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ARTICLE

Get out of prison in Chile: uneven territorial concentrations and municipal absence

Salir de la cárcel en Chile: concentraciones territoriales dispares y ausencia municipal

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Abstract

This article critically analyzes the return process of people who have been deprived of liberty to their communes of origin once they leave prison, emphasizing the diverse needs and multiple barriers they face to reintegrate into society, in the midst of an apparent invisibility in terms of municipal support. To do this, we use a quantitative methodology that combines administrative data provided by the Chilean Gendarmerie and population data from the National Institute of Statistics (both for 2016). Then, for each of the country's communes, release rates

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from prison were calculated, generating a ranking of communes that receive a proportionally greater number of ex-prisoners. Among the 30 municipalities with highest rates, their respective websites were reviewed and each of these municipalities was contacted by telephone, in order to find out what services were available for people leaving prison. Our results show that i) the return of former inmates occurs disproportionately by communes in the country (it is not a homogeneous phenomenon) ii) the vast majority of municipalities with higher concentrations did not have programs to support the return of former inmates (neighbors who return) to their territories and that iii) the invisibility of this phenomenon (concentrations of people who return from prison) can have negative impacts both for the social integration of those returning and for social cohesion in the territories.

Introduction

Latin America in general, and Chile in particular, are regions where inequality has been a persistent and problematic social characteristic (Shardgrotsky & Freira, 2021), a phenomenon that has undoubtedly contributed to the complex situation of crime and violence in the region (Bergman & Fondevila, 2021). Thus, it is not surprising that also in the case of Chile, public opinion polls place crime and drug trafficking as one of the most important concerns of citizens (Instituto Nacional de Estadísticas de Chile, INE, 2021).

As a response to address crime, it is common to invoke “more prison” without adequate consideration of the social causes of crime and, moreover, without taking into account the fact that every person sent to prison will eventually be released (Petersilia, 2003) and will do so more disadvantaged than when they entered, to the extent that they do not have an adequate process of support during and after their sentence (National Institute of Human Rights of Chile, INDH, 2013; Villagra, 2008). Today, Chile ranks in the middle of the region in terms of its incarceration rate, reaching 210 persons deprived of liberty per 100,000 inhabitants (International Centre for Prison Studies, 2021).

Palabras claves
Territorio colonizado; problema social; interculturalidad; trabajo social

In a context of high inequality, as is the case in Latin America, it is undoubtedly necessary to ask why people end up in prison, inquiring into the social causes of crime and the ways in which it is produced (Sozzo, in Gómez & Proaño, 2012). This is not in contrast, however, to the need to look more closely at the reintegration of those who have been incarcerated, as this can break the vicious circle of criminal recidivism and thus contribute to a safer society through tertiary crime prevention (Peirce & Marmolejo, 2016). Likewise, each person who is released from prison and manages to reintegrate in a comprehensive manner constitutes a significant saving for the country in terms of lower victimization, reduced spending on criminal prosecution and, likewise, less incarceration.

Although international literature has emphasized the importance of the local context in reintegration (Harding et al., 2011; Mears et al., 2008; Kubrin and Stewart, 2006), few empirical studies in Chile have inquired about it. For example, it is not well known where people return once they leave prison, how concentrated they remain in certain territories, or how involved municipalities are in this process. Thus, in this article we assembled and analyzed data from various sources, generating prison release rates for each commune in the country, elaborating a communal ranking and analyzing whether there were initiatives to support the processes of return to the community for incarcerated persons, emphasizing the 30 communes with the highest rates.

Leaving Prison and Returning to the Community

First of all, it is necessary to clarify that returning –the mere act of leaving prison– is not the same as social reintegration. Returning involves the physical return of individuals who were once in conflict with the justice¹ to life in freedom, after the end of the process of deprivation of liberty, being a prerequisite for reinsertion. In this sense, return is merely related to the fact that, at some point, the sentence will end and unless someone dies inside the prisons, the vast majority of those who are currently deprived of liberty will leave the prisons (Sanhueza, 2014; Petersilia, 2011).

Reintegration, on the other hand, implies a full social integration of subjects who, after a criminal act, served a custodial sentence, in a variety of areas, including finding employment, having a decent place to live, accessing health benefits in a timely manner, counting on the recognition and acceptance by the society that receives them, and full freedom with respect to the exercise of social, civil and political rights (Villagra, 2008).

² The past temporality of the conflict with the law is established, since the completion of the sentence and release from prison implies the end of the custodial sanction, and therefore, the end of the conflict that originated the sanction. Calling those who leave the different penitentiary centers as “persons in conflict with the law” implies that they continue in this situation.



