

ITALIAN PRISONS BURST

Antigone Observatory visited 88 Italian prisons in the past 12 months

"Today my son called me and told me that they are keeping the inmates locked in cells almost 24 hours a day (maybe an hour or two hours of yard time but I don't even know if those are respected). With 50 degrees and no fans, last night my son (who has asthma and is under nebulizer treatment and taking antibiotics) felt sick and no one let him out. The situation is at the limit, something must be done"(the mother of a detainee addressing Antigone).

"There are three of us in the cell. The bidet is used both for washing and cleaning dishes. The showers are shared and only one out of two works for 15 people in the section. We are invaded by cockroaches and ants. Rats escape from the bidet. The mattresses are full of mold. We are often without water and light. We bought the fans at our own expense. We never have access to the library. There are no classes to take. There is no activity. Women are not considered by anyone, we are at the abandonment"(this is how some women prisoners write to Antigone).

ITALIAN PRISONS BURST. CROWDING RATE IS AT 130.6% AND THERE ARE ABOUT 14,000 MORE PEOPLE THAN THE REGULATORY BEDS

As of June 30, 2024, there were 61,480 people in Italian prisons in 51,234 regular detention places. There were 2,682 women (4.4% of the total prison population), while there were 19,213 foreign people (31.3%).

The average official crowding rate was 120%. As we know, however, the official capacity, on which the official crowding rate is calculated, does not take into account the unavailable places, which as of June 17, 2024 were 4,123. As a result the real crowding rate of the Italian prison system is now 130.6%.

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IN 56 PRISONS THE CROWDING RATE EXCEEDS 150%. THERE ARE NOW ONLY 38 OUT OF 190 PRISONS THAT ARE NOT OVERCROWDED

Looking at the actual available places, there are now 56 prisons where the crowding rate is over 150% and 8 prisons where it is over 190%. These are Milan San Vittore for men (227.3%), Brescia Canton Mombello (207.1%), Foggia (199.7%), Taranto (194.4%), Potenza (192.3%), Busto Arsizio (192.1%), Como (191.6%) and Milan San Vittore for women (190.7%). There are now only 38 prisons that are not overcrowded.

IN 12 MONTHS +4,000 PRISONERS

In fact, over the past 12 months, admissions grew by 3,955; a 6.9% increase that affected women (+6.8%) and foreign nationals (+6.8%) to a substantially equal extent.

A growth that until May averaged over 300 people per month. For the first time in months, June saw a drop in admissions compared to the last month (-67), but, unfortunately, this is not necessarily indicative of a reversal of the trend; indeed, it is probably the premium prison leaves granted in greater numbers during the summer period. In fact, even in 2023 between May and June there was a slight drop in attendance (-23), but the number of inmates rose strongly again after the summer.

FOR THE FIRST TIME IN YEARS, ITALIAN JUVENILE PRISONS (IPMs) ARE OVERCROWDED. 555 YOUTHS FOR 514 OFFICIAL PLACES

There were 586 admissions to Italy's 17 juvenile prisons (IPMs) in the first months of 2024 (until June 15). During 2023 there had been 1,142 admissions, the highest number in recent years. As of mid-June 2024, there were 555 detained juveniles (including 25 girls) for 514 official places. The admissions would be even higher if it were not for the increasing transfers of those who have reached the legal age to adult prisons, despite having committed the crime as minors (practice made easier by the "Caivano Decree"). Moreover, 64.1% of the juvenile prison population did not have a final judgment.

One year earlier, as of June 15, 2023, there were 406 detained youths. While not taking into account the pandemic period, during which numbers dropped significantly on the grounds of exceptionality (as of the end of 2020, there were only 278 juvenile detainees), the attendance numbers are rapidly rising again: as of December 31, 2019, the IPMs housed 369 juveniles.

