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WHEN WE GET OUT IT'S A MATTER OF SURVIVAL

THE CHALLENGES OF INTEGRATING JUVENILE OFFENDERS IN EL SALVADOR



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Abstract:

This investigation is an exploratory case study examining the challenges that juvenile offenders in El Salvador face in integrating into their communities after a significant period of confinement. Given the repressive trend to crime prevention in the Central American context, labeling theory was used as a lens to examine how stigmatization challenges youth's integration. Moreover, the theories of differential association and social learning highlight how incarceration increases likelihood of failed integration through its effect on peer association. The investigation relied primarily on previous research and ethnographic methods including participant observation in a Salvadoran Juvenile confinement center and interviews with professionals and youth. Results indicated that the stigmatization of Salvadoran youth limits opportunities available for the integration of juvenile offenders both within institutions and their communities, and drives youth's rejection of conventional society. Moreover youth's incarceration drives differential association with delinquent peers and the social learning consequences thereof. Thus, repression of criminal behavior in the form of stigmatization and policies such as incarceration seem to contribute to youth's failure to integrate and inadvertently fuel insecurity and the continuous cycle of violence characteristic of El Salvador and the Northern Triangle at-large.

Keywords:

El Salvador, Youth, Crime, Integration, Stigma, Delinquent Peers

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Dedication:

This project is dedicated to the subjects of my study: Salvadoran juvenile offenders. May this research project be one more modest step toward your social acceptance and contribute to your path towards a long and happy life.

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Terms and Abbreviations:

18 th Street Gang (18)	A gang that dominates in El Salvador and the lethal enemy of the MS.
CIS	Centros de Insercion Social (Juvenile Integration Centers)- Salvadoran juvenile confinement centers.
CIS El Espino	A confinement center for male youth who are members of the 18 th street gang in Ahuachapan, El Salvador.
CIS Tonacatepeque	Confinement center for youth who are members of the Mara Salvatrucha.
CIS Femenino	Female confinement center for youth. During the daytime non-gang, MS and 18 th street adolescents are mixed, but in the evenings they are split into separate dormitories.
CIS Ilobasco	Confinement center for youth who claim to be ‘civiles’.
Citizen Security	Refers to the ideal situation of the absence of a security threat to a group of people who are normatively governed by the state as well as the policies that seek to achieve this ideal situation.
‘Code of the Street’	A term borrowed from Anderson (2001) referring to rules for interpersonal interactions grounded in respect, which often endorse and reward delinquent acts. Essentially a form of governance based in self-preservation in marginalized communities where there is little faith in police, the legal system or other mainstream guarantees of security.
Conditional Release	Youth released from confinement to carry out the rest of his/her sentence in the community (after having served at least half of the sentence in confinement) on the condition that he/she complies with certain norms such as going to school, finding work etc. He/she remains under the jurisdiction of the juvenile justice system and if he/she does not comply the individual will be re-incarcerated.
Confinement	A sanction for a crime that temporarily revokes the right to liberty. In El Salvador youth are confined in the CIS (Centers for Social Integration) for a maximum penalty of 15 years.
Conventional Peers	These terms will be used throughout the paper for lack of a better term, to signify youth who are not involved in criminal behavior. They are the opposite of delinquent peers.
Criminal Career	A sequence of offending across an individual’s life-course.
Criminal Embeddedness	The immersion or involvement, in ongoing criminal networks; a phenomenon, which increases contact with deviant peers and according to social learning theory, reinforces delinquent behavior through learning delinquent definitions, modeling and reinforcement.

Criminogenic Backgrounds	The social, structural and cognitive traits of an individual, which were likely to contribute to the onset of an individual's criminal behavior.
Cumulative Disadvantage	A series of cognitive and socio-structural factors that add up in an individual's life-course, challenging one's opportunities. Examples include disintegrated families, learning disabilities, marginalization etc.
Differential Association	Direct association and interaction with others, which then shapes one's norms and values due to exposure through association. The group through which one is differentially associated provide all the mechanisms for social learning of these norms and values.
Deviance Delinquency	In this paper the terms crime, deviance and delinquency will be used interchangeably to avoid monotony. They are typically defined as violations of social norms or generally accepted standards of society (i.e., institutionalized expectations).
Delinquent Peers	The opposite of conventional peers. Those who are involved in criminal or deviant behavior.
Desistance	In this paper we are concerned with secondary desistance, which is defined as the long-term abstinence from crime among individuals who previously engaged in persistent patterns of criminal offending.
FESPAD	Research Foundation for the Application of Human Rights (See Appendix 2)
Gang	Groups consisting predominantly of youth who share a social identity, which is reflected in the gang's name, frequent interaction with other members and their regular implication in illicit activities. Their identity is expressed through symbols and gestures (hand shakes, tattoos, graffiti etc.) and their control over certain territories and markets (Savenije 2009:48).
Integration/ Reintegration	Although 'reintegration' is the term generally used for the process of offenders returning to their communities and becoming productive citizens after a period of confinement; I will refer to this process as integration, consistent with the Salvadoran policy framework, which emphasizes that juvenile offenders have often been marginalized to such an extent that this is a process in which many youth are actually integrating into conventional society for the first time. Take for instance the name for a juvenile confinement center: Centro de Insercion Social, or Center for Social Integration.
ISNA	Salvadoran Institute for Children and Adolescents, the Salvadoran governmental institute in charge of youth in conflict with the law.
Looking Glass Effect	Shaping one's self-concept through the way others see the individual.

Mano Dura (Iron Fist)	El Salvador's 'zero tolerance' policy to crime, violence and delinquency. It consists primarily of repressive measures such as increased community policing, increased military spending, harsher punishments etc.
Mara Salvatrucha (MS)	A gang that dominates in El Salvador and is the lethal enemy of the 18 th street gang.
Northern Triangle	The Region consisting of Honduras, Guatemala and El Salvador.
Persistence	The continuance of criminal activities among individuals who previously engaged in patterns of criminal offending.
Recidivism	The rate of reoffending of individuals who have been processed by the justice system. A key performance indicator for the criminal justice system
Reentry	The natural consequence of incarceration when prisoners are released back into society after a period of confinement. Pathways of reentry can involve parole, conditional release as well as participation in programs such as drug treatment, religious organizations etc.
Reentering Youth	Youth who have been released from incarceration and are attempting to integrate into conventional society.
Youth	Young people from the age of 14-25 (United Nations definition)

1. Introduction

In the face of a rising population, increased urbanization, family disintegration, poor education and minimal employment opportunities; youth in Latin America face a particularly challenging predicament (UN 2004:198). The rise of political, economic, social and cultural exclusion of youth in Latin America has contributed to their overall marginalization and has manifested itself in incremented levels of youth violence (both as victims and as perpetrators), as well as multiple forms of juvenile delinquency and crime (Rodriguez 2006:542).

Youth crime worldwide is becoming increasingly prevalent and complex, and crime prevention programs have been unequipped to handle the present realities. Crime rates have been particularly acute in Latin America and efforts from civil society, international organizations and governments have failed. Legal reforms and public policy regarding prisons have had little effect, and have focused primarily on incrementing the levels of repression. Examples are ‘Mano Dura’ (iron fist) and zero tolerance policies, which have not only failed to alleviate insecurity, but have overwhelmed the juvenile justice system and resulted in the intensification of the problems at hand (UN 2004:198; Rodriguez 2006:545).

Juvenile justice systems experiment with a multitude of ‘rehabilitation’ strategies including probation, community service, conditional release and correctional confinement to address impunity and to integrate offenders into their communities as ‘productive citizens’. Regardless, it has been demonstrated that rehabilitation is challenged on multiple fronts, and recidivism is a disturbingly frequent phenomenon. Unsuccessful re-entry is not only a threat to the security of the average citizen but is costly to the state on several levels.

Reducing recidivism and restoring law and order is a goal that is shared by all actors in the justice system; therefore, understanding the reasons for recidivism is integral to providing adequate support for youth in their re-educative process (Mennis and Harris 2010:951; UN 2004:203). In fact it has been established that ex-prisoners tend to contribute disproportionately to crime and experience significant rates of relapse, often becoming re- institutionalized within three months of release (Rosenfeld et al.

2005:81; Maruna et al. 2004:272). Surprisingly, there have been few studies investigating the process of youth's transition from prisons into their communities (Hasley 2006:147); and existing studies ignore the lived experiences of incarceration as well as the cultural settings to which youth are expected to return (Fader 2008:2). In the contemporary setting in which crime rates continue to rise among already overflowing judicial infrastructures, a continuous outflow of juvenile offenders attempting societal integration¹ is inescapable. Therefore an understanding of the processes and challenges faced by these individuals is a necessary precursor to the prevention of crime and re-institutionalization.

This case study uses ethnographic methods to investigate how institutionalized youth and those who have 'gotten out' experience incarceration and reentry into their communities in El Salvador – the country that was recently ranked as the most violent country in the world (PNUD 2010:275). Data was collected concerning youth's personal backgrounds, their institutional experiences and their post-institutional experiences. Meanwhile, a review of literature and law, as well as in-depth interviews with specialists, has permitted the identification of factors facilitating or inhibiting the reentry of offenders.

Although the Salvadoran case is unique in its history and policy towards juvenile delinquency, the investigation aims to shed light primarily on how social and structural barriers challenge youth's reentry into their communities and increase the risk that they will continue to follow a 'life-course' of crime.

¹ Although 'reintegration' is the term generally used for the process of offenders returning to their communities and becoming productive citizens; I will refer to this process as integration, consistent with the Salvadoran policy framework, which emphasizes that juvenile offenders have often been marginalized to such an extent that this is a process in which many youth are actually integrating into conventional society for the first time. Take for instance the name for a juvenile confinement center: Centro de Insercion Social, or Center for Social Integration.

It attempts to paint a picture of how stigma and embeddedness in delinquent peer networks may challenge integration into a community after spending a significant portion of adolescence in relative isolation. The following questions will be addressed:

- How does the stigmatization of Salvadoran youth challenge the integration of juvenile offenders?
- How does the confinement of Salvadoran juvenile offenders challenge integration through the social learning consequences of the differential association with delinquent peers?

The investigation is a response to criminologist's calls for a return to the field in order to situate youth's experiences in criminal justice institutions as well as their experiences integrating into their communities, within theories and empirical findings (Inderbitzin 2009:457). In doing so, it aims to contribute to research concerning the social and structural determinants of crime and the risk which labeling and embeddedness in delinquent peer networks pose to successful integration. Lessons learned are particularly pertinent to Honduras and Guatemala, which currently face similar phenomena of widespread violence rooted in gang related activities (Rodriguez 2006:560).

2. Background

To better understand the challenges that juvenile offenders face in their integration process, it is crucial to understand the macro setting where they are expected to conform as 'productive citizens'. The following chapter introduces the roots and consequences of Salvadoran crime and delinquency, the social and economic context that continues to fuel crime, as well as the state's reaction and the outcomes thereof.