This definition requires that not only the subjects assume both their duties and their rights, but that society itself is willing to grant such rights and ask for accountability with respect to such duties, in a framework of non-discrimination and stigmatization (Western et al., 2015).

In this sense, although it is often argued that it is the individual who was deprived of liberty who bears most of the responsibility for his or her reintegration, it is no less true that the process of social reintegration upon release from prison is rather full of obstacles and barriers -regulatory, stigmatization, discrimination for employment, administrative requirements, etc.- than of facilitating elements of the process (Western et al., 2015; INDH, 2013).

However, in the same way, the intervention focused on the reintegration of individuals who were once in conflict with the law is not only the responsibility of intrapenitentiary instances, but requires consideration and concern from different actors outside the prison system, including the role of private enterprise and local governments (Western et al., 2015; Sanhueza, 2014).

In this understanding, postpenitentiary intervention contemplates undertaking not only isolated social initiatives after the prison return process, but the mobilization in itself of a complete intervention system that begins to operate in this process. Here reference is made to the joining of forces of the three actors comprising society as a whole, i.e., the public sector, civil society and the private sector, also understanding that in Chile in particular (in Latin America in general) social benefits tend to be articulated equally in the joint work of these actors (Villagra, 2008).

These post-prison intervention systems must contemplate the coverage of the wide range of psychosocial needs of the population leaving prison, which in most cases were present even before entering the prisons themselves (Petersilia, 2011). Among these issues, the following can be highlighted:

a. Education and employment. Regarding education and employment, it has been shown in different contexts and previous research experiences, that by itself it cannot ensure the social reintegration of the population in conflict with justice (Pantoja, 2010); however, its consideration in addition to being beneficial in intramural contexts to maintain order and facilitate the processes of resocialization, allows these subjects to obtain by lawful means economic resources that allow them to meet their needs without

having to repeat criminal behavior to obtain them (Esteban et al., 2014). Along the same lines, employment is strongly related to the criminal records of the post-penitentiary population, since part of the intervention strategy should contemplate the elimination of these records, in order to reduce the possibilities of exclusion from the labor market based on the presence of these (Carnevale, 2016).

b. Health and mental health. Estimates (mainly in studies conducted in the United States) show that more than 50% of the prison population has some medical need for mental health care. In this understanding, most of the penal units lack preparation processes regarding the continuity of medical treatment in post-penitentiary instances, even assuming that these could never exist in intramural instances (La Vigne et al., 2004). This situation highlights the importance, attributed not only by the subjects themselves, but also rescued in different previous research instances, regarding the relationship between the lack of medical care and the likelihood of relapse and even increase substance use after release, and even of reoffending in criminal behavior (Sanhueza, 2014).

c. Treatment for licit (alcohol) and illicit (drugs) substance use. Assuming that there are intervention programs focused on therapeutic rehabilitation for the consumption of both licit and illicit addictive substances in intramural instances, providing such instances in postpenitentiary contexts increases the likelihood of reducing recidivism in cases where criminal acts are associated with obtaining economic resources to sustain consumption (Droppelmann, 2010). However, it is not enough in this sense to provide intervention only in the area of consumption as an individual element, but it is also necessary to work on the ecological sphere of the returnees, in order to minimize contact with peers who maintain active consumption (who were probably once part of their social networks).

d. Intervention with the subject's ecological sphere. Although there is little research that supports the relationship between the ecological environment of the subjects and the likelihood of recidivism, there is some evidence that the likelihood of individuals returning to crime increases when they return to economically disadvantaged and socially segregated neighborhoods, where there is also a lower chance of finding a job (Sanhueza et al., in press; La Vigne et al., 2004).

A particular aspect that is becoming increasingly problematic is the process of return to the community by persons deprived of liberty as they leave prison. This stage is key in social reintegration processes (Larroulet et al., 2019). In this sense, there is limited systematic empirical evidence on the magnitude, concentration and covariates associated with the return to the community of former inmates (Sanhueza, 2014).

Characteristics of the Chilean prison system

Although Mertz (2015) points out that the Chilean prison system seems to enjoy a certain good reputation in Latin America -in the sense that control of prisons is in state hands and escapes are minimal- when it is compared with the reality of more developed countries, its precariousness is exposed. Thus, for example, Chilean prisons face a series of historical deficiencies related to overcrowding and overcrowding (especially critical in regions III, V and VII); absence of adequate legal assistance; lack of minimum conditions to meet basic needs such as food or medical care (Sánchez and Piñol, 2015); poor infrastructure conditions (Supreme Court, 2017); violence and aggression between inmates (Sanhueza et al., 2020); institutional mistreatment of inmates by officials (INDH, 2013); poor access to reinsertion programs (Espinoza et al., 2014); and the absence of a criminal execution law that regulates -from a normative point of view- prison life (Castro et al., 2020; Arriagada and Rochow, 2015).