Of the 555 people in IPMs, 346 were minors and 209 were young adults. They ranged from 66 housed in Nisida (Naples) to 9 in Quartucciu (Cagliari). There were 266 foreign juveniles, 204 of whom were from North Africa. Many were unaccompanied foreign minors, who ended up in prison due to the lack of external reception facilities that forced them to a life on the streets. Usually, unaccompanied minors are arrested in Northern Italy and then, due

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to overcrowding, they are transferred to IPMs in the South, far away from the few territorial references they had. The high number of admissions makes an individualized approach more difficult. As a result, in these juvenile prisons, a big administration of psychotropic drugs is becoming a way of dealing with complexity.

ABOUT 10,000 COMPLAINTS IN 2023 FOR DEGRADING LIVING CONDITIONS. MORE THAN HALF WERE UPHELD

In the "Torreggiani" pilot judgment in 2013, the European Court of Human Rights condemned Italy for violating Article 3 of the European Convention on Human Rights (ECHR), finding that the living conditions of prisoners were inhuman and degrading. On that occasion, Italy introduced a compensatory remedy for those who have suffered treatment in prison in violation of Article 3 of the ECHR.

Persons detained for at least fifteen days in conditions that violate Article 3 now have the right to have their remaining prison sentence reduced, by one day for every ten days of violation. On the other hand, those who have served a sentence of less than fifteen days or are no longer in detention have the right to obtain a compensation of 8 euros for each day spent in the above conditions.

In 2023, the latest year for which data is available, 9,574 requests for sentence reductions arrived at Italian surveillance offices. 8,234 were decided, and of these 4,731, 57.5%, were granted. There were 3,115 acceptances in 2018, 4,347 in 2019, 3,382 in 2020, 4,212 in 2021, and 4,514 in 2022. As we can see, Italy is being systematically condemned by its own courts to compensate detainees for violations of Article 3 of the ECHR, essentially for the lack of living space in cells, more often than at the time of the Torreggiani judgment, when there were about 4,000 pending appeals with potential successful outcomes. Today, there are over 4,000 successful appeals each year. The granting of these appeals is a clear and undeniable sign of the unlivable nature of Italian prisons, also considering that these numbers underestimate the phenomenon, since there is no data with respect to appeals received by civil courts.

IN 27.3% OF PRISONS THERE ARE CELLS THAT DO NOT ENSURE 3 SQUARE METERS PER PERSON

The 88 visits conducted by the Antigone Observatory over the past 12 months show that in 27.3% of the visited prisons there were cells in which a walkable space of 3 sqm per person was not guaranteed.

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OVERCROWDING IS NOT A NATURAL DISASTER, BUT THE RESULT OF REPRESSIVE GOVERNMENT POLICIES, INCLUDING THE INTRODUCTION OF NEW OFFENSES AND INCREASED USE OF PRE-TRIAL DETENTION

In reaction to news events, which are always categorized as 'emergencies,' the current government has adopted a securitarian and repressive response with the adoption of decree-laws that seek to solve perceived social insecurity by introducing new criminal offenses and increasing the use of pre-trial detention. These measures, some of which are symbolic, while others have a great repressive impact, mainly affect the most vulnerable population (minors, people who use drugs, members of ethnic minorities) besides aggravating the rate of prison overcrowding and prison living conditions, which are already below adequate standards.

Below is a list of the most significant measures adopted in Italy by the Meloni government:

- Oct. 31, 2022: Approval of Decree-Law No. 162/2022 ("Rave Decree"). The measure introduced in article 663-bis of the Penal Code the crime of **"invasion of land or buildings with danger to public health or public safety."** The decree also makes some changes to the regime of access to prison benefits and conditional release for inmates responsible for hostile offenses, pursuant to article 4-bis of the Penitentiary Law;
- March 10, 2023: Approval of Decree-Law No. 20/2023 ("Cutro Decree"). Approved a few days after the Cutro shipwreck, it raised by one year the minimum and maximum sentence limits provided for the crime of "aiding and abetting illegal immigration" (article 12 of Immigration Law) and introduced in article 12-bis of Immigration Law the new case of **"death or injury as a consequence of crimes related to illegal immigration."**
- July 26, 2023: Approval of the law, introduced on Feb. 15, 2023, on the prosecution of the crime of **surrogacy of motherhood** committed abroad by an Italian citizen.
- Aug. 10, 2023: Approval of Decree Law No. 105/2023 ("Justice Decree"). The decree intervened in environmental matters, transforming **waste abandonment** from an administrative sanction to a criminal offense, with fines of up to 10 thousand euros, doubled for hazardous waste. An amendment also introduced a specific **contravention offense for those who kill, capture or keep Marsican brown bears.** Penalties are increased for forest fires, now punished with imprisonment from 6 to 10 years in the intentional case, and from 2 to 5 years in the culpable case.
- Sept. 15, 2023: approval of Decree Law No. 123/2023 ("Caivano Decree"). Three new criminal offenses are introduced in the aftermath of serious news events: the **"public intimidation with the use of weapons,"** cd. crime of standoff (Art. 421-bis of the Criminal Code), punishable by imprisonment of 3 to 8 years; **"failure to comply**

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with the obligation of education of minors" (art. 570-ter of the Penal Code), punishable by imprisonment of up to 2 years (up to 1 year in case of repeated unjustified absences); **"carrying weapons for which a license is not allowed"** (article 4-bis of Law No. 110/1975), punishable by imprisonment of 1 to 3 years and with increased punishment, from one-third to one-half, if the crime is committed in places with more than one person gathered or near schools, banks, transportation, parks and stations. In addition, a further tightening for juveniles takes the form of the exclusion of the possibility of access to the institution of suspended trial with probation for a number of particularly serious crimes (such as aggravated murder, aggravated sexual and gang violence). Urban DASPO, the mandatory travel warrant, the oral warning, and the quaestor's warning are also introduced. Finally, for adults and juveniles, there is an increase in the maximum sentence (from 4 to 5 years) for "minor" offenses under Article 73, paragraph 5, of the Law on Narcotics. The increased sentence also allows for the application of pre-trial detention in prison for this offense, which was previously explicitly excluded.

- Sept. 26, 2023: Approval of Law No. 138/2023. Penalties under 589 bis (road homicide) are toughened, through an increase in imprisonment, previously from 2 to 7 years and now from 8 to 12, if the conduct is committed while intoxicated or physically and mentally impaired by drugs. The new crimes of **nautical homicide** and **serious or very serious nautical bodily injury** are introduced.
- June 28, 2024: Law No. 90/2024 (Provisions on strengthening national cyber security and cyber crimes). The measure, which took effect on 17th July 2024, introduces significant increases in penalties for crimes such as abusive access to a computer system or damaging computer information, data and programs.

IF THE "SECURITY DECREE" UNDER DISCUSSION IS APPROVED, THERE WOULD BE A RISK OF A NEW WAVE OF PRISON OVERCROWDING, DISOBEDIENCE AND PASSIVE RESISTANCE WOULD BE PUNISHED, AND EVEN GANDHI WOULD BE ARRESTED

The Italian parliament is currently discussing the text of a new Security Decree, which would provide for a repressive wave that criminalizes all forms of dissent. It introduces the crime of squatting (art. 634 bis cp.) and the crime of road blocking, with the aggravating circumstance in case it is done with one's own body. Moreover, mandatory deferment of punishment in the case of detention of mothers or pregnant women is denied. Penalties for the crime of begging are raised and extended. A new specific punishment is also introduced for minor or very minor injuries committed against police officers. Article 415-bis of the Penal Code is introduced, punishing passive resistance of detainees or

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attempts to escape, with imprisonment of up to 8 years. Rule also applicable in immigration detention centers (CPRs) and hotspots.