2.1 The Salvadoran Civil War and the Roots of Gang Warfare

A history of political and social repression in El Salvador (ES) culminated in one of the bloodiest civil wars in the region between communist guerilla forces and the United States supported a right-wing dictatorship between 1980 and 1992. In an attempt to escape poverty, political repression and war, a wave of Salvadorans fled to

the United States only to find discrimination, low paying jobs and a marginalized life of urban poverty. As these immigrant families strove to make a living, youth were left to fend for themselves and attempted to make sense of marginalization in the land of the 'American Dream'. Masses of immigrant youth found their own response to marginalization; some of them seeking comfort in their peers by joining the already established Mexican 18th Street Gang (18) (which has its origins in the Mexican mafia), while other formed the predominantly Salvadoran gang: the Mara Salvatrucha (MS). Although the origins of the conflict are obscure, the two gangs became mortal enemies in the 1980's and were ultimately notorious for catalyzing the rise of homicide and crime rates in inner city Los Angeles and Chicago (Savenije 2009:50).

As crime and murder rates in the United States climbed sharply, the signing of the Peace Accords in 1992 allowed the US to begin sending Salvadoran refugees, illegal immigrants and others 'home'; triggering the mass deportation of thousands of Salvadorans. The INS instigated a 'Violent Gang Task Force' that devoted itself to uncovering immigrants with criminal records and deporting them to their country of origin. In effect, the Northern Triangle began to receive masses of deportees, many of who had been involved in American street gangs (Savenije 2009:57).

2.2 The Trans-Nationalization of Gang Warfare

Although the Peace Accords were signed, the violence was far from over. A country already shattered by years of civil war - rife with inequality, social exclusion, high levels of unemployment, poverty, families torn apart by violence, and widespread proliferation of weapons - now also faced the integration of thousands of jobless, impoverished and often delinquent Salvadorans, many of whom had never known a life outside of the United States. This lethal combination facilitated the formation of trans-national street gangs in El Salvador and the region at-large (Zilberg 2004:762).

Although it was a major factor, the Northern Triangle gang phenomenon is not purely the result of deportation. In fact, 'pandillas' (small- scale groups of marginalized friends that had rivalries with youth from other communities) were already present; but these were less formal, had less consistent enemies and were far less lethal. The 'pandillas' as well as the high levels of exclusion in their communities provided a fertile ground for the introduction of the new 'pandilla' style in the form of strict

ideology, codes of conduct and a life-long commitment, which youth readily adopted. Thus the 18 and the MS consumed the smaller ‘pandillas’ creating two rival transnational gangs which were hierarchical, stricter, stronger, and much more lethal than any gang the region had ever experienced (Savenije 2009:60). Gang membership was no longer a matter of fun. In the words of an MS gang member:

“We don’t play like kids, we play like adults because in this game life is the wager” (Savenije 2009:61).

Today, youth in the 18 and the MS have devoted their existence to battles of perpetual revenge, competitions to secure the drug trade, extortions and kidnappings - all to defend their letters (MS) or their numbers (18) (Savenije 2009:65). They have no known political goal and their purpose relies merely on the existence of the opposing gang (Savenije 2009:67).

2.3 El Salvador, Inequality and Crime

Although gangs are highly looked down upon in Salvadoran society for the hardship and insecurity they impose upon the average Salvadoran, youth – especially from poor and marginalized communities – are recurrently drawn to be a part of the gangs. Although poverty does not cause gang membership or crime, it is directly linked to dissolving social cohesion due to increased strain on families and communities; a phenomenon which weakens social forms of crime prevention (Bernard et al.2010:106; Smutt and Miranda 1998:76).

El Salvador has never succeeded in sustained and robust economic growth and continues to suffer economically. In 2010, 44.3% of the economically active population was underemployed and 7.3% was unemployed. Real wages continue to drop and 50% of the population earns less than minimum wage; a wage which is not sufficient to be a ‘living wage’ (PNUD 2011:50). Four out of five households are poor, 68.9% live in poor living conditions, 21.3% do not have access to running water and 40% of the population does not have access to health services (PNUD 2011:57).

Moreover, El Salvador is characterized by a history of inequality that continues to ring true. In 2009, the wealthiest 20% of the population attained 50.4% of total

income, and the country has been among the three least equal countries in Latin America (in terms of distribution of income) since 1993, scoring just 49 on the Gini index (PNUD 2011:269). This inequality extends beyond the economic sphere; the Human Development Index indicates that there are high levels of inequality between municipalities in access to water and electricity, access to health and nutrition, as well as access to education (PNUD 2011:271). Thus, poverty and the effects thereof are particularly concentrated in certain communities.

As Salvadorans strive to make a living in extremely poor and marginalized neighborhoods - where family disintegration is common and community resources are limited - youth are often left to fend for themselves, driving a growing number to seek solace in gangs (Bernard et al.2010:106; Smutt and Miranda 1998:76). As a result, perpetual gang violence continues and this tiny country now faces unprecedented levels of insecurity, with the highest homicide ranking in 2011 at 71 per 100,000, averaging 13 violent deaths per day (PNUD 2010:275).

2.4 Citizen Security:

In response to growing levels of violence and crime, government policies in El Salvador including those governing the juvenile justice system are designed and implemented within the state's policy of 'citizen security'. Citizen security refers to the ideal situation of the absence of a security threat to a group of people who are normatively governed by the state, as well as the policies that seek to achieve this ideal situation (Peetz 2010:6). The policy distinguishes between those who deserve the protection of the state and those who are considered 'criminal others'. Hume (2007:743) draws significant comparisons between the US 'war on terror' and El Salvador's 'citizen security', as both rely on the creation of a vague criminal 'public enemy'. Utilizing mainstream media to alter policy frameworks and public perceptions, the government has 'demonized' Salvadoran gang members as well as youth in general and blamed them for most expressions of violence and crime. This increases youth's marginalization and offender's opportunities to integrate successfully into conventional society (Peetz 2010:30; Hume 2007:743).

2.4.1 Repression of Crime

Utilizing the image of the dangerous juvenile gangster, the Salvadoran state has gained the public's approval in consistently focusing its crime prevention efforts on the repression of criminal actors rather than on the prevention of crime (Hume 2007:744). Repression became particularly marked in 2003 with the Flores administration's 'Mano Dura' policies. Measures such as increased police patrolling, reducing the age of criminal responsibility and severe punishments for crimes are implemented to serve as deterrents to crimes, 'scaring criminals straight' (DeLisi 2011:208).

The primary consequence of 'mano dura' policies has been the targeting of particular groups, especially youth and in particular those from marginalized communities, justified under the pretence of 'citizen security' to protect those who are considered to deserve protection (Farina et al. 2010:132; Peetz 2010:6). For instance, the 'ley antimaras' (anti-gang law, later declared unconstitutional) permitted arrests of suspected gang members based on identifiers such as tattoos or clothing as well as area sweeps by police and military controls which targeted not only gang members but youth residing in targeted communities (Wolf 2012:90). Thus the state justified arresting youth based on their pertinence to a particular group, rather than for delinquent acts, something which has equated gang members, marginalized youth and offenders as one and the same (Savenije 2009:100). In fact although juvenile gang members are blamed for the growing levels of insecurity, only 8% of registered offences were actually carried out by youth in 2010 (FESPAD 2011:55).

Although there is no doubt that El Salvador suffers from extreme levels of violence and crime - a situation that warrants strong action -, repressive policies treat individuals as the cause of their own problems. This tactic fails to acknowledge the history of uneven development, growing inequality and extreme exclusion which can be directly linked to the appeal of gangs for youth and the consequent catalyst for insecurity (Hume 2007:744;Ginwright and Cammarota 2002:82).

There is accumulating evidence that the movement towards repression has been a disastrous failure in El Salvador and the rest of Central America. The 'mano dura' policy has achieved excellent electoral results in the Northern Triangle, but according

to studies carried out by The Central American University Institute for Public Opinion, violence and delinquency increased significantly in response to implementation of the policy (Rodriguez 2006: 558). Repression increased the marginalization and public rejection of gang members and resulted in the hardening of the gang structure due to increased economic need and barriers to achieving gang ‘missions’ (Savenije 2009:99). Recent developments indicate that this continues to be valid as gang members responded to Security Minister Payes’ hardening policies by dropping cadavers in front of military posts, and murder rates rose considerably in the first months of 2012 (Torres 2012).

Despite a recent relaxation in repressive policies with the introduction of the FUNES government in 2007, repression continues to be the primary anti-violence strategy in the country. Although there have been measures at prevention and rehabilitation within government policy such as *mano amiga* (friendly hand) and *mano extendida* (extended hand), they have been extremely underfunded and therefore cannot be considered significant steps toward diminishing repression (Nunez, 2007:93). Programs to prevent and treat youth violence have been limited and disorganized and integration and social rehabilitation of youth has been essentially non-existent (Peetz 2010:27).

2.5 Integration of Juvenile Offenders in El Salvador

Following the repressive trend, the Salvadoran juvenile justice system relies heavily on confinement as their strategy for targeting juvenile delinquency, despite this being against international law and El Salvador’s penal code adopted in 1994 (See Appendix 4).

El Salvador’s penal code is based on the fundamental belief that there is an adult behind every child’s actions and that youth are too cognitively immature to fully understand the consequences of their own actions (ISNA 2011). It is framed by the Convention on the Rights of the Child and mandates the rehabilitative nature of juvenile justice and confinement as a measure of absolute last resort (Scott and Steinberg 2008:20). Regardless, the norm in El Salvador continues to be confinement of juvenile offenders without much evidence of success.

Between 1995 and 2005 ISNA has received 10,067 youth for different offences all of whom must either be integrated into society, pass to the adult justice system or in all-too frequent cases do not survive (Carranza 2005:5). In 2011, 75.4% (818) of youth who entered the juvenile justice system were carrying out their sentence in one of El Salvador's four confinement centers 'Centros de Insercion Social' (CIS)². In the same year 533 youth were newly integrated between January and September and of these youth; 40.2% were repeat offenders (ISNA 2011). Given this high number of youth returning to the juvenile justice system as well as the unknown number of youth who may be responsible for crimes that have not been accounted for, it is blatant that youth are failing to integrate into conventional society.

3. What Induces Desistance from A Life of Crime?

Successful integration is contingent on an individual's stake in conventional society and their commitment to a 'crime-free' life-course. This section begins by discussing the limitations of confinement as a strategy for integration, followed by a theoretical discussion on desistance and the factors involved in the desistance process. The section draws mostly on criminological research in North America, a region where the gang phenomenon has also been particularly marked. Regardless, I recognize that the North American context of crime is significantly distinct from the Salvadoran context, but justify my use of North American research due to the lack of previous research in Latin America.

3.1 Confinement as a strategy for crime reduction

Juvenile confinement is a policy direction that is directly linked to 'Mano Dura'; utilizing repression and punishment as a deterrent to crime. It emphasizes 'correctionalism' characterising the criminal as one from a dangerous group necessitating punishment and treatment. From this perspective juvenile confinement serves to deter further crime and to correct individual deficits, to assure that the criminal is incapacitated and unable to continue being a 'threat' to society at large (DeLisi 2011:208;McNeill 2004:242). However, Maruna and Toch (2005) assert that

² Note that in previous years there was little capacity to provide youth with alternative sentences and approximately 95% of youth were sentenced to confinement. This is a new phenomenon, which is being experimented this year.

the prison as a deterrent theory has been long pronounced dead, and functions more as a 'vote seeking' political move.

