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*J. Harrison and M. Norton-Hawk/Societies Without Borders 5:1 (2010) 21-48*

## **The Care, Custody, and Control of Incarcerated Women in Ecuador**

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### **Abstract**

This paper presents findings on the custody, care and control of incarcerated women in Ecuador. Although the inter-relationship of abuse, poverty, drugs and incarceration is often perceived as a U.S. phenomenon, this paper presents data on a group of structurally and institutionally vulnerable women who are serving mandatory sentences of 6 to 8 years for drug possession and trafficking. Our mixed methodology of survey data, personal interviews, and secondary source materials uncovers some disturbing human rights violations and documents the challenges these incarcerated women face as mothers and inmates.

### **Keywords**

women, human rights, drug policy, incarceration, Ecuador

### **Introduction**

The goal of this paper is to expose the custody, care and control of women incarcerated in Ecuador's largest female prison. Our survey data (n=50), personal interviews, and examination of existing documents found that as the prison population expanded, prison conditions for women deteriorated. In *el Centro de Rehabilitación Social Femenino*, or *el Inca*, as the prison is commonly referred to by the locals in Quito, we found evidence that at every stage, from detention to incarceration, basic human rights were often violated. This paper shows numerous examples of such violations: inmates do not receive a speedy trial and are commonly detained without formal charges for one year or more. The prison is often overcrowded, and of particular concern, the women in this study fear for their safety on a daily basis. Within the prison, the women receive little to no medical or dental care, and the quality of food is so poor that it is often described as not

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edible, unless one can pay for food to be brought in. More disturbing still, we have anecdotal evidence of torture, as told by some inmates we interviewed and from secondary sources who describe how they were detained and beaten by the national police. In fact, in one of Ecuador's leading newspapers, *El Comercio* (June 13, 2010, pg 5), Ecuadorian President Rafael Correa stated that of the 42,000 national police charged with detaining criminals that 'there are still some who believe that torture is an acceptable tactic.' The article describes 25 different types of torture documented by Ecuador's National Commission of Truth, of which some of the women in our study experienced (*El Comercio*, June 13, 2010, pg. 5).

Ecuador produces virtually no coca, the key ingredient in cocaine, but the country is used as a transit site for drugs from neighboring Colombia, Bolivia and Peru. Cocaine, marijuana, and other drugs are shipped from the northwest coastal corner of Ecuador and are often destined for the United States. Poor and vulnerable, Ecuadorian women participate in this international drug trade as low level 'mules' in the transportation of raw coca and chemicals (Mauer et al, 1999; Merolla, 2008; Preston and Roots, 2004). Such participation has resulted in skyrocketing female incarceration rates for Ecuadorian women (Norton-Hawk 2010; Rondon, 2003). In 2004, 77% of all drug charges resulted in female detention and incarceration (Boletín Estadístico, 2001-2004; Expreso, 2001; Jimenez Napa et al, 2001; Rondon, 2003). In 2001, for example, Jimenez Napa's study, conducted in England, showed that more than 50% of the Latina drug transporters arrested were young, poor, uneducated females who had no prior criminal record (Jimenez Napa et al, 2001). In this same study, the researchers found that more than half of these women suffered from low self-esteem and one-quarter showed abnormal personality traits highly associated with domestic violence trauma and posttraumatic stress disorder. In a national study from Peru, Ecuador's neighbor, Expreso (2001) found that 80% of the female inmates arrested in 2000 for drug possession were young, uneducated, unemployed but not users themselves. These results mirror our findings in which the women in our sample are single, or involved temporarily with boyfriends, mostly non-users, yet, who are often mothers of small children and desperate to provide for their family. Due to these multiple marginalizations rooted in poverty and social inequality, these women

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make poor choices that have compounding, devastating effects that bring them into the international drug trade. In fact, Rondon (2003) argues that they are easy prey for the police who can then use the arrest data to argue that they are doing their part to stop the flow of drugs into the United States and are complying with a U.S. drug war policy. At the start of a surge in drug-related arrests in 2001, 65% of women in prison were detained for drug offenses in which they were often couriers (Boletín Estadístico, 2001-2004). These women were relatively easy to convict because they were caught 'red-handed' and generally had no money to mount a legal defense.

Young and Reviere (2006) report that drug cartels do little to protect these 'mules.' The large pool of impoverished and naïve females are readily recruited to replace any who fall victim to the national police (Silva, 2000). Ecuador's current drug laws, which President Rafael Correa states were drafted under pressure from the U.S., do not differentiate between big-time traffickers and the low-level couriers; therefore, whether the carrier has two ounces of marijuana or two kilos of unprocessed coca, the minimum mandatory sentence is between 6 and 8 years (Associated Press International, July 7, 2008).

### **Prisons in Ecuador**

In 2001, 2,310 people were incarcerated for drug violations in Ecuador, and women's incarceration doubled for drug offenses from 376 in 2001 to 840 in 2004 (Boletín Estadístico, 2001-2004). Of the 10,744 persons imprisoned in Ecuadorian prisons in 2004, women had the highest arrest rates of incarceration for drug related activity (see Table 1). While drug offenses account for only 38% of all offenses for the total Ecuadorian prison population, female drug couriers accounted for 77% of all drug charges (Boletín Estadístico, 2001-2004). There are five women's prisons in Ecuador, the largest is *el Inca*, which maintains an average inmate population of approximately 430. It is this prison from which we draw our survey data and interviews.