BUILDING MORE PRISONS IS NOT A SOLUTION. ONLY CORRUPTION INVESTIGATIONS REMAIN OF PAST PRISON PLANS

The Minister of Justice has pre-announced the designation of an extraordinary commissioner for prison construction. Some precedents would suggest greater caution:

- In the early 1970s, Law No. 1133/1971 (the so-called "prison plan") was enacted, the first organic law to this effect and was scheduled to be implemented starting the following year. The plan took shape many years later. The so-called "Nicolazzi plan", issued in March 1987, provided for the construction of 13 new prisons. Nevertheless it received increasing attention from the State Council for various irregularities. The "prison plan" in 15 years, according to the State Audit Court, would result in the complete construction of only 40 new prisons out of more than 130 planned (another 35 were under construction, about 10 were in the process of being financed, and another 20 were scrapped). In March 1991, the indictment of former minister Nicolazzi by the Tribunal of Ministers was finally decided for a bribe of two billion liras. Nicolazzi was finally sentenced in December 1992 to 2 years and 8 months in prison. The investigation had been named "golden prisons."
- In 2002, a company called Dike Aedifica, was established by Roberto Castelli and Giulio Tremonti -then ministers of Justice and Economy- to deal with prison construction. Its work affected not so much prisons as the judiciary. It was 95% owned by Patrimonio S.p.A. One of his consultants was investigated for aiding and abetting corruption and inciting bribery. Some footage showed him boasting that he decided the winners of tenders. In fact, the Convention to give birth to Dike Aedifica was never formally approved.
- On June 29, 2010, the prison plan presented by the Extraordinary Commissioner for Prison Construction as well as Head of the Department of Prison Administration, Franco Ionta, was approved, which provided for the construction of 9,150 places (construction of 11 new institutes and 20 detention pavilions as an expansion of existing facilities), for a total amount of 661,000,000 euros. Very few additional beds were built in two years, and meanwhile prison Italy grew in numbers. In the meantime, the Extraordinary Commissioner was replaced. This was followed by charges of corruption related to contracts for renovation work in some prisons. This was the charge brought by the Rome Public Prosecutor's Office against nine people

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and led to searches by the Guardia di Finanza's Tax Police Unit at the Department of Prison Administration (Dap). Little remained of the prison plan.

TOO MANY REPEAT OFFENDERS: THIS IS A SIGN OF A PRISON SYSTEM THAT DOES NOT MEET CONSTITUTIONAL PURPOSES

According to data recently published by National Economic and Labour Council (CNEL), the average number of offenses per male inmate is 2.4, while for each female inmate it is 1.9. The recidivism rate is estimated at 68.7%, but it is claimed that it can drop as low as 2% for inmates who have had the opportunity for job placement.

As of December 31, 2021, only 38% of prisoners were in their first experience of incarceration. The remaining 62% had already been incarcerated at least once, with 18% having had five or more previous incarceration experiences. These figures are higher compared to 8 years ago, when 42.9% of people deprived of liberty were first-time prisoners.

TOO MANY PEOPLE ARE DETAINED FOR VIOLATING LAW ON DRUGS

According to data from the 2024 Drug White Paper, the number of prison admissions for drug-related offenses continues to be extremely significant. In 2023, out of 40,661 total admissions, 10,697 were related to the crime of possession with intent to distribute (article 73 of the Law on Drugs), accounting for 26.3% of admissions (26.1% in 2022). As of December 31, 2023, the prison population was 60,166, of which 12,946 were detained only for article 73 alone. Another 6,575 people were also held for crimes under article 74 of the Law on Drugs (association for the purpose of illicit trafficking of narcotic drugs or psychotropic substances), while 994 were detained exclusively for article 74. Altogether, these people constituted 34.1% of the total prison population - almost double the European average of 18% - considerably impacting the Italian prison system. People defined as "drug addicts" who entered prison in 2023 accounted for 38.1% of total admissions, while at the end of the year they made up 28.9% of the prison population.

DECREASE IN FOREIGN DETAINEES

Foreign people in Italian prisons now make up 31.2% of the overall population. They were 33.4 percent 10 years ago, as of June 30, 2014. The most represented nations are Morocco (20.9% of total foreign prison population), Romania (11.2%), Tunisia (10.6%) and Albania (10.5%).