As a result, a very unfavorable context is generated to aspire to the social reintegration of incarcerated persons, where current estimates indicate that Chile reaches between 42 or 50% recidivism depending on the study considered (Fundación Paz Ciudadana, 2013; Gendarmería de Chile, 2013). Empirical evidence from other countries points to the importance of institutional contexts in future recidivism (i.e. Auty and Liebling, 2020). Thus, reducing recidivism has become one of the main challenges facing the prison system and society (INDH, 2013; Fundación Paz Ciudadana, 2013; Gendarmería de Chile, 2013).

Additionally, the Chilean prison system not only suffers from operational problems and performs poorly in terms of reinsertion, but it is also an expensive system to maintain. According to estimates by Fundación Paz Ciudadana (2016), incarceration -only considering the expenditure represented by Gendarmería- represents an annual cost for Chile that exceeds 430 billion pesos (about 550 million dollars), an amount that has been growing at an annual rate of over 10% for almost every year since 2006 to date.

Currently, there are about 39,000 people deprived of liberty in Chile (Gendarmería, 2021), divided between accused (30%) and convicted (70%), with men representing about 92% of the prison population (mostly convicted of property crimes), and women about 8% (most of them convicted of drug offenses).

According to a study on social exclusion of persons deprived of liberty (Fundación Paz Ciudadana, 2016), this population has social disadvantages in a variety of areas with respect to the general population, including educational levels, income, work, health and social participation. It is also noted that many of these disadvantageous conditions have been accumulated since childhood and that, taken together, they constitute overlapping disadvantages that have severely limited the development of these people and the exercise of their rights.

Likewise, two out of every three people imprisoned in Chile are under 35 years old and 86% of them did not complete high school in freedom (versus 54.3% of the general population) (Fundación Paz Ciudadana, 2016). Likewise, two out of every three inmates have left their parents' home before the age of 18. The start of crime is registered early (more than two thirds report having committed their first crime as minors) and nearly half report having spent time in a juvenile home (Fundación Paz Ciudadana, 2016). Thus, individuals with severe accumulated social disadvantages (León-Mayer et al., 2014; Wacquant, 2001) are sent to serve their sentences in a precarious prison system, which offers little chance of reversing criminal trajectories.

Post-penitentiary policies in Chile?

In Chile, as has been pointed out for some years now, social reinsertion has been showing several shortcomings (Castro et al., 2020). In this sense, although the social reintegration policy aims to be a relevant and effective response, it is still very recent in its implementation and support for former inmates returning to their communities is incipient. This Public Policy on Social Reintegration arose in 2017 as a State response to generate programs that facilitate the social reintegration of people who have broken the law and thus move towards reducing recidivism.

Although many of the previous initiatives in terms of public policies on security had been focused more on the repression of crime than on reintegration, this policy seems innovative in that it seeks to reduce recidivism and reintegrate the convicted person into society, betting on public safety because “a person who manages to reintegrate into his community, is also an investment in public safety and social inclusion” (Ministry of Justice, 2018, p.1).

Thus, the Public Policy for Social Reinsertion becomes a strategic element not only because it comes to humanely address the situation of persons deprived of liberty but, at the same time, it is a contribution to tertiary crime prevention and the improvement of public safety.

Another noteworthy aspect of this policy was the strong idea that social reintegration was not the sole responsibility of the Ministry of Justice and/or the Gendarmería de Chile. In this sense, a noteworthy point in the design of this policy was the joint work between public, private and civil society actors who, through the Advisory Committee for Social Reinsertion, debated and reflected on how to effectively reinsert convicted persons. Finally, the Reintegration Policy aims to make reintegration a State perspective, strengthening programs supported by national and comparative empirical evidence to reintegrate former inmates into society.

The purpose of the Back to Start Program (VAE) was to “contribute to the reintegration of people who have broken the law, by developing a comprehensive and standardized municipal management model to address the process of transition to the community of people currently under the control of Gendarmería” (Secretaría Regional Ministerial, SEREMI, de Justicia y Derechos Humanos, 2018).

In terms of organic, The VAE was managed by the SEREMI of Justice and Human Rights of the Metropolitan Region and was funded with resources from the Regional Government. It also involved the Intendancy of Santiago, the Undersecretariat of Justice, Gendarmería de Chile and the Metropolitan Regional Council. It operated in partnership with 10 municipalities in the metropolitan region that had the highest number of people leaving prison in a given year. It works through the installation, in each municipality, of a team of professionals who must first train 100 municipal officials and attend to 40 former inmates referred from Gendarmería de Chile.