Despite presidential pardons and an often employed '50-50 rule' where an inmate is released after serving only half of his or her sentence, these prisons typically stay full. More than three quarters of the women are incarcerated for drug offenses, yet unlike the females incarcerated on drug charges in the United States, the majority of Ecuadorian women are not drug users or addicts (Nuñez, 2006; Coba,

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2008).

The introduction of stiff mandatory minimum sentences for drug related crimes and the introduction of legislation that implemented the Universal Rights of the Child combine to create a perfect storm of sky-rocketing female incarceration rates and hundreds of parentless children in 2006. Ecuador began to implement a patchwork foster care

Table 1. Distribution of Charges by Gender, 2004

	Total	Percent Total	Male	Percent Male	Female	Percent Female
Personal	1598	15	1527	15	71	6
Property	3635	34	3514	36	121	11
Drugs	4071	34	3231	33	840	77
Other	1440	13	1375	14	65	6
Total	10744		9647		1097	

system, although some children who are not placed with relatives choose to live on the streets (Coba, 2008). Their families and communities are often stigmatized by a mother's incarceration, which directly impacts the welfare of the children when they are not always taken in by relatives. Despite the stigma, these incarcerated women must find friends and family members willing to take the children and to help them procure the basic staples of daily living behind bars (Coba, 2008; Guayasamin, 2008; Mera, 2008).

### Method

We employ a mixed methodology for this exploratory research with three types of data. Quantitative data are derived from a questionnaire administered to 50 female inmates arrested on drug charges (approximately 15% of the total prison population at the time of the survey at *el Inca*) in December 2008. The survey identifies the institutional supports that are satisfactory and unsatisfactory based on inmates' perceptions about their care and daily living needs. The vice president of the *Comite de las Mujeres*, a quasi-official committee that governs much of the day-to-day lives of the incarcerated women, as-

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sisted in the pre-testing and sample selection process by advertising the survey to all inmates. This survey asks women to assess their housing, educational needs, medical treatment, access to legal counsel, visitation rights, nutritional and medical needs.

Two other types of data in our study are qualitative. In order to corroborate survey data, we interviewed inmates, the prison director, chief medical officer, and also examined written testimonials published in *Sitiadas* (2008). *Sitiadas* is an academic journal written by Ecuadorian anthropologists, educators, sociologists, and social workers from *Mujeres de Frente* a local, non-governmental organization. These researchers received permission from the prison's director, Washington Yaranga, to interview women from 2007 to 2008 for their self-financed publication. This particular subset of interviews from *Sitiadas* was ideal for our use because the women interviewed were incarcerated during the same time period that we surveyed. These interviews complement the quantitative findings by describing not only the women's personal circumstances but also the hardships they experienced during their arrest and that of their children as a result of their incarceration.

Other source materials come from face to face interviews with: 1) the chief medical officer at the prison, Dr. Julio Mera; 2) the Director of the prison, Mr. Washington Yaranga; and, 3) the Executive Director, Alioska Guayasamin, of *Marcha Blanca*. *Marcha Blanca* is a quasi-governmental foundation charged with outreach support services and placement of the children of incarcerated parents. Instrumental in enforcing the 2006 legislation on the Universal Rights of the Child in which all children over the age of three were removed from the prisons, *Marcha Blanca* provided direct involvement and support with the prison administration and the women who participated in our study.

*El Centro de Rehabilitación Social Femenino* or *el Inca*, was selected as the research site for several reasons: 1) *El Inca* is Ecuador's largest women's prison and centrally located in the country's capital city of Quito, thus providing a more diverse population; 2) Permission to do research at this facility was granted by the prison administration; 3) Based on several visits to *el Inca* by the researchers in 2007 and 2008, a familiarity with prison protocols were established and we were granted unprecedented access to the inmates; and, 4) Professor Norton-Hawk has a five-year history of visiting many of these incarcerated women

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and has achieved an important comfort and credibility level with many of the inmates. Long-standing, trustful relationships are highly conducive to this type of research design.

The sample consists of incarcerated females above the age of 18 housed at *el Inca* on a drug charge. The *Comite de las Mujeres* at the prison 'advertised' the study via word of mouth and sought participants the day before our arrival. As word of the survey filtered through the prison, women lined up outside an education classroom where women were asked to participate on a "first come, first surveyed" basis. In a group, we introduced them to the research in one of the prison's classrooms where they were told about the research and read the informed consent document. If they chose to participate, we reread the consent document to each inmate individually and then asked for their signature, or if illiterate, the women were asked to place an X in lieu of their name. Survey questions were read individually in a private room to those who could not read. No names were required on the questionnaire in order to protect the confidentiality and anonymity of the interviewees. Each survey took approximately 20 to 30 minutes to complete, which also included a short interview and discussion pertaining to the survey questions which we later analyzed.

This procedure resulted in a sample of convenience rather than a representative sample of the women currently incarcerated at *el Inca*, but there is no reason to believe that the interviewees were not typical. A small incentive for each woman's participation was provided in a nondescript, plastic bag filled with basic necessities such as toilet paper, tampons, diapers, laundry soap, and shampoo. Because the sample size was small, we only provide descriptive statistics of the needs assessment.