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PRE-TRIAL DETENTION IS DECREASING

The percentage of people in pre-trial detention has greatly decreased over the past 15 years. At the end of 2008 - also thanks to the effects of the 2006 pardon - more than half of the prison population (51.3%) did not have a final judgment and 25.2% were awaiting first trial. Ten years later, as of December 31, 2018, pre-trial detention was at 32.8% (16.5% awaiting first trial). As of December 31, 2022, it was at 27.8% (15% awaiting first trial). Today, people in pre-trial detention constitute 27.8% of the prison population and 15% still never underwent a trial. During 2023, 82,035 pre-trial detention measures were issued, 57% of which were custodial, namely: 24,746 pre-trial detention measures in prison (accounting for 30.2% of the measures issued), 15,003 house arrest without electronic bracelet, 4,034 with a bracelet, and 712 pre-trial detention measures in a place of care. There was only one remand for a mother in an Open Prison for Detainee Mothers (ICAM). Over the past 5 years, there was a decrease in both prison custody (31,970 measures in 2018) and house arrest without a bracelet (20,938 in 2018). On the contrary, house arrest with monitoring electronic bracelets are on the rise (2,840 in 2018).

1,271 REQUESTS FOR COMPENSATION FOR WRONGFUL IMPRISONMENT IN 2023

In 2023, there were 1,271 compensation requests for wrongful imprisonment in relation to pre-trial detention, basically in line with previous years. 48.5% of these requests were upheld.

NEARLY 95,000 PEOPLE BENEFIT FROM ALTERNATIVE MEASURES TO DETENTION. A GROWTH THAT DOES NOT AFFECT PRISON NUMBERS

As we have seen, prison attendances are growing at an unsustainable rate. A few years ago, on June 30, 2020, as a result of measures taken during the Covid-19 pandemic, there were 53,579 detained people, but since then the attendance rate has begun to grow exponentially again.

At first glance, one could think that a limited use of alternative measures contributed to high prison attendance rates. However, over the past 10 years, the number of people executing a community measure has grown enormously, from 31,865 on December 31, 2014, to 91,640 on June 30, 2024. This is a huge growth (nearly 60,000 more people), which should have caused prison admissions to plummet. How has this not happened?

If one looks more closely at these numbers, however, one can see how the growth, in absolute numbers, for Home Detention, Semi-Freedom or Community Service Work was all in all limited. Growing tremendously was Probation (+27,567) and Probation to Social Services (+30,443). The former measure, however, concerns not very serious crimes, for which they rarely and only in exceptional cases end up in prison. As for Probation to Social

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Services, it can be accessed from freedom, without going through prison, in the case of sentences not exceeding 3 years, and therefore also in this case for less serious facts, which have a limited impact on prison. It can then also be accessed by people who are imprisoned when they have less than 4 years left to serve, but in this specific case the numbers are limited; there were a total of 7,698 as of June 30, 2024.

In other words, the huge growth in community sanctions has mostly affected people who would not have ended up in prison anyway, instead greatly enlarging the area of criminal control, while it has had little impact on the number of those who, thanks to those measures, have left prison or avoided entering it.

CHRONICLES OF A HOT JULY

The climate inside Italian prisons is overheated. And not only because of the unbearable temperatures that have gripped prison institutions from North to South of Italy in recent weeks, but also because of the protests that are now occurring almost daily.

THE PROTESTS IN THE ITALIAN PRISON SYSTEM

In this terrible Italian summer, the despair and anger of people deprived of liberty are emerging in different ways. Some, unable to bear the burden of incarceration any longer, have decided to end their lives; others have decided to express their dissent, resulting sometimes in protests, sometimes in outright riots. Should the crime of prison riot come into effect, in both cases people would potentially be punishable by up to 8 years in prison. This climate also makes it unbearable for prison staff, who find themselves operating in an extremely difficult environment.