Beyond this punctual initiative, however, Zúñiga (2019) has pointed out a problem that seems fundamental -not solved- of the current penitentiary policy: although the objective of the social reinsertion policy is noble (the full social integration of people who have been deprived of liberty), and that the current policy mentions adult education as a fundamental axis of it, the educational programs that operate inside prisons -and from which their students are expected to learn and transform themselves- are nested within a context where basic rights for the development of people are transgressed, as there are precarious conditions of habitability and “control relations that validate violence” (Zúñiga, 2019, p. 37).

It is, then, in the midst of this institutional precariousness that encompasses accumulated poverty and exclusion (in “aggregate” and also longitudinal terms) that those deprived of liberty, once they have served their sentences, are released (returned) to territorial contexts that are poorly prepared to meet their multiple needs. Clarifying where they return to, in what concentration they do so and what municipal support exists when this process occurs are the central motivations of this article.

Methodology

Our main research objective was to identify the Chilean communes with the highest rates of prison discharge and to contrast, at the same time, whether the municipalities where they returned had (or did not have) local reinsertion support programs for people leaving prison.

To answer our research objective, we obtained and assembled the number of releases from the prison system due to completion of sentence (administrative data provided by the Gendarmería de Chile itself) for each commune in the country, adjusting them by the estimated communal population for the year of such release (according to INE data). We then analyzed the communes with the highest rates in terms of whether their municipalities had initiatives to support the social reinsertion processes of people who leave prison (and return, therefore, as neighbors, to their neighborhoods).

Those who are released from prison after serving their sentence will return to live somewhere in the free environment. In Chile, the Gendarmería has information on where people return to once they leave prison. For ethical reasons, the exact address to which people return was not given to us in this study; only the commune where they lived. Thus, our analyses considered who left prison (anonymized) and to which communes they did so.

The analysis of administrative data provided by Gendarmería focused on releases (persons deprived of liberty serving their sentence) from the prison system for 2016, in conjunction with population projections available from the National Institute of Statistics, where the communal population by commune was estimated for that same year. In this way, release rates per 100,000 inhabitants were obtained for each of the country’s municipalities.

The year 2016 was chosen as a good year for a baseline, considering that this was the year immediately prior to the elaboration of the National Social Reinsertion Policy (2017), serving, therefore, as a natural baseline that in the future, once the national reinsertion policy (with a strong declared emphasis on local reinsertion) was implemented, could serve as a before-after comparison point. In this article, for reasons of space, logistics and relevance, the results are presented in detail only for the 32 municipalities in the country with the highest exit rates, which represent slightly less than 10% of the country's municipalities.

The methodology of contrasting only through checking the website and phoning the municipality is justified to the extent that these two procedures would be relatively similar to those that a person would try to follow after leaving prison. In this sense, our strategies were purposely similar to those that a person coming out of prison and seeking help in the municipality would try to carry out: telephone and/or search the internet (municipal website) to find information on available benefits or supports.

It should be emphasized that, in terms of ethical considerations, this article was constructed on the basis of anonymized information provided by Gendarmería de Chile; that is, no name, no particular address, no type of crime or any other individual data was given or revealed by the institution to the responsible researcher; the data were given without direct or indirect identifiers, only grouped at the commune level.

Results

Release rates by communes

Thanks to administrative data provided by Gendarmería de Chile, added to the total population projection estimated by the National Institute of Statistics, it was possible to estimate a release rate from the prison system for each commune in the country. Table 1 (below) shows the 32 communes in order from highest to lowest, in terms of their prison release rates, which are adjusted to the communal population estimated for 2016.

Table 1: prison system release rate by commune in the country

Ranking	Municipality / Commune	Number of prison discharges 2016	Muestra communal population 2016 (INE)	Discharge prison rate by municipality
1	VALPARAÍSO	599	295.731	203
2	IQUIQUE	365	199.629	183
3	ALTO HOSPICIO	210	118.413	177
4	CARTAGENA	30	20.396	147
5	LOS ANDES	89	68.401	130
6	LO ESPEJO	156	120.145	130
7	SAN ANTONIO	123	97.136	127
8	LA CALERA	68	55.343	123
9	SAN FELIPE	91	74.337	122
10	LA PINTANA	253	213.702	118
11	VALDIVIA	195	169.735	115
12	COQUIMBO	277	236.799	117
13	QUINTERO	31	28.124	110
14	CASTRO	53	49.068	108
15	LA GRANJA	155	143.558	108
16	CALDERA	19	17.830	107
17	OSORNO	165	157.855	105
18	TOCOPILLA	29	27.807	104
19	LIMACHE	46	45.709	101
20	VIÑA DEL MAR	324	325.195	100
21	RANCAGUA	235	234.048	100
22	P. AGUIRRE CERDA	122	122.462	100
23	ANTOFAGASTA	375	384.065	98
24	SAN JOAQUÍN	97	104.588	93
25	QUILLOTA	86	93.633	92
26	LA SERENA	196	216.874	90
27	EL QUISCO	12	13.359	90
28	OVALLE	108	121.868	89
29	CURICO	129	145.344	89
30	CHAÑARAL	12	13.698	88
31	RENGO	54	61.700	88
32	RENCA	129	152.399	85

Source: Own elaboration, based on data published by INE (2016) and administrative records of Gendarmería.