Table 2 shows descriptive statistics that indicate the women in our sample are unmarried (58%), under 30 years of age, with an elementary education (75%) and largely unemployed (45%). Although 53% identify themselves as "artists," this type of self-employment is typically associated with making handicrafts, knitting, sewing, jewelry-making, or other items that they sell during visiting days and on an *ad hoc* basis.

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Table 2. Sociodemographic Characteristics (n=50).

Variable	Frequency
<i>Age in years</i>	
18-28	40%
29-39	30%
40-50	20%
Over 50	10%
<i>Race</i>	
Mestizo	90%
Other	10%
<i>Country of Origin</i>	
Ecuador	75%
Colombia	15%
Other	10%
<i>Marital Status</i>	
Common Law	40%
Married	12%
Single	30%
Divorced	10%
Widowed	8%
<i>Education</i>	
Elementary School	75%
High School	20%
No education	5%
<i>Occupation</i>	
Artist	53%
Service	2%
None	45%

## Results

This mixed methodology identifies a wide array of human rights violations, from basic food and medical care needs to exposing problems with visitation, violence, and police brutality. These results, along with the women's first-hand accounts of detentions and arrests, illustrate the effects of a climate in which widespread neglect and the potential for abuse of the women and their children is evident.

### *Custody*

Custody begins well before the women enter the confines of *el Inca*. This section utilizes data from primary and secondary sources to iden-

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tify and describe women's experiences of the legal system, or lack of it, as they make their way to prison. Many of the women when first taken into custody report often brutal treatment by police, guards, and other inmates. For example, Ecuador's National Commission on Truth recently released a report of its findings of gross human rights abuses at the hands of the national police that document 20 years of torture (*El Comercio*, June 2010). Of the 25 different types of torture identified in the report, there were 207 beatings; 190 cases of blind-folds and hoods placed over the detainees' eyes as a scare tactic; 173 death threats; 158 cases in which food and water were withheld; and 156 cases of sexual violence. One woman, who wishes to remain anonymous, tells of her initial arrest and torture at the hands of the national police:

The day was the 8th of November. I don't remember the time. I only remember that they took me off the bus and told me I was arrested. I didn't know the cause or the reason. They brought me in handcuffs in the midst of shouting insults, they threw me in jail. They began to beat me, as I found myself in the middle of so many people who I didn't know and they didn't know me. They began to ask us for various things that I didn't know anything about, and because they couldn't get the answers they were looking for, they began to beat me all over my body... I asked him, 'Why are you hitting me?' And for the answer I was just beaten further. I told them that I was pregnant. They told me, 'What pregnancy? Where? All the dogs in the street say that.' And they kept on beating me. I was so bruised and beat up that I couldn't bear to touch my own body. I felt almost dead.

(*Sitiadas*, Volume 2, pg. 3 December 2008)

'Veronica A.,' a Colombian woman, describes a similar situation:

They had us tied up like mummies. We couldn't see anything, only from the knees down, so we could see the pant leg of the person who was beating us. We called for a human rights person, and they showed us a club that had the words 'human rights' on it. For all of us it was absurd because

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we had didn't even know the charges against us, what we had done wrong. What's more we had to tell them lies that we were guilty of certain things, just for them to stop beating us. During these 6 days, we didn't eat, we didn't sleep. From where they held us, we could see into another office where there was a small bathroom where they would take some of us and club us in the head. They would put black plastic coverings over our heads full of some kind of gas, where we would be almost completely asphyxiated. It was excruciatingly unforgettable. During those six days, there wasn't even one meal, nor could we wash, and we couldn't sleep... I felt that at last we would see that they were going to kill us, because those were the words they used.

*(Sitiadas, Volume 2, pg. 4 December 2008)*

Prior to entering *el Inca*, the women recount their sudden arrests in which various degrees of cruelty appear to be commonplace (*Sitiadas*, 2008). In some cases, these women were held for days without knowing what the charge was against them or what their fate would be. They were not allowed to contact family members nor access legal counsel.

Women are not just at risk of being violated by the police or prison guards: other inmates take advantage of the newly detained, often naïve, crop of potential victims, too. Theft is rampant. Women report having food, clothing, jewelry and even the most basic items like dentures being stolen. For this reason, inmates carry the keys to their cells on their person at all times.

After they are taken into police custody, they are charged by local and national authorities. The women are then detained for extended periods of time before sentencing. Prison Director Washington Yaranga (2008) reports that it is not uncommon for women to serve two or more years before a judge sentences them, and until a sentence is determined, women are not eligible for presidential pardons or other earlier release options. Our research found that less than half of the women receive their sentences within 2 years and are incarcerated for an average of 6.5 years for simple possession or trafficking in cocaine or in varying quantities of marijuana even for a first time offense.

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Legal assistance is scarce. Only 40% had access to legal advice. Some are just too poor to pay for private legal counsel, so they must rely on a fragmented public defender system. Often these poorly paid public attorneys are reluctant to take drug-related cases because of the stigma associated with defending a person accused of a drug crime. For those public defenders who agree to take a case, scant legal aid is forthcoming. In part because of the public defenders' poor performance, some women try to hire private attorneys. The inmates tell us that paying a private lawyer often turns out to be similarly ineffective because the attorney takes the legal fees and then disappears without resolving the woman's case.