Confinement often fails to provide the means for positive change, and studies indicate that longer stays in confinement contributed to greater risks of recidivism. Although imprisonment probably has some sort of profound effect on offenders' life trajectory, Farral (1995) maintains that few people desist as a result of their imprisonment (Maruna and Toch 2005:129). Confinement focusses on the correction of the individual and has little or no direct involvement with the offender's social network, community based resources or supports (Altschuler and Brash 2004:74). Moreover, it has been established that even when controlling for individual risk factors juvenile confinement can have deleterious effects on youth's mental and physical health and development (DeLisi et al 2011:209).

In fact, Paul and Gendreau's (1999) meta-analysis with 300,000 prisoners in Canada found a positive correlation between time spent in prison and recidivism, and in his study of 445 male habitual criminals in the United States Delisi (2011) established that juvenile confinement had a significant relationship with the likelihood of becoming a serious adult habitual offender in later years. However Maruna and Toch (2005:140) remind that the impact of imprisonment has different effects depending on factors such as age, personality, background, gender, culture etc. and that the imprisonment experience will be different in different places, cultures, time etc.

3.2 Desistance

The ultimate purpose of confining criminals is to bring about desistance from their 'criminal careers,' driving them to become 'productive citizens' and ending their tendency to threaten 'citizen security'. Maruna (2001:26) defines secondary desistance as a "long-term abstinence from crime among individuals who previously engaged in persistent patterns of criminal offending". Alternatively, primary desistance can be considered a break from crime - with the intention to desist -, but much like an addict's abstinence from cigarettes, an unstable state. It deviates from primary desistance in the sense that, it is not only to cease partaking in crime, but to maintain this crime-free behavior in the face of life's obstacles. It is not an end-state,

but a perpetual process: a continuity of the crimeless behavior and thus a cessation from the ‘criminal career’.

Lemert (1951) maintains that there is a difference between primary and secondary deviance in which the former is characteristic of an experimentation with deviant behaviors whereas the latter occurs when the offender undergoes a symbolic reorganization of the self with deviant behaviors, thus necessitating a counter-reorganization of the self for the active cessation of the ‘criminal career’ (Maruna and Toch 2005:145). This paper is most concerned then with secondary desistance and how identity as a criminal is disrupted and shaped into an alternative, non-criminal existence. For simplicity’s sake in the chapters that follow, desistance will refer to secondary desistance.

3.3 What Induces Desistance?

The understanding of how and why offenders desist from crime is central to the promotion of public security, however there is surprisingly little understood about this phenomenon (Sampson and Laub 2001:1). One undeniable fact in the study of desistance is that age and efforts to ‘settle down’ play a significant role in desistance: those who are married to noncriminal spouses, who are older and employed are much more likely to desist (Maruna and Toch 2005:141). Secondly, it has been found that offences at younger ages result in longer criminal careers (Sampson and Laub 2001:13). Finally, it has been established that gang membership is a higher predictor of recidivism than more traditional factors such as demographics and prior convictions (McGloin 2007:232). However, the theory that best matches this data is a source of constant debate (Refer to Sampson and Laub 2001).

Desistance is primarily attributed to three different, but largely inter-related paradigms: informal social control theory, differential association theory and cognitive/motivational. Sampson and Laub (1993) assert that desistance is primarily rooted in the development of positive social bonds in adulthood, and new opportunities of attachment to mainstream institutions through chance events such as marriage or employment act as ‘trigger events’ which account for processes of desistance. Alternatively Warr’s (1998, 2002) theory of differential association maintains that desistance occurs due to changes in social networks and a drift away

from deviant peers; institutions may play into this by reducing the amount of time available to spend with these peers (Maruna and Toch 2005:146). However, Gottfredson and Hirschi (1990) correctly maintain that jobs do not attach themselves 'External' theories of desistance fail to account for offender's agency in attaining the institutional or social bonds, which catalyze the movement away from a life of crime. Stemming from a symbolic interactionist model in which the self is constructed through contact with society; cognitive/motivational desistance theorists maintain that changes in personal cognition or self identity may be involved in the actors motivation and openness for change (Maruna and Toch 2005:146).

Desistance thus lies between the objective changes in an offender's life as well as how these are experienced and assessed subjectively by the individual. Thus, it is not only the personal maturity and the availability of positive social bonds, but also what these changes mean to the offender (McNeill 2006:46). Where positive socio-structural foundations to desistance exist, it is more likely that the offender will follow a life-course of desistance. Whereas when they do not exist, the offender has less to lose from committing delinquent acts and proceeding with a life of crime (McNeill 2006:47).

Thornberry and Krohn (2008:188) in their *interactional theory*, highlight the importance of a life-course perspective to crime, bidirectionality and the proportionality of cause and effect. Thus, persistence is the result of the stability of causal factors to crime (especially those from early childhood) as well as the consequences to familial, societal and institutional relations brought on by anti-social behavior. The causes and consequences of crime manifest themselves in continued anti-social behavior creating a cascade of causal factors or 'cumulative disadvantages', which pose challenges for surpassing developmental stages from youth to adulthood and reinforce criminal behavior (Thornberry and Krohn 2008:198).

4. Analytical Framework

Underlying a number of sociological theories of crime is the premise that behavior is determined through *symbolic interaction* between an individual and his/her social context. In effect, an individual's self-concept exists only in the context of the individual's interaction with society. Thus, crime and deviance are a factor of individual's daily social interactions with society (Akers and Sellers 2004:137). The theory of differential association and the labeling theory have been chosen to demonstrate two ways in which youth's *symbolic interaction* with their socio-cultural environments will pose challenges to abstaining from crime and integrating successfully into conventional society. Many other factors such as criminogenic backgrounds³, human agency and chance events also play a significant role in the persistence of criminal behavior, but labeling and differential association with delinquents have been identified as particularly marked socio-structural issues for the integration of juvenile offenders in El Salvador.

4.1 Desistance and Labeling Theory:

It has been argued that labeling and shaming are necessary deterrent factors of society; where the denunciation of one's harmful actions leads individuals to abstain from unapproved behavior (Lebel et al 2008:139). However, labeling theorists suggest that repeat offenders can be a product of society's shaming reaction towards the ex-offender (Sampson and Laub 1997:8).

Baithwright argues that there are two types of shame: reintegrative and stigmatizing. Reintegrative shame encourages desistance because it allows an individual to maintain his/her sense of self worth; whereas stigmatizing shame denounces both the individual as well as the individuals acts, which encourages defiance to an un-accepting world (Lebel et al 2008:139). Given the denunciation not of delinquent acts, but of being an offender and a gang member in Salvadoran society; I refer specifically in this paper to stigmatizing labels rather than reintegrative ones.

³Criminogenic backgrounds refer to the social, structural and individual traits of an individual, which were likely to contribute to the onset of an individual's criminal behavior.

Labeling theorists suggest that stigmatizing labels are both a dependent and an independent variable for further criminal behavior (Maruna et al. 2004:274). On the one hand, the act of labeling leads individuals to be perceived by others as inherently 'bad' or 'evil' and they are rejected and treated harshly. Such harsh treatments often block off real opportunities for integration such as school and work opportunities and challenge the ability of individuals to reach life goals (Agnew 2005:154). On the other hand, ex-prisoners who perceive this negative reaction from society not only develop a sense of hopelessness from limited opportunities, but begin to internalize stigma through the symbolic interactionist notion of the 'looking glass effect'. This effect posits that the ex-offender begins to believe he is that which society believes he is. In the words of Paternoster and Iovani (1989) "*the labelling experience serves to recast individuals in their own eyes as well as in the eyes of others*" (Maruna et al. 2004:274). Leake and King (1977) have observed this phenomenon in American alcoholics where those who were labeled as most likely to recover from alcoholism did in fact recover more frequently, despite the labeling process having been completely arbitrary (Maruna and Toch 2005:148).

The dual effect of the stigmatization of the ex-offender and the internalization of this stigma through the looking glass effect, drives continued association with sub-cultural groups and deviant peers. One's identity becomes constructed in defense and attack of degrading societal reaction, creating a self-fulfilling prophecy through continued contact with deviant groups (Sampson and Laub 1997:7).

4.2 Differential Association and Social Learning Theory:

One common consequence of stigmatization is the inadvertent increased contact with law-violating peers, which is the highest predictor of persistence other than previous delinquency. Sutherland's differential association theory of crime proposes that the acquisition, maintenance and modification of delinquency are socially learned behaviors resulting from a symbolic interaction with others. Burgess and Akers Social learning theory posits that people commit and continue to commit crimes because they have come to identify with less law abiding and more law offending definitions⁴,

⁴ Definitions refer to one's beliefs and attitudes toward certain behaviors; thus more exposure to law violating definitions than law abiding ones will make it more likely for an individual to commit crimes (Akers and Sellers 2004:81).

they are provided with delinquent models or peers to imitate, and they are differentially reinforced, providing approval or awards for delinquent behavior (Akers and Sellers 2004:86). Although the precise mechanism by which delinquent behavior is passed on from one peer to another is still unknown, Warr (1998:211) contends that mere prolonged contact with individuals that one likes or looks up to encourages imitation and reinforcement.

Although “few, if any empirical regularities in criminology have been documented as often... as the association between delinquency and delinquent friends” (Warr 2002:40 *in* Akers and Sellers: 94), there are several critiques of differential association theory. One critique particularly relevant to this study is concerned with the onset of delinquency and whether this precedes association with delinquent peers or vice versa. Akers and Sellers (2004) propose that association with delinquent networks may precede delinquent behavior, but there is quite a bit of evidence in the literature that peer associations with deviants precede deviant actions (See Warr 1993 or Kandel and Davies 1991). Regardless, delinquency is considered a factor in increased delinquent peer associations and therefore a feedback process and a means to continued offending (Akers and Sellers 2004:99)

4.3 Operationalisation:

This investigation makes use of a deficit model - standard for criminological discourse - and focuses on the barriers and obstacles as ‘risk factors’ that juvenile offenders in El Salvador face to desisting from a life of crime and integrating into conventional society. Regardless, I recognize that youth may possess a number of qualities and/or advantages that could facilitate their integration process (Maruna 2001:57).

I have identified both labeling and youth’s differential association with delinquent peers as serious socio-structural ‘risk factors’ to the integration of juvenile offenders who have spent a significant time in a Salvadoran CIS. Labeling and association with delinquent peers drive a socio-structural cycle of barriers to integration where stigma increases the push towards equally stigmatized peers and incarceration provides the differential association with delinquent peers necessary for the reinforcement of

continued criminal behavior, all of which contribute to unlikely integration without strong human agency or particularly impactful chance events.

Labeling theory and the theories of differential association and social learning will be utilized in the analysis section as a lens to analyze data derived from previous research, participant observation as well as interviews with youth and professionals. Labeling theory will provide a framework for a discussion of research question number one: *How does the stigmatization of Salvadoran youth challenge the integration of juvenile offenders?* The discussion will focus on the ways in which stigma further marginalizes youth by limiting conventional opportunities and youth's symbolic interaction with the stigmatizing label. Recognizing that the link between labeling and subsequent delinquent behavior is rooted in the availability of delinquent peers, the theory of differential association and social learning will be used to demonstrate how youth's embeddedness in delinquent networks provides contact to peers who encourage the social learning of criminal behavior. Differential association will also be used to answer research question number two: *How does the confinement of Salvadoran juvenile offenders challenge integration through the social learning consequences of the differential association with delinquent peers?*

6. Methods

The following section outlines the methods that were used to address the research questions. Recognizing that there have been some major problems during the research process, I highlight the limitations and solutions to the study, the reliability and generalizability of the data as well as the ethical concerns involved. Given the large void in research for this particular topic, this is an interpretive and exploratory case study revolving around El Salvador's current political, social and cultural context (Bryman 2008:365).