The rate of exits from the prison system shows important communal variations in terms of the magnitude of those leaving prison. In the Metropolitan Region, rates soar in communes in the western sector such as Lo Espejo (130) and Pedro Aguirre Cerda (100), while in the southern part of the capital the areas with the highest concentrations were La Pintana (118) and La Granja (108); in other parts of the metropolitan area, San Joaquín (93), Renca (85), Recoleta (83) and San Ramón (82) show higher figures.

In the regions, meanwhile, rates soar in the large urban centers of almost all of northern Chile, such as Arica (164), Antofagasta (98), Iquique (183), Coquimbo (117) and La Serena (90); to which should be added high rates in medium-sized urban communities such as Alto Hospicio (177) or Tocopilla (104).

In the central zone of the country, high rates appear in medium-sized or small communes of the interior V region such as La Calera (123), Los Andes (130) or San Felipe (122); of the coast of the V region such as Cartagena (147) or San Antonio (127); to this are added high rates in the large urban center of the VI region such as Rancagua (100) being, by far, the highest rate in the zone the commune-city of Valparaíso (203).

In the south, meanwhile, the commune-city of Valdivia (115) and the Chiloé town of Castro (108) are among those with the highest rates. All of these communes exceed - when adjusted by communal population - the figures for many communes even in the Metropolitan Region itself, traditionally associated with “crime and delinquency”.

Analysis of municipal supply in social reintegration (32 municipalities with higher rates).

In order to contrast the ‘demand’ for returning to the communes of residence (expressed through the prison system’s release rates for 2016), we ordered the country’s communes from highest to lowest prison release rates. Then, we selected the 32 communes with the highest rates and checked the municipal offer of each of these through: i) a website review; and ii) a phone call to each municipality to inquire about the existence of support programs (or coordination of already existing initiatives) to support the processes of return to the community by former inmates (prisoner reentry support programs).



Table 2: Municipalities with higher rates of prisoner reentry (2016) v/s support initiatives.

Ranking	Municipality / Commune	Prison Prison Rate	Web support program	Telephone support program
1	VALPARAÍSO	203	NO	SI
2	IQUIQUE	183	NO	NO
3	ALTO HOSPICIO	177	NO	NO
4	CARTAGENA	147	NO	--
5	LOS ANDES	130	NO	NO
6	LO ESPEJO	130	NO	NO
7	SAN ANTONIO	127	NO	SI
8	LA CALERA	123	NO	SI
9	SAN FELIPE	122	NO	SI
10	LA PINTANA	118	NO	NO
11	VALDIVIA	115	NO	NO
12	COQUIMBO	117	NO	NO
13	QUINTERO	110	NO	--
14	CASTRO	108	NO	NO
15	LA GRANJA	108	NO	NO
16	CALDERA	107	NO	NO
17	OSORNO	105	NO	NO
18	TOCOPILLA	104	NO	--
19	LIMACHE	101	NO	NO
20	VIÑA DEL MAR	100	NO	NO
21	RANCAGUA	100	NO	NO
22	P. AGUIRRE CERDA	100	NO	NO
23	ANTOFAGASTA	98	NO	--
24	SAN JOAQUÍN	93	NO	NO
25	QUILLOTA	92	NO	SI
26	LA SERENA	90	NO	NO
27	EL QUISCO	90	NO	--
28	OVALLE	89	NO	NO
29	CURICO	89	SI	--
30	CHAÑARAL	88	NO	NO
31	RENGO	88	SI	SI
32	RENCÁ	85	NO	NO

Source: Own elaboration, based on data published by INE (2016) and administrative records of Gendarmería



According to the information obtained in this follow-up, it can be mentioned that, for that period, the vast majority of the municipalities consulted did not have a Social Reinsertion program as such. Only 2 of the 32 websites reviewed (approximately 6%) had a banner, link or link (clearly identifiable) that talked about social reintegration and/or support for people leaving prison. By telephone, it was possible to learn that in 6 of the 32 municipalities (approximately 19% of the municipalities with the highest rates) there were programs or initiatives to assist people leaving prison, although with different methodologies, procedures and intervention approaches. In the remaining municipalities, according to the information we were able to gather from our two methodologies (telephone calls and visits to the municipal website), there were no initiatives aimed at serving this segment of the population.