Little is done to prepare women for their lives after their initial arrest and detention. Job training in *el Inca* consists mostly of working as a seamstress in the prison's garment factory where there are over one dozen industrial sewing machines. Orders come in from various outside vendors, and high quality garments can be made at a fraction of the cost with prison labor. Job training consists of various religious and basic literacy courses, such as a computer literacy class that was offered in December 2008. Less than half of all inmates (48%), however, see these types of programs as meeting their needs and have asked that more emphasis be placed on job training that ideally will pay them a living wage once they are released. In fact, some women expressed concern that if they did not learn a new skill while in prison there was little doubt of their future involvement in the drug trade.

### Care

#### Medical and Dental Care

Inmate care illustrates the benign neglect that faces these women once they are incarcerated. Most women identify medical and dental care as the most important service in need of improvement (see Figure 2). In our survey, only 20% of inmates reported ever having a general check up at the prison's small clinic, and another 12% reported being seen for limited obstetric or gynecological care. Only 10% of respondents said that they had used the dental service offered by the prison clinic.

Dr. Julio Mera, the chief medical officer, concurs that medical services of all kinds are grossly lacking for these women. He states that the prison functions by donations and that "it is no way to run a

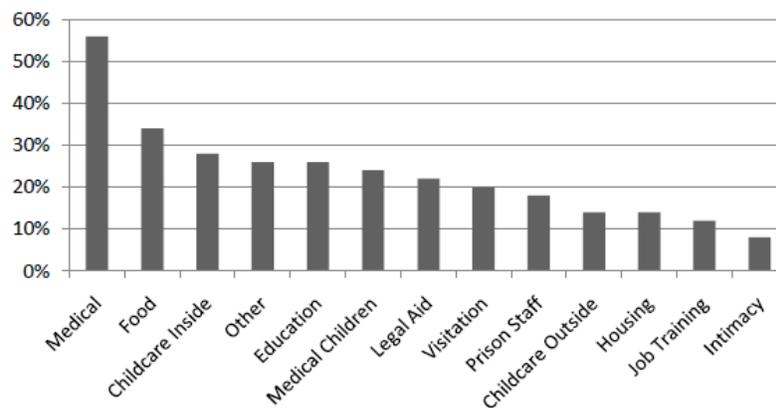
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clinic.” Despite contributions from charitable organizations and non-profit foundations, random packages of free samples of antibiotics or other drugs are simply not adequate. For example, a week’s supply of an antibiotic is generally required for it to take effect in a patient, but if only 3 tablets are donated, it is useless to prescribe it. In fact, even more resistant strains of viral or bacterial infections can occur as a result of inadequate dosing. Despite the best of intentions, Mera says that providing inmates with drugs like this is never an option. At best he may receive a couple of days’ supply of an antibiotic. He also reports that at times the small packages arrive empty with no pill or tablets inside them at all. Inmates seriously ill from diabetes or HIV go without treatment of any kind. The family is called upon to mediate an inmate’s health concerns and medical issues.

*Figure 1. What Are The Three Most Important Services Needs? (% ‘Yes’)*



Based largely on self-diagnosis, family members or friends may bring in herbs or medicines from the outside. Inmates guess at what they think they need, or equally likely may end up taking medications that are not prescribed, under dosed, useless, or completely inappropriate. Common is the case in which they will receive no treatment at all. Facilitating self diagnosis, however, is the fact that many prescription drugs can be bought as over the counter medications in Ecuador. Despite access to prescription drugs without a prescription, it is evident that treatment for specific symptoms is an elaborate patchwork

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of 'best guesses' between pharmacist, inmate, and their family.

Dental care is equally problematic. Director Yaranga describes their dental consult room as the prison's 'stone age museum' in which he demonstrates this by pulling out a few large pliers and two small cracked dental mirrors. The Director explains that the only type of dental care that they provide is tooth extraction.

#### Mental Health Care

Mental health care for women incarcerated at *el Inca* is non-existent and preventative health care of any kind is equally not part of the prison system's mandate. Psychological problems associated with the loss of children, isolation, violence, abuse, and the general stress of long term incarceration are not considered medical or mental health issues. Yet, mental health services seem particularly warranted when considering the women's often extensive experiences of prior abuse, violence, and neglect that have been linked with their initiation in the drug trade and subsequent incarceration (Epele, 2003; Expreso, 2001; Johnson, 1995; Rondon, 2003). In Ecuador, we find that women's victimization is often exacerbated by the violence and brutality they experience at the hands of the police. This abuse may be considered by the women as simply a continuation of violence they have experienced throughout their lives, and many describe the onset of abuse and violence occurring during their childhood (*Sitiadas*, 2008).

