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PROCURADURIA GENERAL DE LA REPUBLICA

Año del Centenario del Natalicio de Juan Bosch

**XI CONFERENCE OF INTERNATIONAL CORRECTIONS AND  
PRISONS ASSOCIATION, ICPA, BARBADOS.**

(25-30th October 2009 )

**THEME**

**FROM INCARCERATION TO CORRECTIONS SYSTEM**

By

**DOMINICAN REPUBLIC**

**SPEAKERS**

**HENRY GARRIDO**

**Chief Inspector of Prisons**

**ROBERTO SANTANA**

**Director for Correctional System and Penitentiary School**

**MANUEL DE JESUS PEREZ SANCHEZ**

**General Director for Prision System**

**BARBADOS, OCTOBER 27, 2009.**

DOMINICAN REPUBLIC  
FROM INCARCERATION TO CORRECTIONS SYSTEM

The Head of Dominican Prisons System is attorney general, doctor Radhames Jimenez Pena. Chief Inspector of prisons is accounted to attorney general. Directors of prisons system and Correctional system are reported directly to attorney office, too.

**GENERAL OBJECTIVE:** To complete the process of transforming remaining 22 old military and police prisons to Centers of Correction and Rehabilitation (CCR's), managed by civil personnel, in next three years.

**Overall / FIGURES**

**New ccrs: 13 (three of them are females with day nursery).**

**Traditional incarceration stablishments: 22**

**Remands, 62%, Sentenced, 37%.**

**Recidivism rate in CCR's: 3-10%. (Rearrest and reincarceration criteria)**

PRISION POPULATION TOTAL : 19,100

NUMBER OF ESTABLISHMENTS : 42 ( MALES 32, FEMALES 9, MINORS/JUVENILES 7)

FOREIGN PRISONERS : 6.4 %

OFFICIAL CAPACITY OF PRISION SYSTEM: 10,159

OCCUPANCEY LEVEL: 188%

FEMALES: 3.0 %

Juveniles / MINORS : 2.3

**I. The beginning of Correctional System (New model)**

Five years ago, we started process of transforming the incarceration system to the correccional one. The president, doctor Leonel Fernandez, signed a decret,

stating that the old military and police facilities custodial inmates (incarceration) started to be transformed physically, and a new civil personnel, was brought to guard the inmates to work on rehabilitation programs. This personnel is graduated, in the National Penitentiary School, after one year intensive courses on different subjects. They have to be high school graduated, no more than 25 years, no military nor police history, and they are tested on different psychological examinations. The new centers are called Centers for Correction and Rehabilitation (CCR's).

## II. NEW CENTERS FOR CORRECTIONS AND REHABILITATION (CCR's)

We have converted twelve traditional incarceration prisons to CCR.s. Names and opening dates, as follows:

- 1.-San Felipe de Puerto Plata (4 /4/ 04)
- 2.-Najayo Females (21-3-05),
- 3.-Elías Piña (8- Feb- 06),
- 4.-Harás Nacionales (Opened Prisión) (11-Dic -05),
- 5.-Dajabón (19-12-05),
- 6.-Rafey Females (6- Feb-06),
- 7.-Rafey Males (31-7-06)
- 8.-Mao (6- 6 -06)
- 9.-Monte Plata (8-Agosto- 06)
- 10.-Vista al Valle, SFM (17-6- 08).
- 11.- San Pedro Macorís (25-06-09)
- 12.,. Moca (To be opened Nov. 5, 09 )
13. Bani Females (To be opened dic. ,09)

Our strategic plan establishes that the remainder traditional prisons, (22 establishments), will be transformed in CCR's in next four years. The British prisons expert, Nicholas Brooke, has been advising since the beginning all transformation process.

## III. FROM RETRIBUTION TO RESTORATIVE JUSTICE

We have a system of legal aid supported by State to assist inmates, they are called Public Defendants, created by law 277-04 . We have over 200 public defendants for a population of 18, 200 inmates. It is expected to enlarge this

number. Attorney General Office has created lawyers office to assist to victims, where a multidisciplinary professional team is responsible to this.

#### **IV. Conditions in CCR's**

No overcrowding, but purposeful regimes, respect for the individuals and their human rights. Standards of decency, no illiterate prisoner, recidivism rate reduced to 3%, work skills, family contact. Education programs connected with states offices and universities. We are enlarging systems of limited release, licence and will establish the parole.

#### **V. The purpose of Imprisonment (Convicted and Remand)**

Nelson Mandela said "that to truly know a country one had to know its prisons".

The purpose is to provide the individual with opportunities to change, to acquire skills, to alter their behaviour and actions.