6.1 Practical Considerations, Limitations and Solutions

Researching juvenile delinquency in ES has serious limitations because most prevention efforts are failing, the security situation appears to be worsening and the topic is highly politically charged. Although my research was not subject to any direct threats I was consistently intimidated by warnings and a general sense of insecurity

from two fronts. Firstly, there was a real risk of being perceived as a collaborator through my association with delinquent youth and organizations that have a record of working for the rights of gang members. Police surveillance was omnipresent and served as a constant reminder for the need for discretion and anonymity. On the other hand there was the risk of becoming a victim of gang violence through entry into gang territory and my association with youth who pertain to these groups. Myself as well as my research subjects were and continue to be strongly affected by this ‘culture of fear’.

In effect, this research project was opportunistic in nature, relying both on convenience and snowball sampling (Bryman 2004:168). I had no choice but to take an ‘ad hoc’ approach to participant recruitment, especially with regards to youth. I attained access to my first interviews through a Regional Juvenile Justice forum in which I utilized my social networks to attain access to several judges and judicial staff. Through these I attained access to more judicial staff, and several NGO’s working in juvenile integration. FESPAD and Proyecto Nehemias provided the contact that I needed to youth in the integration process.

6.2 Data Sources

6.2.1 Semi - Structured Interviews:

The investigation was mostly based on semi-structured interviews conducted with key actors including five judicial staff, four NGOs and five government staff involved in the integration process as well as four interviews with youth who have spent over a year in a CIS, and have been granted conditional release⁵ (See Appendix 1 for a detailed list).

Interviews were carried out in discrete places and typically lasted between half an hour and two hours. Discussion points with youth included individual and family backgrounds, socio-economic life, their time spent in the CIS, their adjustment to life outside CIS and their future aspirations. I would like to point out that two interviews

⁵ Conditional Release - Youth are given alternative sentences when they comply with their responsibilities as outlined by their judge and have a ‘stable’ enough home environment to ‘guarantee’ that they will not be involved in illicit activities.

were very extensive particularly because of the accompaniment of a trusted FESPAD volunteer. The other two were unfortunately much more limited.

Discussion points for professionals included but were not limited to their profession, political, social and judicial challenges to the integration process, differences between integrating gang members and non-gang members, resources available, the background of the youth and future predictions for the integration process.

Although only three interviews were recorded, most were not at the request of participants or because it became obvious that tape-recording interviews was having an influence on the quality of information being collected. For this reason notes were taken during the interviews, which encouraged open and flowing conversations. I recognize the shortcomings of this method, but justify it to protect the identity and the wishes of my interviewees and to improve the legitimacy of the information being collected.

6.2.2 Participant Observation

Observation and casual conversations were central to this research and provided insights into the world of young gang members who have become subject to the juvenile justice system. In effect, I developed a more profound understanding of youth's social realities (See Appendix 1 for dates and locations for participant observation).

I volunteered two full days a week alongside a volunteer from FESPAD in a 'Holistic Development' workshop in CIS El Espino from January 2012 to March 2012 (see Appendix 3 for an outline of the project). El Espino is an all-male CIS that works only with male 18th street gang members in Ahuachapan, El Salvador. At the time of the investigation there were 131 youth under the CIS's jurisdiction ranging between the ages of 14 and 22⁶ (Interview Director, El Espino). There were approximately 26 youth in the workshops at any given time and their age ranged between 15 and 19 years old (Baseline Survey, El Espino).

⁶ Although against Salvadoran law, youth who have been sentenced under the Juvenile Justice System are permitted to stay in juvenile detention centers as long as they are behaving adequately. This is because the CAJI (a center for youth in the CIS who are older than 18) is exhausted and has no space left for young adults. If they misbehave they are sent to adult prisons (also against Salvadoran law).

There were workshops with two sectors; one in the morning and one in the afternoon each lasting approximately 3 hours and the data utilized from these included observation, casual conversations, and a little bit of workshop material which included paintings by youth and a baseline survey which included personal information and youth's psychosocial situation in the CIS.

I also had the opportunity to converse casually with the remaining youth in the center in between workshops, on a visiting day with a delegation as well as on two occasions where we carried out activities with all the youth. Finally I was a participant observer in one workshop day at CIS Femenino (a CIS for female adolescents from both the MS and the 18 as well as non-gang members) where I was able to observe the differences between the two CIS'.

6.3 Reliability:

Internal reliability has been established through the triangulation of data sources, involving those from different perspectives of the judicial system, NGO's actively working to integrate youth, participant observation in the CIS, as well as perspectives from the youth themselves. This is not only important due to the political nature of the topic, but also due to the multitude of players involved in the integration process (Bryman 2008:376).

Although there is little reason to believe that the stories shared during interviews and in contact with the youth were invented, it is not out of the question that some information may have been exaggerated. This is especially a concern with youth's personal stories. In fact, it is quite likely that youth would be motivated to 'impress' me or portray themselves as victims. However, I maintain that although stories may not be completely accurate, my experience living and working in El Salvador as well as the information gathered from juvenile justice professionals and reports served as a source of triangulation, which confirmed the likelihood that youth's stories were, at the very least, based in fact.

Moreover, the quality of the information gathered with youth is likely quite reliable because I entered the CIS and interviewed two youth accompanied by a similarly foreign youth worker who has been working there for several months. Thus I was able

to establish a certain level of rapport and confidence with youth due to her presence as well as my regular involvement in activities as a participant observer. I was quickly able to overcome the objectification that comes along with being a female white researcher in an all-male Salvadoran CIS. and within little time youth seemed to become comfortable to reflect on their lives in casual conversations and during reflection activities throughout these three months.

6.4 Generalizability:

As an exploratory investigation, I do not pretend to expose the absolute truth of the problem, or establish a systematic, representative or objective investigation. I aim to paint a picture of Salvadoran integration through the voices of a few best-case scenario youth, those currently experiencing confinement, as well as the expert opinions of professionals attempting to grapple with juvenile delinquency in El Salvador.

That being said, it is important to note that research was not carried out in all CIS and excludes CIS, Ilobasco (a CIS meant for non-gang related youth) and Tonacatepeque (a CIS for male MS gang youth), and there was only limited participant observation in the Femenino. The project relies heavily on the experience of male 18th street gang-involved youth from El Espino, and on the integration experiences of reentering youth⁷ who are most likely ‘best case scenarios’. Despite the fact that females and non-gang youth most likely have somewhat distinct integration experiences, I maintain that the particular issues raised in this investigation are pertinent to all youth reentering their communities from Salvadoran CIS, due to stigmas equating offenders, gang members and marginalized youth as one and the same (Savenije 2009:100). Regardless, I recognize that this has most probably introduced a certain sampling bias, because I had little first hand information from non-gang youth and females, and expressly avoided accessing youth who have failed to integrate in order to protect my own safety.

Ideally this research would have benefitted from longitudinal follow up of a random sample of youth from all three CIS with regard to integration or recidivism, however

⁷ For lack of a better term, ‘reentering youth’ will be used to describe those youth who are currently attempting to reenter their communities after a period of incarceration

this was impossible due to time and safety limitations, the fact that youth's files are confidential, and the reluctance some youth had about sharing their histories. Thus, I had no choice but to rely on fragmented stories; the experience of youth inside and the experience of other youth outside the CIS, as well as personal histories from youth who were willing to share, and professionals working with youth.

6.5 Ethical Concerns:

I recognize that the population being researched is one of extreme vulnerability given that many youth have experienced trauma, abuse and drug addiction amongst other things. The asymmetry of power is obvious: I am a white female researcher who has been given the permission to enter a center where youth have been sanctioned through the temporary removal of their right to liberty (Raby 2007:47).

For this reason, I asked for informed verbal consent from the youth to be a participant observer in the workshops, as well as from those youth who participated in interviews. I stated the purpose of my research and made clear that the material and conversations would be used for the purpose of this investigation, whilst keeping their names and any other identifiers confidential. A convenience sample for interview participants ensured that I would only interview those who were fully willing to participate. I also attained verbal consent from all NGO's who provided access to youth through their programs, as well as all interview participants involved in the integration process (Bryman 2008:121)

7. DATA ANALYSIS

Utilizing the data collected, this section highlights the challenges Salvadoran juvenile offenders face to integration, utilizing labeling and the theories of differential association and social learning as lenses to answer the research questions. The chapter begins with a brief introduction to the type of youth involved in the integration process, followed by a discussion surrounding how the stigmatization of Salvadoran youth challenges their integration on an institutional level, and through symbolic interaction with society, driving them to differentially associate with delinquent peers. The final section begins by demonstrating the extent to which youth are embedded in

delinquent networks, and continues by demonstrating the effect of incarceration on the differential association with delinquent peers and criminal learning.

7.1 Underlying Challenges to Integrating Juvenile Offenders in El Salvador

Although it is beyond the scope of this paper to determine the onset of youths' criminal activity, it is important to understand a little bit about their criminogenic backgrounds, and the manifold complexities involved in the integration process; which, will pose problems in addition to labeling differential association with delinquent peers.

80% of youth institutionalized in CIS in El Salvador claim to be a part of a gang, 10% are retired gang members and only 10% constitute 'civiles' (non-gang members). The average age of youth in the CIS is 17 years old, and over 40% are interned for homicide (ISNA 2011:3).

Between 2005 and 2010, the majority of youth came from dysfunctional and/or disintegrated families. 48% of youths lived only with their mothers, 29% lived with other people and only 18% lived with both parents. Given that 48% of youth only live with their mothers, it is significant that 44% of these mothers are unemployed, and only 23.9% have permanent employment. Interviews with specialists confirmed that in the majority of cases, especially those who belong to gangs come from extremely unstable backgrounds; demonstrating that gangs are most attractive to those with few opportunities (ISNA 2011:9).

On the personal level, youth also have a number of challenges. The ISNA psychologist maintained that many youths were addicted to illicit substances, suffered from depression and post-traumatic stress disorder, and have learning disabilities (ISNA Psychologist). Moreover, they tend to have very low levels of education. Stories of neglect, abuse and trauma are prominent amongst the youth in El Espino, and have been confirmed as common for the youth in other CIS as well (Observation, El Espino Workshop; Judicial Psychologist 2 and 3). 10% of youth in CIS had previously been institutionalized in the governments child protection services, and during workshops some youth revealed their shocking and shockingly common life-stories, which include gang-involved and incarcerated parents, abandonment, murder

of close friends and family members, teenage pregnancies, becoming widows, and many more which may have motivated the onset of a 'criminal career' (Observation, El Espino Workshop; ISNA 2011:14).

For instance, the story of Julio is quite illustrative of how youth may be sent down a path of criminal behavior through socio-structural factors, and become so entrenched that they are unlikely to integrate. Julio's MS gang member mother abandoned Julio and his twin sister at birth. Although his mom eventually took in his sister again, Julio was sent to live with his grandparents, who lived in a very poor community in 18th street territory (the opposing gang). Julio made an easy target for the gang, as a kid who didn't go to school, was poor and under the age of criminal responsibility. So, Julio 'chose' to join the gang shortly after dropping out of school, and committed his first homicide at age 10 to prove himself to his 'homeboys' (Personal Communication, El Espino Workshop, February 13).