'Marian,' places the context of her violent detention and arrest as a gendered phenomenon. She says the way in which the police treat women like her speaks of a patriarchal climate that has historically brutalized women and girls, and the pattern of abuse continues in every aspect of her culture. She says:

There are things that we just shouldn't talk about; things that we don't want anyone to overhear because they embarrass us and it hurts us to remember. After all, what is going to be resolved by telling someone? We are the victims of aggressors who come at us like we're merely objects for them to penetrate, where we are forced to submit, so that they can discharge their force upon us women, just to reaffirm their 'manhood.' Who among us has said, 'He abused me. He's abusing me, and he's abused me since I was a little girl, that

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he's made me do things that I haven't wanted to do, that hurt me, that make me feel bad, sad, dirty, and confused.' Who among us has said, 'He is abusing my daughter and I don't know what to do.' Why is it that we permanently feel used, violated, pawed over, manhandled, and conditioned to this in our lives? Why is it that the way we feel about ourselves never occurs us? But being a girl, what to do, what to think, when the aggressor is a friend, a family member, someone with whom I've spoken to in passing, maybe we shared some thing, someone whom we may love, or someone our parents trusts completely? How is it that the world doesn't see any of these actions and acts toward us as if nothing has happened?  
(*Sitiadas*, Vol.2, pg. 5 December 2008)

These stories from incarcerated women at *el Inca* are not unique but rather reflect a culture that has traditionally treated women as expendable objects to be used and eventually discarded. Every woman we met over the course of our investigation at *el Inca* recounted themes of poverty, isolation, abuse, sexual assault, and rape. As in other studies (Jimenez Napa et al, 2001), it is likely that many of these women suffer from post traumatic stress disorder, ranging from early childhood trauma and victimization to neglect, abuse, and even torture they experience as adults. The daily anxiety of incarcerated life that prevents the women from knowing about the welfare of their children compounds their complex life histories, anxiety, and personal trauma. These co-existing factors fuel women's inability to resist similar mistreatment by others and may even be a catalyst for recidivism. As feminist anthropologist, Lisset Coba, (2008) describes her prediction for repeat offending, she states, 'Recidivism will be high because nothing has changed for these women.'

#### Drug Abuse/Treatment

According to Director Yaranga, only a minority of the women are drug addicts, although exact numbers are not known (Soquel, in Women's e-news, March 31, 2009). At least two reasons account for this lack of knowledge: 1) Custody and control of inmates is the primary purpose of incarceration, so identification and treatment of drug addiction is not a prison mandate; furthermore, medical services are

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so limited it would be impossible to develop or sustain any kind of treatment program and 2) Compounding the problem is the ready availability of drugs within the prison. During our study, several inmates told us that it was 'fairly easy' to obtain almost any kind of drug, which is typically brought in by visitors. One inmate said that she thought she would die without "my marijuana," which she claimed she was addicted to. When she discovered that it could be obtained 'quite easily' inside the prison, she said she never had to 'detox completely' because within three days she had found a steady supply.

#### Children and Foster Care

No discussion of female incarceration is complete without addressing the impact of a mother's incarceration on her children. Two-thirds of the women we surveyed had minor children living outside the prison in a patchwork of options, and their concern for their children was listed within the top 10 items in which they desired change and attention. Children are often the forgotten victims of incarceration that divide mother from child, which now occurs in unprecedented rates (Bernstein, 2005). Ecuadorian women are disproportionately the primary or sole parent of their children, and this has troublesome repercussions if she is unable to place them with family members. Yet in Ecuador, the foster care system is still in its infancy and much work needs to be done to insure its success. Obstacles are plenty: Not only does the government admit that they do not have funding to meet the needs of these children, but that the children themselves are often stigmatized as a result of their parent's actions such that relatives do not want to take them in (Guayasamin, 2008). Prior to the 2006 implementation of legislation that systematically began to remove children over the age of three from the prisons, many minor children experienced a choiceless situation between joining their incarcerated mothers in prison, moving in with relatives, if accepted, or becoming homeless. At *el Inca*, 157 children were living with their mothers in prison in 2004 (Boletín Estadístico, 2001-2004).

According to a report filed with the subsidiary NGO of INNFA, *Marcha Blanca*, this move affected families in Quito, Guayaquil, Cuenca, Ibarra, Portoviejo, Quevedo, Ambato, Esmeraldas, and Machala. Of the 558 children removed from the detention and prison facilities across the country, 257 minors had been permanently living

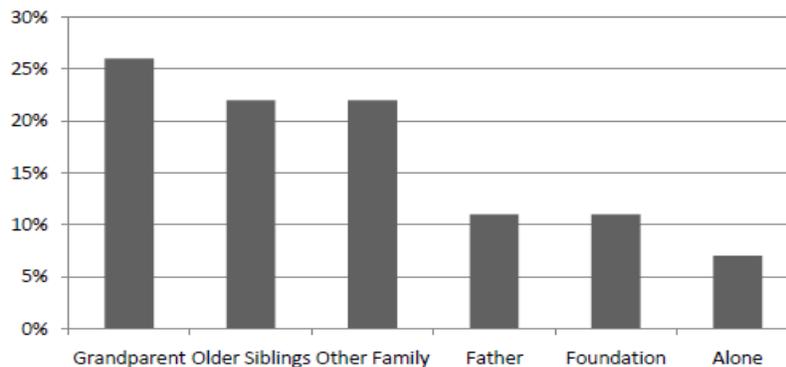
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with their incarcerated mothers simply because they had no other place to go. *El Inca's* prison director reports that older children were certainly at risk in the prison environment and could not be properly cared for. Incidents mounted between the inmates and children forced to live in confined, cramp spaces, and teenage boys were blamed for contributing to some inmate pregnancies (Soquel, *Women's E-News Weekly*, March 31, 2009). By the logic of differential association, which states that undesirable social outcomes are learned through interactions with deviant peer groups, staying any length of time in a prison environment has the potential to negatively impact long-term growth and development of these children (Sutherland, 1948). As shown in Figure 3, seventy four percent of the women in our study reported that their children lived with grandparents or another family member and received some of *Marcha Blanca's* supports. Approximately 10% of the children currently lived with their biological father, and an equal percent were living in foundations and orphanages. Some mothers in our study were also aware that older minor children were taking care of the younger children (22%) or were living in the streets (6%).