The experience and informal information provided by prison officials and staff personnel (mainly social workers and psychologists) on the issue of the return of former inmates, tells us that those who arrive to the territories from prison do so, in general, to poorer and segregated neighborhoods (populations) that are known. In other words, they do not return only to a “commune” but to certain neighborhoods, which would aggravate the problem of concentration and the possibilities of service provision.

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One point that reaffirms this possibility is that our previous statistical analyses (not shown here) included the calculation of correlations between number of people released from prison and percentage of communal population in poverty (by income), finding neither significant nor high correlations. This suggests that, by taking the unit of aggregation of “commune” the possible effect disappears, but not at the level of more limited territories (neighborhoods) within the same commune.

On the other hand, the vast majority of the municipalities consulted mentioned that information on possible social reinsertion programs should be consulted directly with the Prison Service, since “they are responsible for providing this type of guidance and support to people who have served or are about to serve their prison sentence” (official who answered the call in one of the municipalities). Although it would perhaps merit a separate study, in several telephone calls municipal officials attributed the function of orienting people after release solely to the Gendarmería.

For those (few) municipalities that had a post-prison program or support, it was largely a local entity’s own implementation. This means that the support that the vast majority of municipalities provide to people who have served a prison sentence is not centralized or regional in origin, but corresponds to local government initiatives, with municipal



resources (human and financial). In this sense, where there is some support, it tends to be labor-related, as in the case of Quillota, where there is a task force composed of three professionals who help them find work and provide psychosocial support in the transition after leaving prison. Another example is what is done in the commune of La Pintana, where there is a unit that works on the reinsertion of people who have been in prison, focusing on legal aspects and the elimination of criminal records.

Discussion and Conclusions

In this article we wanted to make visible the process of leaving prison and the gap we detected between the needs of those who return and the services available to them. To this end, we constructed an indicator that estimates not only the rough numbers, but also the concentration (through a discharge prison exit rate) of formerly incarcerated individuals returning to various communities in the country, many of which were already quite disadvantaged according to indicators of poverty and social exclusion. These communities receive every year an influx of people who have been in conflict with the law, having a variety of social needs, too: from securing a safe place to sleep; getting (and maintaining) a job to generate income; to accessing to social and health services that meet their physical and mental needs (including treatment for addictions), among others.

Our results show that, despite being a necessary condition for achieving effective social reintegration at the local level (Villagra, 2008), municipal support for the return of former inmates still constitutes a pending debt for the vast majority of Chilean municipalities, particularly for those with the highest concentrations of former inmates returning as neighbors. In the United States, for example, they have begun to speak of returning citizens instead of ex-prisoners to emphasize the need for community support for reinsertion (Kenemore, 2020; Bowman and Eli, 2020; Cohen, 2019).

In line with the expectations is that the discharge rates from prison are not uniform and that, therefore, the expected impact of such return will be differential. Likewise, when analyzing the existence of programmatic offer in the communes with higher rates, we found that only in 6 of the 32 communes analyzed there was a special support program, evidencing the imbalance between the multiple challenges imposed by the prisoner reentry phenomenon (Sanhueza, 2014) and the invisibility of the phenomenon at the municipal level to address them.

According to our inquiry, apparently there would be no coordination or communications between the prison service (Gendarmería) and the municipalities at the moment when a person is going to leave prison. Although this absence may be due to legitimate concerns for the confidentiality of individuals and the desire not to stigmatize, we believe that, given the fragility of the situation of a person leaving prison and his or her multiple needs, this lack of systemic communication is something that could be worked on and improved, taking care, of course, of the confidentiality of the people involved in the process.

However, this article must be seen in the context of some limitations. First, the rates of release from the prison system calculated here do not consider those individuals serving sentences in the so-called 'open system' (non-custodial sentences) but who undoubtedly contribute to what Wacquant (2001) would call a symbiosis between the ghetto and the prison. A second limitation has to do with the fact that this study only included in its estimates those who are released from prison after serving their sentence; therefore, it does not take into account those who are serving their sentence in a free environment, or those who are on parole or those who have been indicted. In other words, there is a possibility that we are even underestimating the phenomenon in the municipalities that already receive a higher concentration of former inmates.

Our findings emphasize the need to make visible the situation of those who have committed crimes and are serving sentences in prisons, reviewing the relationship between prison and society that has been built -especially from the narratives that emphasize merely the "individualistic" explanations of crime- in the light of generating real possibilities of reintegration in the long term. Likewise, we think that the (usually) ignored social causes of crime and the deep problems of inequality that affect Chilean society and the Latin American region in general (Sozzo, in Gómez & Proaño, 2012) should be discussed, considering that prison is a reflection of the society that is built around it.