"In most societies people are sent to prison as a punishment not for punishment" (Nicholas Brooke, D.R. 98).

#### **VI. International standards and treaties (Human Rights) and Monitoring**

We are signatory of United Nations treaties to protect the Human Rights of those imprisoned, to ensure that they are not abused, and that torture is outlawed, such as The UN Minimum Standards for the treatment of prisoners

Prisons conditions and standards are subjected to public scrutiny of public defendants, journalists, lawyers, psychology association, etc.

**Board of sponsors**, create by attorney general, in 2007, is integrated by Cardinal of Catholic church, entrepreneurs, journalists, means of communications to grant process.

#### **VII. The Chief Inspector of Prisons (Inspectorate).**

This office was create by decree of the president Leonel Fernandez, Novembre 2006, upon recommendation of Attorney General, doctor Rahames Jimenez Pena. Inspection procedures protect the rights of prisoners and their families, they ensure that proper procedures exist and that they are observed by

staff and the appropriate authorities. Inspection also safeguards staff, dealing with allegations of mistreatment or improper behaviour.

Inspections are carried out by a body of four professionals, Inspectorate, which is independent of the prison system and of the authorities who run the prisons. The inspectors are accountable to the Attorney General. We have free and unfettered access to the institution, allowed to speak with and listen to prisoners and staff confidentially, it is to report on all we observe and find, good and bad issues, reports are acted upon and forwarded to all penitentiary system, and you may see more of our activities as they are published in web of attorney general office. ([www.procuraduria.gov.do](http://www.procuraduria.gov.do) link Inspectoria General de Prisiones).

Attorney general office via inspectorate has integrated to prisons services the Psychologists Association and the Public Defendants. They are allowed to visit prisons centers any days and work together with us. They express their suggestions, collaboration, and we pay attention immediately to make better any aspect. We are opened to the civil society, to the national or international press, etc., who are allowed to visit any prison center and make reports.

## **VII.Criminal Justice System: Integrated, not Fragmented**

The police, involved in the protection of the public, the detection of crime and the arrest of those suspected of crime, the prosecution agency, the judiciary, the legal aids or public defendants, and the prison service. All these components are working together yet with a degree of independence from each other; their roles are different. All parts of the system are working together, professionally.

## **VIII. The role of professional prison staff**

CCR's staff is professional, they are recruited and deployed with continuous training, they know their responsibilities, their duties and the limits of their authority.

They are not guards, part of their role is to ensure that the security of the prison and its inmates is maintained, but that is not the whole of the task.

Social workers forms an element of their work, they have psychologists knowledge. They need to understand the law and the limits of their authority and the statutes under which they operate.

## IX. From Imprisonment to Corrections

Imprisonment in its simplest form is incarceration, it does not make people better. We started moving towards Corrections, recognising that many prisoners do wish to better themselves and will take advantage of opportunities to improve their education, employment and work skills, do wish to free themselves from the grip of addiction and in certain cases make reparations for their past acts has a good record of success.

“It must be remembered that the notion of imprisonment is basically a European one, most societies in Africa and the Americas had no concept of imprisonment until the advent of colonialism” (Nicholas Brooke, D.R. 98).

A Correctional model implies that there is respect for an individual, that human rights will be respected and that opportunities for change will be provided. The Japanese have a philosophy states “abhor the crime, not the criminal”. (Nicholas Brooke, DR. 98).

## X. POST RELEASE HOUSES

We continue the correctional process after release. Our Correctional system is based on the principles of security and rehabilitation, where the various agencies, both state and voluntary work together for a common aim, which is the reduction of criminal behaviour. Post penitentiary assistance through Redentor Houses (12) managed by church and supported by attorney general office.

The Head of penitentiary system is the Attorney General, having as one of the major priorities; the reduction of the prison population.

“The work of a Correctional service is to prepare people for freedom”. (Nicholas Brooke, D.R., 98).

### Correccional vs. Incarceration

	<i>Nuevo Modelo</i>		<i>Viejo Modelo</i>	
	<i>Población</i>	<i>%</i>	<i>Población</i>	<i>%</i>
Hombres	2,469	87.3%	15,225	98.7%
Mujeres	360	12.7%	197	1.3%
Preventivos	1,490	52.7%	9,783	63.4%

Condenados	1,339	47.3%	5,639	36.6%
Total	2,829	15.5%	15,422	84.5%
<b>Porcentajes de los totales por sexo y condición jurídica</b>				
	<i>Hombres</i>	<i>Mujeres</i>	Preventivos	Condenados
N. Modelo	14.0%	64.6%	13.2%	19.2%
V. Modelo	86.0%	35.4%	86.8%	80.8%
Total	100.0%	100.0%	100.0%	100.0%

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