Figure 2. Childcare Outside of Prison.



The decision to remove the children from the prisons was met with skepticism by advocates on both sides. There is weak cultural acceptance of placing a child in foster care and the stigma becomes twofold for children of an incarcerated parent (Guayasamin, 2008). The physi-

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cal and psychological trauma these children experience has yet to be evaluated and is in need of further study. Many incarcerated mothers do not want to relinquish custody of their children, and in doing so, they remain concerned and preoccupied for their welfare, as was this mother of five serving a 6 year sentence. She attests:

I've spent 4 long months away from my kids, where I can't see them, only listen to their voices on the telephone asking me, 'Mommy, when are you coming back?' I can only respond, 'very soon, my dears.' Here at the prison they have denied me access to my children. They tell me that I can only see them when I leave here. That I'll find them in some kind of foundation, and I don't know how they will be treated. But every day I ask God to take care of them for me. I can only hope to leave here and I can be with them, although the time lost I'll never get back. But I will try to be a good mother, a better person. In here I've learned to value freedom and my Children. (Sitiadas, volume 2, 2008)

Although the logic of differential association and the 2006 legislation of the Universal Rights of the Child dictate removing the children from the prison environment, mechanisms for evaluating the effectiveness of *Marcha Blanca's* initiatives are lacking, particularly so when some incarcerated women are unable to receive a visit from their children to be able to assess for themselves their child's well-being. For example, in our needs assessment survey, 12% of the women said they do not see their children at all because they are housed in a foundation under the new foster care program. Others in this situation also said that their children are rarely brought to visit them. Despite *Marcha Blanca's* success in convincing the women that their children are better off living outside the prison, it is evident from the stories we collected at *el Inca* that the system remains fractured and incomplete.

#### Food and Survival

Inmates' survival depends on family support and donations from charitable organizations. Family visitation occurs almost daily in which family members can enter the prison and stay for the entire day. It is not uncommon for families to bring in food to prepare a meal to-

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gether. For some women, who may not have been from the Quito area, the lack of economic and social support makes their lengthy incarceration severe. Family members provide an average of one-third of all basic necessities inmates need, such as clothing and food, and if relatives live outside the metropolitan area, inmates receive few food or clothing items (see Figure 3). If the women cannot rely on family members for such economic supports, women may be required to work for another inmate, or in some instances, even prostitute herself in order to buy what she needs.

The women in our study identified food as a major issue in need of improvement. They said that the one meal per day supplied by the prison was not enough, and over 84% report that the prison food was either unsatisfactory or very unsatisfactory. We found during data collection that most women worked inside the prison in order to buy food to supplement what the prison offered. Some women made cards, jewelry, dolls or worked in the women's sewing shop. A few women admitted to prostitution. Women also worked in little kiosks at the main entrance where they sold gum, candies, and other sundries.

For the women whom we were made aware of who prostitute to make ends meet, the standard practice is for roommates to make arrangements ahead of time if a male 'visitor' comes to their cell. Without a formal visitor's list of any kind, no record is kept whether a male visitor is a family member or whether he is entering the prison to use it as a brothel. Although sex is viewed as consensual by prison administration and inmates alike, the practice is coercive and a direct result of prison neglect. In Figure 3 below, we did not specifically ask about sex for food exchange, but it is hidden within the categories of either 'gifts' or 'work,' depending on a particular inmate's point of view.

In exchange for an agreed upon sexual activity, a woman will commonly receive a small amount of money or food, such as a small plastic bag with an uncooked piece of meat or a chicken leg inside, as a form of payment. Another woman may ask for a phone card or for her "guest" to purchase minutes for her cell phone, which many inmates have and keep secreted away. The more entrepreneurial women report receiving bedding, clothing, jewelry, stuffed animals, televisions, radios, hair dye, make-up, and other 'luxury' items in exchange for sex.

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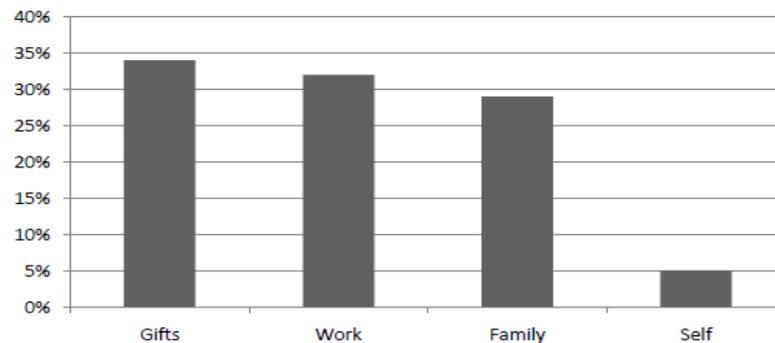
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Supplementing prison rations is expected and encouraged by prison staff. The prison administration also allows a weekly 'farmers' market' to set up inside the prison compound where inmates can buy fresh fruits, legumes, and other produce. Each wing, or pavilion, has its own kitchen where the women cook meals for themselves or their families during a visit. Most respondents said that the food offered by the prison was at best tasteless and at its worse inedible, which is why many women combine their resources and cook together. One inmate remarked, 'I may be hungry, but if it's rotten I won't eat it.' For that reason, cooking with family members and other inmates is a common practice and provides a modicum of social and economic support.