Now, in terms of some public policy implications derived from this work, we dare to suggest initiatives in three areas: i) at the territorial level: look at good practices, such as, for example, the case of Valparaíso, the commune-city with the highest rate of prison releases and which is one of the few municipalities in the country that has been systematically and historically working to support reinsertion; ii) at the level of inter-systemic coordination, we suggest improving coordination and communication between Gendarmería and the municipalities, especially those with higher rates; and iii) at the



level of other relevant actors, it is necessary to add and coordinate contributions from new non-state actors such as businesses, social leaders and other civil society organizations that can join in supporting the return of former inmates to their communities.

References

Arriagada, I. & Rochow, D. (2015). Privación de libertad en Chile: desgobierno carcelario y afectación de derechos de la población penal. In Universidad Diego Portales (Ed.), *Informe Anual sobre Derechos Humanos en Chile 2015* (pp.161-207). Ediciones Universidad Diego Portales.

Auty, K. M. & Liebling, A. (2020). Exploring the relationship between prison social climate and reoffending. *Justice Quarterly*, 37(2), 358-381.

Bergman, M. & Fondevila, G. (2021). *Prisons and Crime in Latin America*. Cambridge University Press.

Bowman, E. I. & Ely, K. (2020). Voices of returning citizens: A qualitative study of a supportive housing program for ex-offenders in a rural community. *The Prison Journal*, 100(4), 423-446.

Carnevale, C. (2016). *Antecedentes penales y reinserción laboral en América Latina*. InDret.

Castro, Á., Sanhueza, G., Purán, V. & Cortes, J. (2020). Fiscalía Judicial: posibilidades y limitaciones en su rol de inspector de prisiones. *Política criminal*, 15(30), 871-906.

Cohen, M. L. (2019). Choral singing in prisons: Evidence-based activities to support returning citizens. *The Prison Journal*, 99, 106-117.

Corte Suprema de Justicia de Chile. (2017). *Informe de la Fiscalía de la Corte Suprema sobre las visitas a cárceles chilenas*. Oficio #14 Fiscalía Judicial Corte Suprema.

Droppelmann, C. (2010). *Elementos clave en la rehabilitación y reinserción de infractores de ley en Chile*. Fundación Paz Ciudadana. <http://www.pazciudadana.cl/wp-content/uploads/2010/03/conceptos-14-elementos-clave.pdf>.

Espinoza, O., Martínez, F. & Sanhueza, G. (2014). El Sistema Penitenciario y su impacto en las personas privadas de libertad. In Universidad Diego Portales (Ed.), *Informe sobre los Derechos Humanos en Chile 2014* (pp.245-290). Ediciones Universidad Diego Portales.

Esteban, F., Alós, R., Jódar, P. & Miguélez, F. (2014). La inserción laboral de ex reclusos. Una aproximación cualitativa. *Revista Española de Investigaciones Sociológicas*, 145(1), 181-204.

Fundación Paz Ciudadana. (2013). *Evaluación del sistema concesionado versus el sistema tradicional en la reducción de la reincidencia delictual*. Inter-American Development Bank.

Fundación Paz Ciudadana. (2016). *Estudio sobre los niveles de exclusión social en personas privadas de libertad*. Unidad de Comunicaciones, Fundación Paz Ciudadana.

Gendarmería de Chile. (2013). *La reincidencia: un desafío para la gestión del sistema penitenciario chileno y las políticas públicas*. https://html.gendarmeria.gob.cl/doc/estadisticas/REINCIDENCIA_2010.pdf

Gendarmería de Chile. (2021). *Estadísticas Penitenciarias*. <http://www.gendarmeria.gob.cl/>

Gómez, A. y Proaño, F. (2012). Entrevista a Maximo Sozzo: “Que es el populismo penal?”. *URVIO, Revista Latinoamericana de Estudios de Seguridad*, 11, 117-122.

Harding, D., Morenoff, J. & Herbert, C. (2011, March). *Returning Home After Prison? Residential Mobility, Intermediate Sanctions, and Neighborhood Context among Parolees* [paper]. Conference on Rethinking Urban Poverty for the 21st Century City: Institutional and Organizational Perspectives, University of Chicago.

Instituto Nacional de Derechos Humanos. (2013). *Informe anual de la situación de derechos humanos en Chile 2013*. INDH.