Now Julio is 18, has a history of serious offending, and is sentenced to 15 years in El Espino for multiple homicides. Outside of El Espino awaits an environment in which he is threatened to death by his mother and other MS gang members, his sister is being threatened and systematically beat up, he is functionally illiterate, and he has few skills for the modern labor market. Julio contends that the CIS experience is a break from 'real' life, and that when he gets out it is all '*a matter of survival*' (Personal Communication, El Espino Workshop, February 13).

Although not all youth are as entrenched as Julio, there are many juvenile offenders who have reached the level of entrenchment in the gangs in which there is little that the juvenile justice system can do, no matter how much it facilitates the integration process. In fact, youth nowadays leave the CIS with a new mission to carry out for the gang; not carrying out this mission is lethal (Judicial Psychologist 2 and 3, Moratalla). However, even for those who have better prospects of integrating, stigma and correctional confinement exacerbate the challenges youth will already face through decreased opportunities, and increased embeddedness in 'deviant networks'.

7.2 How does the stigmatization of Salvadoran youth challenge the successful integration of juvenile offenders?

7.2.1 Public Rejection of the Juvenile Offender

Salvadoran youth have been stigmatized as the primary source of El Salvador's problems, posing a serious barrier to the integration of juvenile offenders. The image of dangerous youth is perpetually diffused through sensationalized articles in mainstream newspapers, and confirmed in everyday conversations and opinion polls. In an opinion poll from IUDOP, 88% of the public was in favor of 'Mano Dura' policies to attack crime, 55% of the public claimed that they would be in favor of killing a criminal who terrorizes their community, and 40.5% would be in favor of lynching this individual in public (Hume 2007:745). This extremely negative social attitude towards juvenile gang members is not new, and has manifested itself in the support of gang death squads such as 'la sombra negra' as a 'necessary evil' (Hume 2007:745). Moreover, in everyday conversations surrounding the problem of juvenile integration, a common response was to reintroduce the death penalty.

7.2.2 Labeling and the likelihood of continued offending

Labeling theory proposes that the public reaction to young gang-involved men as well as the stigma associated with having done time in a Salvadoran CIS, has the dual effect of blocking opportunities for juvenile offenders upon reentry into their communities due to rejection by Salvadoran society, and increases the likelihood of further offending due to 1.) less access to resources that may be intrinsic to the achievement of personal and developmental goals 2.) the consequent drive away from pro-social peers and differential association with anti-social peers and 3.) the development of a 'delinquent' identity 'through the looking glass' which drives individuals to act according to society's imagination.

7.2.3 Youth have less access to resources to achieve their goals

Official labeling of a youth as an offender, as well as the informal label of youth as dangerous gang members can define a youth as a criminal deviant, which tends to drive the stereotypical images of the 'dangerous gang-member' to the forefront of an individual's life, and override all other definitions of the individual (Bernberg et al 2006:69). Insofar as this label is known and diffused within the community, this type of negative labeling has been known to manifest itself in the social ostracism of

juvenile offenders, and directly limit their access to resources intrinsic to youths' development and the achievement of personal goals (Kaplan and Damphousse 1994:291).

Due to the widespread diffusion of the image of the dangerous juvenile gangster, there is little faith that youth are able to overcome their delinquent pasts due to the belief that all 'serious' offenders are affiliated with gangs and that gang members are 'lost causes' (Reyes Najarro, March 10). In fact, once a person is labeled as a delinquent, and especially a gang member/delinquent, this label is very hard to reverse; especially, in societies such as El Salvador's, where they rely heavily on punishment, exclusion and stigma for social control in the form of citizen security measures (Brathwright 1989:19). Thus, institutions working to integrate juvenile offenders have little public support, and lack significant power to function effectively (Observation, Justice Forum, December 12).

It has been established that gang involved youth and males are more likely to reoffend than females and non-gang-involved youth (Agnew 2005:77, 270); however, dividing youth into these categories automatically disadvantages the male/gang member youth, which inadvertently increases their chances of reoffending, creating a self-fulfilling prophecy. Labeling has manifested itself in the differential treatment of juvenile offenders who are female and/or do not have a relationship to gangs. Tonacatepeque and El Espino (male gang CIS's) are 56% and 32% over capacity, respectively; El Espino does not have high-school classes, and neither Tonacatepeque, nor El Espino currently have the finances or the teachers available for vocational training (FESPAD 2011:123). In contrast, neither Ilobasco nor the Femenino exceed capacity, both have vocational training, and high school and the girls at the Femenino are occupied from day break to lock up, to the point that many girls have mentioned that they are overwhelmed (Personal Communication, Workshop Femenino, February 4). There may be other reasons than stigma at play here, but the CIS are administered by the same institution, and NGOs prioritize Ilobasco and the Femenino as targets for their projects (Director, El Espino).

Moreover, it is clear that there is little political interest in shaping juvenile justice institutions as places for integration. Since the onset of the Juvenile Penal law in

1994, there have been no real changes to the justice system, and despite frequent human rights outcries, CIS's remain focused on punishment instead of integration (Reyes Najarro; Justice Forum). Changes have not materialized particularly because ISNA (the Salvadoran Institute for Children and Adolescents) continues to lack the political muscle and finances to carry out its function as the coordinating body for juvenile integration. For instance, key institutions which have signed agreements with ISNA - such as the ministry of education and the ministry of health - have not delivered; and their lack of interest in doing so is demonstrated by their continued absence from coordination meetings (Observation, Coordination Conference, November 2; ISNA Consultant; Orrietta Zumbado).

The effect of minimal funding and poor coordination on youth's CIS experiences is clear once you walk into a Salvadoran CIS. El Espino is systematically described as stepping into 'the inferno': a little taste of hell (Reyes Najarro, February 10). And in fact my observations confirm that El Espino has little to do with integration. To enter, visitors need to pass through several metal doors, and a quick and ineffective police frisk. It is hard to ignore the stink of sewage, and the general sense of idleness; with tattooed youth huddled in curious groups out in the courtyard, and no one around but a single educator and a guard at the door. Upon quick observation, the single classroom appears unused and much too small, the meager vocational training rooms are locked and covered in dust, and the courtyard is nothing but a concrete block with a football net (Observation, El Espino).

Not one of the CIS in El Salvador are capable of achieving conditions required to support youths' development; development here referring to the "changes that flow from the broader array of social influences and experiences that accompany advancing age" (Giordano et al. 2003:320;Reyes-Najarro). The CIS lack specialized medical services, have a scarcity of medicine, and El Espino has only a single onsite nurse for 132 youth (FESPAD 2011:104; ISNA Social Worker). Teaching and recreation materials are lacking, outdated, and dilapidated. Vocational training - when available - does not match the modern labor market or the interest of youth and the only real source of recreation is a soccer ball, which needs to be replaced every second week when it gets stuck in razor wire (Observation, El Espino; FESPAD 2011:127). Of the reentering youth, Mauricio and Oscar maintained they did not learn

any skills that are useful to them now, but both Sara and Monica learned to make cards in the CIS, which they now sell sporadically, but not often enough to make a living (Monica, Sara and Mauricio).

Failing to provide the resources to support youths' psychosocial development has been theorized to be a major factor in recidivism. Navigating from adolescence to adulthood necessitates mastery of competence, interpersonal relationships, social functioning, self-definition and self-mastery (Steinberg et al. 2004:32). For instance, youth released from incarceration in middle adolescence are expected to, and expect to have reached a certain level of independence, but often cannot achieve independence due to lagging educational and employment experience, which increases strain on the individual (Mears and Travis 2004:8). Unfortunately, confinement in a CIS appears to be more likely to arrest youth's development than to promote it. A judicial psychologist rightly contends that if the CIS are not even able to uphold youths' basic human rights, how do they expect youth to attain the skills to integrate successfully into society? (Judicial Psychologist 1).

In addition to the effect of social stigma on the funding of important resources for youths' development during their time spent incarcerated, stigma also affects resources available to youth upon reentry into their communities insofar as their status as a previous offender and gang member is known. This manifests itself in two ways: the blocking of opportunities for youth in their communities, and the lack of available reentry programs for previously incarcerated and/or gang-involved youth (Reyes Najarro; Becker et al 2004:69).

Youths' communities are more often than not unwelcoming to their integration, primarily due to their association with the gangs, which is revealed through tattoos or past encounters with the youths (Judicial Social Worker 1). Although the reentering youth interviewed maintained that they had no trouble registering for school, many schools do not want to receive youth who are associated with a gang, and/or have been in prison, for fear that they will negatively influence their peers (ISNA Educator; Judicial Psychologist 2 and 3). For those youth who are apt to work, 90% who get out of the CIS cannot find legal work, and they won't even hire them to work at a cash register in a super market (Judicial Psychologist 2 and 3).

It seems that these were not necessarily significant challenges for all of the reentering youth interviewed, but this may be due to a sampling bias which was introduced by only interviewing youth who are believed to be 'best case' examples. Although Monica maintained that she could not find a job right now because people don't want to hire 'people like her,' Mauricio did in fact have a formal job at a bakery. Mauricio, however, comes from a very small rural community, and was provided this job by a friend of the family, whereas Monica lives in downtown San Salvador, and does not have the social capital to obtain such an opportunity (Monica; Mauricio).

Given these types of barriers, reentry programs, which facilitate a transition from prison into communities, could have the ability to mitigate such challenges (Mears and Travis 2004:11); but again, lack of funding and support has influenced their availability. Programs easing youths' transition from prison into their communities are few and far between. Once youth are released from their sentences, there are no governmental programs available to them, and other programs are mostly short-lived due to the general lack of ownership achieved, and the reliance on grants and external finances (Reyes Najarro). Whether the lack of programs and funding is due to stigma is open to debate; however NGO's such as FESPAD, Fundacion Quetzacoatl and Homies Unidos (see appendix) have been on the public radar as defenders of human rights of gang members, and have been persecuted in the past through threats and random searches. Moreover, the 'mano dura' has obligated several NGO's to shut their doors to gang-involved youth and retired gang members due to the danger of police harassment (Savenije 2009:105;Gavidia Romero). Thus it would be no surprise if a lack of funding arose from the image of the un-rescuable juvenile gangster, and an unwillingness to invest in such a 'risky business'.

Of those programs that do exist, many do not accept youth who have spent time in prisons, have been tattooed, or are openly affiliated with a gang (Reyes Najarro; Moratalla). In other words, the label extends to organizations that are intended to facilitate integration. For instance, Jovenes Constructores (see appendix), a project focused on teaching young delinquents to be construction workers, will not accept youth who have spent time in confinement, and is not considered 'suitable' for those with tattoos (Cordova, March 2). Similarly, UNICEF scholarships for youth in

conflict with the law are available only to those youth who have not spent time in a CIS (Personal Communication, Justice Forum, December 12).

Past research has indicated that being linked to institutions such as schools and/or work can be beneficial in the desistance process because these institutions aid the achievement of conformist social values through contact with conformist institutions and peers; and, these institutions help youth to reach personal and developmentally intrinsic goals (Kaplan and Damphousse 1995:291).