Of course, inmates tell us that this system is problematic if they are incarcerated far away from family members, which is not uncommon for 'mules' caught while transporting drugs to a destination outside their hometown. The gifts they receive of food, clothing, and other basic necessities are mostly at the whim of charitable organizations. The sad irony is that although the prison system is dependent on charity and inmate families to bring in supplies, the women tell us they are not always able to rely on such supports. When families fail to bring in the desired and/or necessary items, *el Comité de las Mujeres* tries to fill the gap by distributing items donated from local and national non

Figure 3. How Do You Obtain What You Need To Survive In Prison?



-profit, charitable organizations. A matrix of support from family, charities, and their own ingenuity earns them money, but this process means that the better supplied prisoners have much more status and indeed social and economic inequality is visible among the inmates by

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where they are housed. The richer inmates may or may not hire the poorer inmates to do their menial tasks, such as washing clothes (Coba, 2008). In these arrangements, inmates are forced to strategize to supplement their food intake or risk malnutrition and hunger.

### *Control*

Correctional officers at *el Inca* are largely symbolic. Many of the guards are poorly trained and earned their employment through friends and relatives of administrators. To enter the prison, one simply needs a copy of their national identification card and the name of an inmate. The guards do a cursory pat down as the visitors move through the checkpoint station. Packages are also checked summarily. For example, in our study we brought in 50 incentive gifts as described earlier, and the guards looked through one or two bags and then waved us in with the others. Once past that point, a visitor is free to move about the prison. The next guard opens the door without requiring any documentation, although they do routinely check to see if the visitor has a variety of inked symbols freshly stamped on their forearm. Inside, people move about from floor to floor, and women are seen eating meals with family members or spending time with their boyfriends and husbands in their rooms. Children are playing soccer in the courtyard, and at the far end, women are hand washing clothes. The guards simply mill about talking to various women and their guests, sometimes knitting or reading a magazine while seated at their posts.

Drugs also enter the prison in like fashion and are easily hidden within food items, clothes, and other supplies that family members, friends, and clients bring in. Although prison guards do a brief search for contraband, inmates report that it is not difficult to get a desired illegal drug, such as marijuana, through security. Asked how this occurs, the women tell us that if it cannot be snuck in by a visitor within a bag of groceries then correctional officers can be bribed to bring the desired substance or other item, such as a cell phone, to the inmate.

It might be fair to say that the female inmates themselves control the prison. There are 3 pavilions with two floors in each. On admission a woman is assigned a floor and a pavilion based on social class, ethnicity and a cursory health and illness screening. Pavilion One houses women who have access to wealth, power, and they appear to

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have multiple resources. Through these assets they can control the functioning of the prison by controlling other inmates. The inmates tell us that *el Comité de las Mujeres* is part of this hierarchy, and the quantity and quality of goods and supplies each woman receives is a function of their relationship within or outside of the hierarchy. A pecking order develops in which women with less than enough must beg to receive their share of the charitable donations that come into the prison. For example, the elected leaders of *el Comité* receive and manage the prison's charitable donations. This inner circle of select inmates decides on the distribution of the donations, which according to our needs assessment, is the largest single source (35%) of an inmates' daily survival. Executive positions on this committee are thought to be highly political, and members have been known to hoard more lucrative donations, such as a bolt of cloth, for themselves and/or their friends.

The inmates are also expected to engage in their own conflict and dispute resolution, and we found that 76 % of the women reported in our survey that they do not feel safe inside the prison. On numerous occasions, inmates told of us instances in which a physical altercation between two women resulted in no intervention from the guards. They said that it is not uncommon for the guards to sit and watch, and this was also true if disputes occurred between visitors and inmates. The women have told us that they realize the guards are *not* there to keep them safe; that they have to rely on their own network of friends or use their own initiative to stay safe. If a conflict cannot be resolved between two inmates, the most common solution is for one woman to move to another cell. In fact, the inmates have keys to their own cells and central door to their pavilion. The reason is not keep them locked in but to keep other visitors and inmates out. Furthermore, moving from cell to cell requires no prior permission from a guard or authorization from a prison administration official. Guards are told that their primary responsibility is to keep the women in custody inside prison walls and that they will be held responsible if an inmate escapes.

Guards have also been known to exploit the women. They know that many of the women have cell phones and will routinely confiscate them to demand a payment to get it back, which can vary between \$10 and \$20 U.S. dollars. Other guards will trade sex for TV privileges

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where the inmates must ask permission to connect the TV to an electrical outlet. One woman reported: 'You can tell who is sleeping with a guard because they have a television in their room.'

Despite unregimented custody, the lack of institutional control does have some small advantages: the women are able to develop strong social bonds with other inmates. Within each floor, the atmosphere is mostly familial, as inmates often share basic necessities, engage, and support each other in day to day activities. One woman with a crying baby received help from other inmates on her floor who took turns walking the baby at night. Another woman was cut and bleeding, so another inmate used her crazy glue to bind the wound. In another instance, a woman who owned a hypodermic needle was dubbed the pavilion's nurse and used it to administer contraband antibiotics to a woman who was seriously ill. In sum, women's social networks are thought to be substantial because they know they cannot rely on the prison system for fulfilling many of their basic needs.