Instituto Nacional de Estadísticas. (2016). *Proyecciones de Población para el año 2016*. <https://www.ine.cl/estadisticas/sociales/demografia-y-vitales/proyecciones-de-poblacion#:~:text=Las%20proyecciones%20de%20poblaci%C3%B3n%20proporcionan,demogr%C3%A1ficos%20fecundidad%2C%20mortalidad%20y%20migraci%C3%B3n>

Instituto Nacional de Estadísticas. (2021). *Encuesta Nacional Urbana de Seguridad Ciudadana*. <https://www.ine.cl/estadisticas/sociales/encuesta-de-seguridad-ciudadana>



International Centre for Prison Studies. (2021). *World Prison Brief*.
<http://www.prisonstudies.org>

Kenemore, T. (2020). Relationship matters with citizens returning from prison: qualitative findings from a mentoring program. *Journal of Offender Rehabilitation*, 59(6), 315-333.

Kubrin, C. & Stewart, E. (2006). Predicting Who Reoffends: The Neglected Role of Neighborhood Context in Recidivism Studies. *Criminology*, 44, 165-197.

Larroulet, P., Daza, S., Del Villar, P., Droppelmann, C., Figueroa, A. & Valenzuela, E. (2019). *Estudio Reinserción, Desistimiento y Reincidencia en Mujeres: Diseño, Metodología y Caracterización de la Muestra*. Centro de Estudios Justicia y Sociedad del Instituto de Sociología, Pontificia Universidad Católica de Chile.

La Vigne, N., Wolf, S. & Jannetta, J. (2004). *Voices of Experience: Focus Group Findings on Prisoner Reentry in the State of Rhode Island*. The Urban Institute.

León-Mayer, E., Cortés, M. & Folino, J. (2014). Descripción multidimensional de la población carcelaria chilena. *Psicoperspectivas*, 13(1), 68-81.

Mears, D., Wang, X., Hay, C. & Bales, W. (2008). Social Ecology and Recidivism: Implications for Prisoner Reentry. *Criminology*, 46, 301-340.

Mertz, C. (2015). Crime and Punishment in Chile. *The Encyclopedia of Crime and Punishment*, 1-4.

Ministerio de Justicia & Derechos Humanos de Chile. Secretaría Regional Ministerial de Justicia y Derechos Humanos. (2018). *Programa Volver a Empezar*.
<http://www.minjusticia.gob.cl/reinsercion-social/>

Ministerio de Justicia & Derechos Humanos (2017). *Política Pública de Reinserción Social 2017: la privación de libertad no debe sinónimo de privación de dignidad*.
<https://www.gob.cl/noticias/politica-publica-de-reinsercion-social-2017-la-privacion-de-libertad-no-debe-sinonimo-de-privacion-de-dignidad/>



Pantoja, R. (2010). La evidencia empírica de reducción de la reincidencia delictiva, como herramienta para la seguridad pública y la integración social. *Debates Penitenciarios* 13, 3-18.

Peirce, J. & Marmolejo, L. (2016, Sept. 8). Measuring recidivism is hard, but we must get it right. *Sin Miedos: The IDB Citizen Security Blog*. <https://blogs.iadb.org/seguridad-ciudadana/en/why-measuring-recidivism-is-so-hard/>

Petersilia, J. (2003). *When prisoners come home: Parole and prisoner reentry*. Oxford University Press.

Petersilia, J. (2011). Beyond the Prison Bubble. *NIJ Bulletin*, 268.

Sánchez, M. & Piñol, D. (2015). *Condiciones de Vida en los centros de privación de libertad en Chile*. Centro de Estudios en Seguridad Ciudadana, INAP - Universidad de Chile.

Sanhueza, G. (2014). ¿Retorno o reintegración? La vida post-penitenciaria en Estados Unidos hoy. *Revista de estudios criminológicos y penitenciarios*, 18, 93-110.

Sanhueza, G., Pérez, F., Candia, J. & Urquieta, M. (2020). Inmate on inmate prison violence in Chile: the importance of the institutional context and proper supervision. *Journal of Interpersonal Violence* 36, 13391-13414.

Sanhueza, G., Urquieta, M. & Castro, A. (in press). Reincidencia delictual en Chile: analizando la confluencia de factores individuales, institucionales y territoriales. *Revista Derecho (Coquimbo)*.

Schargrodsky, E. & Freira, L. (2021). *Inequality and Crime in Latin America and the Caribbean*. New Data for and Old Question.

Villagra, C. (2008). *Hacia una política postpenitenciaria en Chile*. RIL editores.

Wacquant, L. (2001). Deadly symbiosis: When ghetto and prison meet and mesh. *Punishment & Society*, 31, 95-133.

Western, B., Braga, A. A., Davis, J. & Sirois, C. (2015). Stress and hardship after prison. *American Journal of Sociology*, 120(5), 1512-1547.

Zúñiga, P. (2019). La RE inserción Social en Chile de Personas que han estado privadas de libertad y la Educación en Contexto de Encierro; Una Panorámica de exclusión. *Revista de Educación de Adultos y Procesos Formativos*, 9, 35-53

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