Stigma seems to limit both the ability of governmental and NGO integration efforts to carry out their roles and youth reenter their frequently unwelcoming communities without much possibility to reach out for institutional help. Therefore youth are dually challenged with structural barriers and their history of cumulative disadvantage, both of which contribute to a significant risk of failed integration.

7.2.4 Stigma and Differential Association with Deviant Peers:

Successful integration of juvenile offenders is not only challenged by the tangible barriers to opportunity within CIS and in youth's communities, but also by youths' rejection of the conventional social order in direct reaction to their stigmatization (Kaplan and Damphousse 1995:291).

Youths' reaction to their label is more than blatant within the CIS, and youth who have gotten out. The youth in El Espino do not consider themselves as a part of society; they repeated quite frequently that 'we are not society' (Personal Communication, El Espino Workshop). Similar expressions were communicated by integrating youth. For instance, in casual conversation Mauricio was asked whether he would vote. He laughed and exclaimed: "no way!" When asked why he responded: "because all the political parties want us dead" (Mauricio). He will not exercise his right to vote because he does not believe that there is a legitimate source of power, that could promote his interests; and, unfortunately he is probably right.

Finally, when Monica is asked how she plans to get ahead she says:

“All of us can get ahead, even if they tell us we that we are not worth it, that we are garbage.... you can’t let them kick you down, you have to get up and kick them down yourself” (Monica).

Note the use violence towards ‘them’, in this case referring to conventional society.

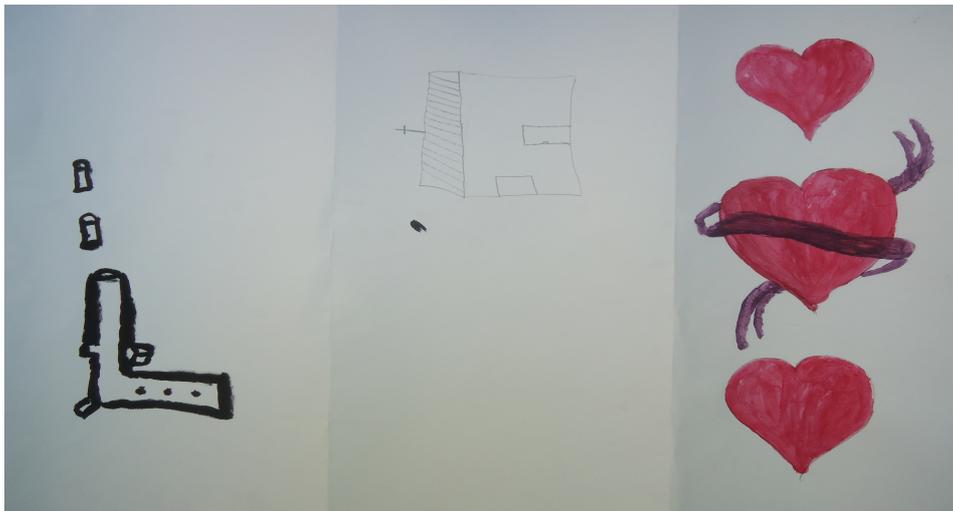
Kaplan and Damphousse (1995) maintain that this type of pointed rejection of society drives youth to an association with others who have also been rejected (in this case deviant peers), which can pose insurmountable barriers to integrating into conventional society (Kaplan and Damphousse 1995:291). Moreover, this process promotes the formation and reinforcement of deviant subcultures if the individual is easily exposed to subcultures in which delinquency is endorsed (Braithwright 1989:22, 27).

7.2.5 Stigma and Self Concept as Delinquent:

Finally, according to labeling theory, the recurrent labeling of youth as ‘bad’ or ‘evil’ will lead the individual to develop a deviant self-concept ‘through the looking glass,’ which drives them to act accordingly. However, it appears that juvenile delinquents in El Salvador do not experience this effect; rather, they reject their deviant stereotype and seek to rectify their image to ‘conventional others.’

In a workshop activity where youth were asked to depict themselves in three perspectives: the societal image, how they see themselves, and how they would like to be seen, it becomes quite clear that these youth have not adopted a deviant ‘self concept’ (at least not one which mirrors society’s image). The first image reflected youths ‘image in public newspapers: a tough, tattooed and dark man carrying a gun. The second and third images depicted young men going about conventional activities such as growing corn, hanging out at a lake or with their wives and children (Observation, El Espino Workshop, January 24).

Take for example, this image drawn by Jacobo. The first image speaks for itself: the image of what society thinks. The second image is an image of a church and Jacobo sees himself as someone who is quite humble, gentle and caring. The third image is how Jacobo would like to be perceived: he wants to be perceived as someone with a big heart, who gets along well with others:



Youth were also eager to diffuse their ‘real’ image to the ‘outside world’. Common questions posed when outsiders (including myself) entered the center was:

What do you think of us now that you have met us? What did you think of us before? Would you talk to us in the street? (Personal Communication/Observation, Delegation Visit, February 6).

Moreover, they thanked visitors profusely for giving them the chance to show them who they really are, and asked them to diffuse the message to everyone they know that: they are not all bad (Observation, Delegation Visit, February 6). Similar reactions were observed when visiting youth who had gotten out.

Although more in depth psychological analysis may be needed; this gives the impression that youth do not view themselves as mirror images of society’s’ perception; and have not internalized their label to the extent that labeling theory seems to propose. In fact, labeling theory has been criticized for claiming that the ‘powerless’ acquiesce to the deviant label, and allow it to immediately define their self-concepts (Akers and Sellers 2004:140).

However, the intense efforts at impression management portrayed by the behaviors described above, indicate the uneasiness and embarrassment that youth have when they are in contact with others outside of their ‘deviant network’. Goffman (1963:13) asserts that this type of awareness of stereotypical beliefs may cause the ‘stereotyped’ to fear rejection, and arrange their lives so as to avoid interaction with non-deviant networks. This increases the rift with conventional society, which once again exacerbates youth’s embeddedness in their deviant networks (Kaplan and Damphouse 1995:291).

7.2.6 Stigma and the Challenge it poses to Integration

Public identification of juvenile offenders and gang members as ‘evil’ limits their access to conventional resources, and evokes a negative response in youth; both of which drive them to associate with deviant peers. Integration is thus challenged, not only by the tangible barriers to opportunity posed by a history of disadvantage and deprivation of resources caused by stigma, but is likely to embed youth further in delinquent networks. As will be explained in more detail in the following section, embeddedness in deviant networks is a high predictor of recidivism and thus provides a high risk of failing to integrate into a conventional and crime-free ‘life-course’ networks (Kaplan and Damphousse 1995:291).

7.3 How does the confinement of Salvadoran juvenile offenders challenge integration through the social learning consequences of the differential association with delinquent peers?

7.3.1 Incarceration and The Differential Association with Anti-Social Peers

Labeling theory posits that differential association with delinquent peers is the mediating factor from labeling to subsequent delinquent behavior (Bernberg et al. 2006:71). This section will demonstrate that many youth in the CIS already have a high level of ‘criminal embeddedness,’ and the experience of incarceration exacerbates factors associated with social learning of criminal behavior due to increased contact with delinquent and gang-involved peers, and isolation from individuals who could be considered conventional peers. The theory of differential association posits that mere contact with delinquent friends encourages delinquent behavior through imitation and reinforcement of this behavior (Warr 1998:211). This is particularly problematic for the integration of juvenile offenders as delinquent peer

associations are the second strongest predictor of persistence, particularly during adolescence (Akers and Sellers 2004:81).

7.3.2 Social Learning, Gangs and Criminal Embeddedness:

Many youth in the Salvadoran justice system have reached a certain level of criminal embeddedness, which makes it very likely that there are ‘delinquent models’ available in the CIS. Criminal embeddedness refers to “the immersion or involvement, in ongoing criminal networks”; a phenomenon which increases contact with deviant peers. According to social learning theory, this encourages delinquent behavior by providing a setting to learn delinquent definitions, modeling and reinforcing delinquent behavior (Bernberg et al. 2006:71).

80% of youth in Salvadoran CIS’ pertain or are associated to highly criminalized gangs, and although there is one ‘non-gang’ CIS, it has been established that many youth in Ilobasco also pertain to gangs (FESPAD 2011:123). Salvadoran gangs provide the perfect ‘social learning environment’ to reinforce delinquent behavior. In fact, gang membership or even association with gangs has been identified as a particularly well-noted example of peer association as a precursor criminal behavior (Akers and Sellers 2004:95). The Salvadoran gangs have their own ‘code of the street,’⁸ which provide delinquent definitions and reinforcement of delinquent behavior. For instance, the gang provides approval to take revenge on an opposing gang member, meanwhile, the gang hierarchy provides delinquent models to aspire to (Bernberg et al. 2006:71).

Youth’s ‘embeddedness’ in the gang networks is obvious in the CIS, where youth are covered from head to toe in tattoos, speak with gang ‘slang,’ use ‘street’ nicknames, all of which were identified by Savenije (2009) as exemplifying fidelity to the gang (Observation, El Espino and Femenino). It also seems that juvenile offenders are commonly linked to others who are being processed by the judicial system. For instance, some youth in El Espino mentioned that they were childhood friends or brothers and three girls in the Femenino and reentry programs identified boys I knew

⁸ ‘Code of the Street’ is a term borrowed from Anderson (2001:121) referring to rules for interpersonal interactions grounded in respect, which often endorse and reward delinquent acts (especially one’s directed towards the opposing gang)

in El Espino as their ‘baby daddies’ (Personal Communication, Nehemias, Femenino and El Espino). Finally, there were youth who asserted that their parents and other family members were gang members or were imprisoned (Personal Communication, Workshop El Espino). Although a further network analysis may be necessary, it seems that many youth already have a certain tendency to associate with delinquent peers and/or gang members prior to imprisonment; a phenomenon, which is then exacerbated in the CIS through interaction between delinquent peers.

7.3.3 CIS as ‘Schools of Crime’

If criminal learning is most pronounced when youth have most frequent contact with delinquent peers; isolation of juvenile offenders into CIS is likely to have adverse effects on further delinquency (Agnew 2006:267). Criminal learning is likely to be especially pronounced for the cases of CIS Ilobasco and the Femenino where it may be the first occasion in which youth are exposed consistently to gang involved peers, but also a serious consequence for youth in the other CIS. As Akers and Sellers note, youth may or may not be associated with delinquents prior to delinquent acts, but delinquent acts have the consequence of further entrenching youth in their delinquent networks; in this case, through incarceration (Akers and Sellers 2004:99). Thus it is highly likely that these CIS are manifestations of the enduring assumption that prisons are ‘schools of crime’ in which more experienced criminals congregate and learn from each other (Maruna and Toch 2005:156; Reyes Najarro; Moratalla).

a.) Gangs from the Street to CIS

In the late 1990’s the CIS were divided into their different gang delineations, something, which has transformed both El Espino and Tonacatepeque into their respective gang territory. Thus, the diffusion of the gangs’ ‘code of the street’ has introduced gang subculture and its hierarchy into the CIS. This created ‘delinquent models’ to aspire to and a high level of social cohesion amongst all the individuals within the CIS; phenomena which are particularly conducive to social learning and the imitation of peers (Agnew 2006:267; Savenije 2009:108).