- On June 27, there was a protest in the fourth section of Rome's Regina Coeli prison, while a few days earlier the third section was set on fire. The causes of the protest are said to be the extreme overcrowding that characterizes the institution, which has now reached 180%.
- On July 4, another fire was set to the Sollicciano prison in Florence, in response to the suicide of an inmate in his early 20s and the indecent living conditions related to a bedbug invasion and lack of water.
- Protests on the same days took place in the ninth section at Palermo's Ucciardone prison after a 73-year-old inmate died of a heart attack.
- Between July 8 and 9, protests also reportedly occurred at the Beccaria IPM, and at the Casal del Marmo (Rome) and Nisida (Naples) juvenile prisons. Not surprisingly, the problem of overcrowding has also begun to affect the juvenile prison system,

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worsening detention conditions and tensions even within facilities for minors and young adults.

- On July 10, there was a protest in the Viterbo prison in response to yet another suicide. This time it was a 30-year-old inmate of Romanian origins.
- On July 11, at the Trieste prison (173.5% crowding rate) there was a protest, during which some inmates allegedly gained access to the methadone supplies stored in the infirmary. A 48-year-old man was found dead in his cell the day after the protest; an overdose of methadone looted from the infirmary caused his death. A story that is sadly reminiscent of what happened about 4 years ago in the Modena prison on that tragic day on March 8, 2020, when 9 people died from overdoses.
- On July 12, a protest took place at the Lorusso and Cutugno prison in Turin, which is also characterized by overcrowding and run-down environments; there are cracks in the walls, cockroaches, water leaks, as well as unbearable heat.
- On the same day, at the Vercelli Prison, which was flooded due to a violent rainstorm, people refused to enter their cells and began banging against the bars, shouting to be heard.
- On July 18, still in Turin, 270 people reportedly refused to return to their cells, staying in the prison yards.

THE UNBEARABLE HEAT

If the exasperating heat that worsens from year to year is hard for anyone to bear, think of those in a prison made almost entirely of concrete, crammed into overcrowded cells with no air conditioning and sometimes with window screens. At night, blinds are sometimes closed, making the cell environment scorching hot. In addition to rising temperatures, summer has always been one of the most critical and delicate times for detained people, because they slow down activities, and with them often bureaucratic procedures, volunteers come in less frequently, and so on. Visits made by the Antigone Observatory in Italian prisons in recent months reveal a bleak picture with respect to detention conditions in some institutions, which worsen exponentially due to the sultry heat.

PRISONS WITHOUT WATER OR REFRIGERATION OR LIGHT OR INFESTED WITH BEDBUGS

At the Avellino prison, running water was unavailable from 10 p.m. to 6 a.m. at the time of the visit. Cells had seepage and mold, as well as no showers. At the women's section, the windows were equipped with plexiglass screens, obstructing the passage of air (even on days like the one when the visit took place, when the thermometer read 41° C).

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Similar conditions are observed at the Asti prison, where the green area for outdoor visits is unused due to the lack of safety measures for children, forcing the exclusive use of the indoor rooms which reach 40° C during the summer, as they lack air conditioners.

In the seventh section of the Regina Coeli prison, the cells are very small and house 2 or 3 people on a single bunk bed; the toilet and sink are located in a small adjacent room with no privacy. The windows are smaller than in other sections and have shutters, which do not allow air to circulate and reduce the entry of natural light. In such confined spaces, people spend about 23 hours a day. Some sections of the Regina Coeli prison also lack water.

The first section of the Rimini prison is also characterized by cramped cell sizes, with screened windows, peeling floors and walls, and no ventilation inside the bathroom. The showers are shared and in poor conditions, caused in particular by serious mold problems.

During the Antigone Observatory visit, the Carinola prison was without connection to the water supply, having to use artesian wells and a provisional water purification system; in addition, in almost all wards there are cells without showers and with exposed bathrooms.

On the other hand, in the Busto Arsizio prison, LED ceiling lights with a built-in fan have been installed in all cells to address the shortage of natural light in the sections.

