nothing that can be done,” he said.

As Caldas and his colleagues began work on the new prisons, the government also introduced reforms to the penitentiary code with an eye on tackling one of these problems: overcrowding. The law ([pdf](#)) allowed for the release of thousands of prisoners held on remand and commuted sentences for prisoners with certain profiles. However, as the period for prisoners to claim these releases comes to an end, overcrowding has only got worse during the process, and the percentage of the prison population that is on remand [has actually increased](#) to over a third.

Prisons and Post-Conflict

While construction of new facilities continues, once again, events in the world outside look set to leave a more immediate mark.

In late 2016, the Colombian government and the [FARC](#) reached a final peace agreement, bringing to a close a war that has raged for over half a century. The guerrillas have now [begun to demobilize](#) in a process that will alter the balance of the Colombian underworld, and the repercussions will undoubtedly be felt in the prisons.

Unlike the [AUC](#) demobilization, the peace process is not likely to fill the prisons with guerrilla leaders or fighters. As part of the transitional justice deal signed between the [FARC](#) and the government there will be a general amnesty for crimes committed as part of the conflict except in the cases of crimes against humanity. Even these, however, will be punished under a special regime that involves “privation of liberty” but not prison sentences, at least for those who fully cooperate and disclose their crimes.

Instead, the biggest change will be the number of inmates leaving the prison and the spaces they leave behind. Over 100 guerrillas [have already received pardons](#), although exactly how many will follow remains unclear. In December 2016, the government said it would [consider the cases of 4,500 guerrillas](#) -- a figure that falls well below the 12,000 “political prisoners” [claimed by the FARC in the past](#).

However, even when these prisoners are processed and released, it is unlikely to fundamentally change the prison dynamic on a national level, says the FSCPP’s González.

“Political prisoners only represent about 3 percent of the prison population, and while they have control over some patios, it is not a generalized logic of control inside the prisons,” she said. “So when they leave, it will affect those patios, but I don’t think there will be vacuum on a national level.”

Instead, the release will likely be one of the final acts of an era the system has already largely transitioned, and another step towards removing political violence as a factor in the internal prison dynamic.

However, other changes in the external underworld and security policies currently underway could have more impact. Currently, there is only one BACRIM remaining that has a true national reach -- the [Urabeños](#) -- and there are [growing indications](#) the group is positioning itself to fill the criminal vacuum set to be left by the [FARC](#). The Colombian government has made tackling the [Urabeños](#) a security priority and launched an assault against the group, including starting Colombia’s biggest manhunt since that of Pablo Escobar in an attempt to capture leader Dairo Antonio Úsuga, alias “[Otoniel](#),” the group’s leader.

While there is little to suggest the [Urabeños](#) currently dominate prisons on a national scale, the security crackdown is seeing an ever [growing number of Urabeños prisoners](#)

enter the system, and it could eventually reach a tipping point, warns González.

“There has always been a prisoner with his people that generates control,” said González. “They have been guerrillas or paramilitaries, and soon those doing it will be the criminals of [Otoniel](#).”

The dangers became evident in 2014, when the director of Valledupar’s judicial prison was [arrested and accused](#) of working with [Urabeños](#) inmates to plan murders, threats, and extortion of prison staff and of allowing the [Urabeños](#) to operate freely inside the prison and coordinate actions with their associates on the outside. She was released after term limits to hold her expired when the case got caught in a judicial backlog, and she has since been [reinstated at the same prison](#) even as prosecutors continue to pursue the case against her.

As the new Colombian underworld takes shape both inside and outside the prisons, the system itself stumbles from crisis to crisis, the latest coming in May 2015, when over half of the country’s prisons were [declared to be in a state of emergency](#) over healthcare.

“As long as we have overcrowding, and we don’t have adequate operational administration, then the prisons will be an incredible breeding ground for all forms of violence as well as for actors that generate all types of criminal industries,” said Oliverio Caldas.

As Colombia’s conflict decreases in intensity and its armed groups and criminal networks become ever more fractured, it is these simple but deep-rooted structural issues that remain the biggest obstacles to breaking the ties between organized crime and the prison system.

See other articles in this series:

- [Introduction: The Prison Dilemma: Latin America’s Incubators of Organized](#)
- [Honduras: Where Chaos Reigns: Inside the San Pedro Sula Prison](#)
- [Guatemala: Reign of the Kaibil: Guatemala’s Prisons Under Byron Lima](#)
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InSight Crime is a foundation dedicated to the study of the principal threat to national and citizen security in Latin America and the Caribbean: organized crime.

InSight Crime's goal is to deepen understanding on organized crime in the Americas through on-the-ground investigation and analysis from a transnational and policy perspective.

We fulfill this mission by:

- providing high quality and timely analysis of news events linked to organized crime in the region;
- investigating and writing reports on organized crime and its multiple manifestations, including its impact on human rights, governance, drug policy and other social, economic and political issues;
- giving workshops to journalists, academics and non-governmental organizations on how to cover this important issue and keep themselves, their sources and their material safe;
- supporting local investigators through these workshops and by publishing, translating and promoting their work to reach the widest possible audience;
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