### **Discussion**

Incarcerated women at *el Inca* face many challenges, which begins with their poverty that often drives them to participate in the drug trade. Research indicates that it is not uncommon for women, especially in developing nations, to be involved in the harvesting, processing, or distribution of cocaine (Rice, 2001; Rondon, 2003). Poverty, lack of education or access to jobs that pay a living wage combines with male influence to produce a decision to work as a courier. Convincing these young women, who are often mothers, to stop their participation is a hard sell where poverty, corruption, and deep political, economic, and social unrest leave many struggling without the most basic of necessities (Sherret, 2005).

Their participation yields untold violence and neglect at almost every level (Rodriguez & Sehk, 1986; Rondon, 2003; Warner, 1976). The cultural roots of this violence mesh with the historically documented role of patriarchy in Latin America and are blended with an unhealthy dose of economic desperation: many women's inability to provide for their children turns to illicit activities as a form of economic survival. Poor women feel trapped and often become vilified by the police and their family as a result of their 'employment' (Fuller, 1997; Lorrain, 1993; Ramos 1998; the Colombian National Demo-

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graphic Health Survey 1995; Rodriguez & Becerra, 1997; Shiroma, 1996; Saucedo-Garcia, 1999; Ellsberg et al 1999; Ministry of Health and Social Services of Bolivia, 1999; and The International Program Against Drugs of the United Nations, 1997; Epele, 2003). In Epele's (2003) research on cocaine production, women do not report violence against them because they believe they are culpable for their participation and its consequences. By working in the illegal drug market, they reap the consequences, which means that they are not afforded any special protection, and in fact, agree to put themselves at greater risk. In an environment socially and economically fragmented and ruled by poverty, a woman's decision making is a complex web of weighing multiple risks and benefits. We find that the women in our study are trapped in a double-bind effect inside and outside the prison walls.

Prior research shows that women are involved in the production and its derivatives of coca at all stages of processing; yet it is almost rarely their choice (Rondon, 2003; Valdez, 2000). From collecting leaves of the plant to transit of the product for processing, women and girls are more typically coerced, driven by poverty and the obedience they feel they must show to the males in their lives (Jimenez Napa, 2001; Rondon, 2003). One woman at *el Inca*, for example, was told to carry several shampoo bottles filled with chemicals for coca processing to another courier and was subsequently arrested (Soquel, in Women's e-news, 3/31/09). She claimed that she did not know the contents of the bottles and was 'only doing a favor for *un amigo*.'

These multiple marginalizations make legitimate choices less likely and compound the rate at which poverty and a lucrative international drug trade coincide. As these data indicate, incarceration brings with it basic human rights violations and deconstructs families in which children become separated from their mothers, while thrown into an untested system of foster care or face homelessness. Poor consequences like these are thought to increase the risk of depression and other mental health issues these women experience as they face lengthy incarceration periods and little preparation for the future.

### Limitations of the Study

Several problems arose in implementing this exploratory study among the women held at *el Inca*. For example, although a formal internal review board approved this investigation, the host institution, *el*

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*Inca*, has no institutional board to approve and support such research. The sampling methodology was constrained due to lack of formal protocols, and we could not generate a representative sample.

### **Future Research**

These results are only the first step in data collection of an ongoing study. As a presidential pardon for anyone sentenced for possession of less than two kilos of cocaine took effect in July 2008, a timely research question is one that should examine recidivism. Under the new law, a second drug offense carries a mandatory minimum sentence of ten years. With few post incarceration supports in place, such as welfare assistance or job training, it is likely that the same causes and conditions that result in women's participation in drug trafficking will produce repeat offending and lengthier incarceration periods in a relatively short timetable.

A second objective in the immediate future is to evaluate the impact of Ecuador's 2006 Universal Rights of the Child to determine how the children of incarcerated parents are fairing in a patchwork system of foster care and governmental support. A qualitative study that explores the impact on children and that of their mothers from whom were forced to separate, is a logical next step in documenting the gender injustices of these women and their families.

The demand for drugs abroad will continue to create swollen and overcrowded prisons in which non-violent offenders experience care, custody, and control that will not be able to meet their basic needs. These women are the collateral damage of drug policies, in which a report from the Latin American Commission on Drugs and Democracy in Rio de Janeiro (2009) called a 'failed' and 'ineffective strategy' (Cardoso and Gaviria, 2009; Carpenter, 2003.) The Commission concluded that the criminalization for non-violent offenses should be considered 'inhumane' in its current form where profound human violations, like those we have identified here, are all too commonplace. Our data lends certainly lends support to this larger assessment.

### **Conclusion: Human Rights and Social Change**

We hope that this study ignites an awareness of the human rights violations incarcerated women face in Ecuador. Reduction of inmates means recognizing the causes and conditions under which desperate,

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impoverished women find themselves employed in a dangerous illicit drug industry. We wish to expose the often substandard and inhumane conditions these women experience during their arrest and subsequent incarceration. Implementing programs to reduce the effects of poverty on women and children are far removed from the prohibitionist policies of crop eradication and criminalization currently in effect. The women who face the challenges of poverty most likely do not realize that they are caught in a complex international web; however, continued opportunities to study this phenomenon and bring it into the public forum are critical for open dialogue and opportunities for social change.

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