Social cohesion amongst the young men in El Espino was more than blatant. As Savenije (2009) points out, that the ‘homeboys’ provide family type support to each other, and have frequently come to replace dysfunctional families. Although the

strengths of youth's bond could not be analysed in depth, overt displays of affection were consistently observed between the youth (Observation, El Espino). Moreover, in a survey passed out as a baseline for the 'holistic development workshop', 18 out of 20 respondents said there was not a lot of conflict between the inmates and confirmed that they got along well with the other inmates (Workshop El Espino, Baseline survey). As youth are more likely to imitate those who they 'like' or aspire to, this type of social cohesion provides a platform particularly conducive for criminal learning.

Moreover, consistent contact between highly criminal and respected delinquent models and those more vulnerable to influence, creates the social environment necessary for criminal behavior to be passed on. For instance, Savenije (2009:108) maintains that the 'Mano Dura' witch-hunt for 'palabrerros' (gang leaders) has transformed CIS into a platform for 'palabrerros' from different regions congregate. 'Palabrerros' were in fact observed in 'El Espino,' and their presence was confirmed by the Director and ISNA psychologist.

In fact, judicial and ISNA staff asserted that one of the biggest challenges for integrating youth was that they are influenced by their peers inside and outside the CIS. The adult leaders had particular influence over both the provisionals⁹ and the youngest inmates; where they strove to be tough like their older peers (ISNA Psychologist). For instance one afternoon a group of younger inmates showed off their tattoos and one new inmate of 14 years old proudly stated that he was no longer a provisional and that this time he was caught red-handed for homicide (Observation, El Espino, February 3). The pride he took in this was clearly to attain status amongst his delinquent peers.

Moreover, 'palabrerros' have the 'power' to manipulate youth to carry out delinquent tasks for them. For instance when a fight broke out between the sectors, the educators maintained that they had to face the challenge of finding who was responsible; something which was quite difficult because the youth have their leaders (Personal Communication, El Espino, February 27). When asked the reason why youth do not

⁹ Youth who have temporarily been sentenced to a CIS until proven guilty. The maximum legal confinement of a provisional is 3 months

strive to behave to get out quickly in these situations, a youth maintained: “It’s not up to us to behave ourselves... if there is a command from the outside, there are no questions asked” (Personal Communication, El Espino, Feb 3). This type of intense gang influence has manifested itself in assassinations within the CIS in previous years and is only possible due to the heinous corruption that has penetrated these centers, which allows youth to maintain contact with the gang and attain cell-phones, drugs, alcohol and just about anything they require (Observation, El Espino; Reyes Najarro; Moratalla)

b.) Tattoos Peer Influence and Gang Pride

Another particularly permanent manifestation of delinquent peer influence is the phenomenon of tattooing in the CIS. It seemed that there were barely any youth in El Espino without tattoos and many also had gone to the extent to tattoo their faces. Julio, who’s entire face and head is saturated with tattoos maintains that youth have the choice to get ‘inked’ or not, and many decide to go through with it. Youth are aware that this will pose barriers to them when they get out, but they don’t care (Personal Communication, El Espino Workshop, March 5). Face tattoos symbolize youth’s willingness to die for the gang (Nunez 2007:99).

Julio also claimed that he as well as many others did not have tattoos before coming to El Espino and a long-term volunteer observed that over 3 months, many had new tattoos in very visible places (Personal Communication, El Espino Workshop). Mauricio, who had come out of El Espino months ago, claimed that he too was not tattooed before entering the CIS. He got tattoos because he no longer cared about life: ‘Me valia la vida’ (Mauricio).

Tattooing may not be a delinquent act in and of itself, but it serves as a visual symbol for differential association with delinquent peers. Thus, tattooing rejects conventional society on two fronts: through the commitment to the ‘code of the street’ and through permanent ‘self-labeling’ which will be visible to the public and further isolate youth from conventional peers due to the aforementioned stigma (Nunez 2007:99).

7.3.4 Isolation from Potential Conventional Peers

In addition to the criminal social learning environment in which youth spend their years of confinement, they are also isolated from their homes and communities, limiting their few potentially pro-social conventional relationships. They, thereby pushed further to differentially associate with their incarcerated peers and reduce their stake in conventional society, once again challenging youth's integration.

Although further analysis for this case may be necessary, it has been observed that incarceration challenges romantic relationships and marriages: something which disrupts family cohesion and slows the process of establishing stable family lives (Uggen et al. 2005:216). For instance many youth indicated that prior to entering El Espino they were married, had girlfriends and some mentioned having children (Observation, Delegation Visit, February 6). For instance Edwin indicated: *When I was outside I had a wife and a daughter, now I just have my daughter*. When asked why? He asserted that his wife needed to find someone else to support her (Personal communication, El Espino Workshop, January 30).

Romantic relationships and marriages have been established to be avenues out of criminal behavior due to the limited amount of time youth will have to devote to their delinquent peers due to support, attachment and the responsibilities that often come along with being a spouse (especially with children) (Maruna and Toch 2005:146). Sampson and Laub argue that it is the quality of the bonds, which dictates to what extent romantic relationships can provide a trajectory away from a criminal career; indicating that it is quite irrelevant whether the partner is also involved in delinquent networks (Lebel et al. 2008:134). There has, however, been some evidence that the criminal disposition of the spouse matters in the desistance process (Giordano et al 2003). Regardless, incarceration will place strain on romantic bonds whether the partner has a delinquent disposition or not, likely increasing strain on youth upon reentry.

Furthermore, incarcerating adolescents necessitates them to move away from their homes, which can curtail psychosocial development due to the absence of support, guidance and modeling that families can provide (Steinberg et al 2004:29). For the majority of youth in El Espino, they identified their mothers, their children or their

grandparents as the most important individuals in their lives (Observation, El Espino Workshop, February 16), but imprisonment seriously limits contact to those who may have the most potential to influence youth in positive ways. Prison disrupts family relationships at the most basic level because contact is severed and research has established that less contact with family members increases likelihood of recidivism (La Vigne et al. 2005:316).

Many youth never receive visits, causing depression in youth and further entrenchment in the delinquent peer network. Take for instance Edwin's remark when asked how he was doing:

'How do you think I have been, I spend every day waiting for someone to visit, but nobody comes' Edwin (Personal Communication, El Espino January 30).

When asked in a group interview by the delegation how often families come to visit the youth maintained:

"We are the furthest away of all the Centros, they come like every three or four weeks, that's if there aren't any problems. We are poor." (Observation Delegation Visit, El Espino, February 6).

Although not all instances of families, wives and girlfriends coming to visit are considered 'conventional' peer influence, we can see that for the two reentering youth interviewed extensively that their families were indeed positive peer influence. Both Monica and Mauricio had pretty much given up on life before and during incarceration until a crucial turning point in which they realized that life was worth living. Mauricio and Monica maintained that their families have been a primary motivator to a conventional life.

"I realized that I missed my family, especially my mom, and I learned to value what I have (Interview Monica, February 4).

Similarly, Mauricio maintained that his mom always came and supported him (Interview Mauricio, March 5). Both Mauricio and Monica had the luck that their families could visit on a semi-regular basis due to the fact that the centers were

relatively close to their homes. In countries with limited infrastructure and high levels of poverty, it is easy to understand how the negative effects of incarceration and familiar isolation are exacerbated even further.

7.3.5 The Consequences for Integration

Amongst a number of other outcomes, confinement of juvenile offenders differentially associates youth with delinquent peers, which poses high 'risk factors' for continued offending and failure to integrate. The social cohesion derived from splitting CIS into gangs has allowed the espousal of gang culture in the CIS which provides a system of criminal 'social learning' to less experienced offenders in the form of reinforcement, models and definitions. Meanwhile, although youth's communities and families are known to be quite dysfunctional, confinement of juvenile offenders hinders psychosocial development and removes any pro-social models that may be available to youth such as teachers, parents or other adult role models. At the same time, it ruptures romantic relationships and hinders the possibility of constructing new ones (Steinberg et al: 29).

Upon reentry into communities, differential association with delinquent peers during confinement has at most embedded youth further into the gang network, especially due to youth's decision to attain tattoos, commit further crimes in the center, or at times youths reliance on the gang outside for basic material goods lacking in the CIS (Savenije 2009:120). At least it has limited youth's relationships with conventional peers, making them poorly positioned to make a lifestyle change towards desistance, essentially necessitating a full-scale network change and therefore strong human agency to improve chances for integration (Giordano et al. 2003:313).

Although reentering youth were not asked if they were still in contact with youth in the CIS, one can see the difficulty in 'knifing off' from delinquent peers and the willpower it takes to do so. All four youth maintain that they no longer hang out with old friends and avoid social situations to avoid getting caught up with 'bad people' (Mauricio, Monica, Sara, Oscar). For instance Mauricio does not go to community parties and stopped playing football and Monica barely leaves the house for fear that she will be forced to choose between the gang or becoming a target of gang violence (Monica; Mauricio). They are exercising a 'network change' through isolation from

their old peers, and necessitate a full-scale network change and strong human agency for a chance to integrate successfully (Giordano et al 2003:313).

Regardless, only a longitudinal test measuring youths delinquent and non-delinquent associations prior to, and after incarceration, in combination with youths outcome of integration or continued crime, could prove that differential association with delinquent peers due to incarceration actually leads to further delinquency and failure to integrate. However, considering the consequences mentioned above, incarceration does pose a high risk factor for continued association with delinquent peers and therefore a continued life of crime and failure to integrate.

8. Conclusion

As the country with the world's highest current levels of violence, it is clear that El Salvador warrants a strong reaction against victimizers. In fact, "a society which neglects the need to shame harmful criminal behavior will be one which encourages its citizens to amoral encroachments upon the freedom of others" (Braithwright 1989:12). This investigation does not intend to understate the importance of making youth responsible for their harmful actions, however it maintains that shaming in the form of repressive sanctions and stigma inadvertently challenges the integration of juvenile offenders, increasing the risk that youth will continue on a criminal career path and fueling the cycle of violence and delinquency.

The stigmatization of Salvadoran youth directly challenges juvenile offenders integration into their communities after a period of incarceration on several levels. On the one hand stigmatization limits the resources available for institutions involved in the integration of juvenile offenders and has the potential of diminishing youth's opportunities in their communities. On the other hand, youth's anticipation that conventional opportunities will be limited seems to result in fear and/or rejection of conventional society. Thus, youth are likely to seek solace and opportunities through non-conventional avenues.

Moreover, incarceration isolates youth from most conventional peers and provides an avenue for intense contact with delinquent peers, which inadvertently promotes

juvenile offenders' differential association with delinquent peers. Incarceration therefore increases the risk that youth will not have conventional peers to draw on upon integration into their communities.

Thus youth with a high level of cumulative disadvantage reenter into unwelcoming communities after a period of incarceration during which they have hardly been provided with tools for psychosocial development, or attained relevant conventional skills. To make matters worse, youth have been driven to become more embedded with delinquent peers during incarceration, and due to youth's reaction to stigma. The combined effect risks seriously limiting youth's conventional networks and is likely to facilitate reliance on delinquent networks for support. Stigma and differential association therefore create a reinforcing cycle of 'risk factors' to failed integration in which stigma pushes youth to associate with delinquent peers, and incarceration provides the differential peer associations necessary to reinforce further delinquency.

Regardless, these socio-structural 'risk factors' to a continued life of crime are by no means deterministic. As indicated earlier, personal agency and cognition play a significant role in desistance, and the movement away from a life of crime comes about due to turning points in one's life which provide hooks for change, and inspire an individual to 'knife off' from delinquent influences (Maruna and Toch 2005:146). Moreover, developmental factors such as the importance youth place on peer relations have a tendency to wane towards adulthood (Giordano et al 2003:315). Regardless, given many youth's history of cumulative disadvantage, these socio-structural risk factors will further challenge already difficult integration processes, and therefore necessitate a particularly strong cognitive shift to overcome these barriers (Maruna and Toch 2005:146). Therefore, it should be no surprise that integration, especially for gang members is rare and recidivism is frequent in the Salvadoran context.

Given the exploratory nature of this study as well as the aforementioned limitations and the complexity of human behavior, further research could be highly beneficial to determine the extent to which labeling and incarceration challenge youth's integration processes in the region at-large. A longitudinal study tracking juvenile offenders from the moment of incarceration to several years after integration can determine to what extent stigma and differential association with delinquent peers has contributed either

to their persistence or desistance. This would necessitate a network analysis of youth prior to entering a CIS and after exiting; a cross-sectional analysis of the effect stigma has on institutional and community resources for youth, as well as a psychological analysis of the effect of stigma on youths 'self-concept'.

Such a study is important inasmuch failed integration is not only a waste of limited public and human resources but continues to contribute to increasing crime rates. Further research would allow for the illumination of socio-structural barriers that can be addressed for improved integration. Innovative solutions to the integration problem could contribute to diminishing crime and violence rates and help improve the detrimental security situation, which continues to stunt the economic, social and human development of El Salvador and the Northern Triangle at-large (Rodriguez 2006:561).

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Appendices

Appendix 1 - Primary Sources Consulted for this study:

Participant Observation:

Location	What?	Run by	Dates
ISNA Head Office	Conference to Coordinate ISNA's Youth in Conflict with the Law Program	ISNA	November 2
Sheraton, San Salvador	3 rd Forum of Juvenile Justice: Towards a Sub-Regional Politics of Juvenile Justice	USAID/SICA/UNICEF	December 12 and 13 , 2011
CIS El Espino	Holistic Development Workshop	FESPAD	Mondays and Tuesdays January 23-March 6
CIS El Espino	Delegation Visit	FESPAD	February 6
CIS Femenino	Poetry and Life Story Workshop	FESPAD	February 4
Proyecto Nehemias	Proyecto Nehemias	AMILAT	March 3

2. Interviews with Reentering Youth:

Name	Description	Status	Project?	Date	Record ed?	Other Comments
Monica	18 years old/ female	8 months of conditional release from Femenino	No	February 4, 2012	Yes	Extensive interview
Oscar	18 years old/ male/conditional release	4 months into conditional release from Tonacatepque	Proyecto Nehemias	March 8, 2012	No	Limited interview
Mauricio	18 years old/Male/Conditional Releas	3 months of conditional release from El Espino	No	March 5, 2012	No	Extensive Interview
Sara	17 years old/female/Conditional Release	9 months of conditional release from femenino	Proyecto Nehemias	March 8, 2012	No	Limited Interview

3. Interviews with NGO's and other Specialists working with Juvenile Integration

Name	Description	Date	Recorded?
Orietta Zumbado	Regional Coordinator of Juvenile Justice (Alianza Joven Regional, USAID/SICA)	November 11, 2011	No
Padre Pepe Moratalla	Director of Poligono Don Bosco	February 15, 2012	No
Luis Gavidia Romero	Director, Homies Unidos	February 16, 2012	No
Valdemore Cordova	Director, Jovenes Constructores	March 2, 2012	No
Ibis Silva	Director, Proyecto Nehemias	March 1, 2012	No

4. Interviews with Juvenile Justice Staff

Name	Position	Date	Recorded?
Juez Berta Noemy Reyes Najarro	Judge for the Implementation of Sentences for Juvenile Offenders, Santa Ana	February 10, 2012	Yes
Judicial Educator and Social Worker 1	Judicial Technical Team, Santa Ana	February 10, 2012	Yes
Judicial Psychologist 2 and 3	Judicial Technical team, San Salvador	March 7, 2012	No
Judicial Educator 1	Judicial Technical Team, San Salvador	February 29, 2012	No
Judicial Psychologist 1	Judicial Technical Team, San Salvador	February 29, 2012	No

5. Interviews with ISNA, ‘Youth in Conflict with the Law’ Department staff

Name	Position	Date	Recorded?
ISNA Educator	Youth on Conditional Release	November 29	No
ISNA Social Worker	ISNA, CIS	March 6, 2012	No
ISNA Psychologist	ISNA, CIS	March 6, 2012	No
ISNA Consultant	Consultant to construct an institutional framework for youth in conflict with the law	March 2, 2012	No
Director, El Espino	Director, CIS El Espino	March 6, 2012	No

Appendix 3:

Project/NGO Descriptions

Jovenes Constructores:

A USAID and Catholic Relief Services funded project implemented by CRS' Salvadoran partners. It integrates vocational training with giving back to communities aiming to improve youths' capacities whilst giving back to their communities. Project areas include cosmetics, cooking, maintenance of computers, and motorcycle mechanics.

Proyecto Nehemias-

A project for at-risk youth as well as those who have come into contact with the juvenile justice system. It provides vocation training, psychological attention, and biblical studies. Youth have the opportunity to learn wood working, cosmetics, graphic design amongst others. The project runs only on weekends.

Homies Unidos-

Homies Unidos aims to prevent violence and promote peace through the empowerment of youth through positive alternative to gang involvement and destructive behavior. Homies Unidos provides youth in gangs avenues to give up violence through vocational training and support.

Fundacion Quetzacoatl-

An NGO directed towards at-risk, marginalized and incarcerated individuals in El Salvador. All of the themes, which make up the theoretical body of Quetzacoatl's work in the prisons and on the streets contribute to developing a more profound analysis of the causes which provoke the plague of violence which El Salvador is suffering. However, their major contribution is that they provide practical tools to prison inmates, and to those youth with whom we work, so that they might improve their quality of life.

Poligono Don Bosco-

Serving at-risk youth from low-income families, the Polígono helps at risk youth, former street children, gang members and juvenile offenders by giving them an education and a stake in businesses. Activities include vocational training, micro-businesses and involving youth in already existing cooperatives.

FESPAD-

Fundacion De Estudios Para la Aplicacion del Derecho – A Salvadoran NGO which promotes social leadership and empowerment. It aims to construct El Salvador and the regions' trajectories towards constitutional democracy.

Appendix 4:

Letter of Permission for Participant Observation-

Estimada Licda. Desiree Murcia

Subdirectora de Inserción Social

ISNA

Le escribo para pedir permiso oficial del ISNA para involucrarme en los talleres de Desarrollo Integral de FESPAD e realizar unas entrevistas con los empleados del Centro de Inserción Social, El Espino para mi trabajo de tesis, para la Universidad de Lund en Suecia.

Yo estoy estudiando Desarrollo Internacional en esta Universidad y vine a El Salvador para hacer mi trabajo de campo sobre la inserción Social de jóvenes en conflicto con la ley. Empecé como una pasante de Prevención de Violencia con UNICEF, tratando con el tema de política Penal Juvenil (junio-diciembre) y ahora quiero realizar un trabajo de campo como voluntaria de FESPAD en talleres de formación integral en CIS El Espino (enero-marzo). A continuación estoy haciendo entrevistas con jueces y equipos técnicos de menores, organizaciones que trabajan con jóvenes después que han salido de los CIS y con algunos jóvenes mismos que han permanecido en los CIS. Entonces para tener una imagen integral de la inserción social, le pido el permiso para hacer entrevistas con los siguientes de CIS El Espino para ver su punto de vista sobre su trabajo y los problemáticas que ellos observan para la inserción exitosa de los jóvenes que provienen de este tipo de centro.

- La psicóloga
- El Director
- La doctora
- Un educador/a
- Un orientador/a
- Y cualquier otra persona que usted crea que sea una persona de conocimiento importante para este tema.

Además le quisiera pedir el permiso de utilizar observaciones y conversaciones que surgen en el Centro y en los talleres de Desarrollo Integral que puedan servir el propósito de mi trabajo.

Para que tenga un conocimiento un poco mas detallado de mi perfil, del trabajo y del enfoque de las entrevistas le agrego mi curriculum, la propuesta de la tesis y una lista de preguntas de enfoque.

Muchas gracias en adelante y espero que este trabajo sea útil para ustedes como institución y que servirá como otro paso positivo para la inserción exitosa de los jóvenes infractores.

Georgina Stal

Candidato de Maestría, Universidad de Lund

Desarrollo Internacional

Appendix 5:

TOR Holistic Development Workshop ISNA-FESPAD

The Holistic Development Workshop aims to be a complement to vocational training and education, which already exist in internment centers. It aims to provide holistic development by working with youth's emotional intelligence, self-esteem, identity and trauma management. It responds to article 3 of the juvenile penal law that dictates the superior interest of youth and their holistic education and reintegration into their families and society at-large, as well as article 9 that dictates the ultimate aim of internment as education.

The workshop focuses on self-expression, stress and anger management, self-esteem and conflict resolution. Many approaches are used including art and drama therapy, meditation and massage. The primary goal is to teach the youth tools to cope with the intense emotion and desperation they experience as a result of incarceration
Workshops:

- Personal Identity: Self-conscience, developing life projects and working on self-esteem. Body Consciousness and movement, Emotional awareness, Stress Management, Masks, Mapping of Life Histories.
- Family and Community: How are my family and my community and what spaces do I occupy? Theater activity.
- Society: Social Context and the experience of youth, Social Change through personal change. Focused on facilitating the understanding of youth's social environments and in the country at large. Themes include stigma, Systems of oppression and the rights and obligations of youth.

Appendix 6:

Legal Framework for Juvenile Justice and Integration in ES

Article 40 of the Convention on the Rights of the Child states that:

1. The state recognizes the right of a child who has been culpable of breaking the law should be treated to facilitate his/her respect for human rights and fundamental liberties and in a way that the youth's age is taken into account as well as the importance of promoting his/her integration into society where he/she assumes a productive role (Convention on the Rights of the Child).
2. Diverse sentences will be ordered including supervision, probation, professional development and other alternatives to internment to assure that youth are treated appropriately for their well-being; striking a balance between the youth's circumstances and the infraction committed

According article 14 of the international Civil Rights and Politics Convention the juvenile justice system must have the final objective of rehabilitating a minor. Within this framework the minimum requirements of juvenile justice according to the United Nations is that deprivation of liberty (prison) will only be used as a preventative measure of absolute last resort and will be minimal in duration.

Moreover, El Salvador adopted a special set of laws for the protection of children and adolescents in 1994 (LEPINA) which states:

Deprivation of liberty is an exceptional measure (article 40) and all measures can be changed by the minor's tribunals based on a youth's change of conduct (article 181).

Under the framework of LEPINA, the basis of Salvadoran Juvenile Penal Law (Ley Penal Juvenil) is:

The holistic protection, superior interest, human rights, holistic development, integration into the family and society (Article 3).

The law also repeats that the deprivation of liberty can only be used as a sentence of last resort and should be for the minimum amount of time possible. The maximum sentence is the duration of 7 years, half of the time for adults (Article 15).