Cockroaches were found at the Bologna prison while bed bugs were found at the Pavia prison. In particular, at the section for solitary confinement and the psychiatric area of the latter institution, Antigone Observers noted unacceptable sanitary conditions, aggravated by heat and overcrowding; in the common ward, due to the increased attendances, a third bunk is opened during the night and then closed in the morning in order to have a minimum living space inside the cell during the day.

SUICIDE EMERGENCY

TEN IN JULY AND AUGUST IS JUST AROUND THE CORNER

58 suicides have occurred in Italian prisons since the beginning of the year. 10 in July alone. If the pace continues at this rate, by the end of the year we risk to surpass the tragic record of 2022, which, with 85 cases, went down in history as the year with the most suicides ever.

Of the 58 people, 2 were women. Foreign people numbered 26 (45%). The youngest were two boys in their early 20s who died in Novara and Pavia prisons. The oldest was an 81-year-old man who died in Potenza. It would appear, from the available data, that at least 9 of the 58 people who committed suicide suffered from some form of mental distress. At least 3 people had a history of drug addiction. At least 2 of them were homeless people. 26

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people had been involved in other critical events; among them 14 had already tried to take their own lives on other occasions.

The prisons where the highest number of suicides have occurred since the beginning of the year are the Naples Poggioreale, Pavia, Teramo and Verona prisons. In each of the 4, 3 suicides have occurred. In at least 8 cases, people were in a section under article 32 of Regulations on the Penitentiary Law, that is, where people who are considered a disturbing element in the prison management are generally detained. In at least 8 other cases, people were in a solitary confinement cell. In at least 7 cases, they were in the section for newcomers.

Data regarding the length of stay in prison is also alarming: 28 people committed suicide in the first six months of detention. Of these, 8 had been in prison for only a handful of days. In addition to those who had recently entered prison, there were several suicides of people who were instead about to leave it. There were at least 11 with short remaining sentences or close to applying for an alternative measure. Some of them were only a few months away from re-entering society.

THE CLOSED CELL SYSTEM DOES NOT WORK, IS BAD FOR PEOPLE'S MENTAL HEALTH AND IS CRIMINOGENIC. HERE IS THE LIST OF 58 SUICIDES IN ITALIAN PRISONS IN 2024¹

1. Ancona prison, 26 years old, born in Fermo. He suffered from mental distress and drug addiction problems. He was four months away from the end of his sentence.
2. Padua prison, 27 years old. He reportedly suffered from a severe form of depression.
3. Cuneo prison, 41 years old. He had been in prison for only 13 days.
4. Agrigento prison, 59 years old. He was awaiting first trial.
5. Naples Poggioreale prison, 40 years old. He was reportedly undergoing treatment at the Mental Health Center (CSM) prior to his arrest.
6. Naples Poggioreale prison, 39 years old. He was awaiting first trial. He was reported to be a homeless person.

¹ Thanks to "RISTRETTI" for the work they have been doing for years, publishing data and numbers related to the Italian prison system (for further information: <https://ristretti.org>).

7. Naples Poggioreale prison, 35 years old. He had been convicted for Drug Law offenses. He would have been released a month later.
8. Verona prison, 56 years old, Sicilian. He had been in prison for about two months.
9. Teramo prison, 32 years old. He had been detained for only a few months and had already attempted suicide before.
10. Rossano Calabro prison, 34 years old. He had been involved in 40 other critical events, including 3 attempted suicides. He had less than a year remaining on his sentence.
11. Foggia prison, 34 years old. He was awaiting first trial. He was detained in a section under article 32 of Regulations on the Penitentiary Law, subjected to a regime of special surveillance.
12. Imperia prison, 65 years old. Had been in prison for less than a month. Held in a section under article 32 of Regulations on the Penitentiary Law, he was subjected to a regime of special surveillance.
13. Carinola prison, 58 years old, in a wheelchair. He had previously attempted suicide.
14. Verona prison, 37 years old. He was in the section for newcomers. He had been in prison for just over a month, awaiting first trial. He had previously committed acts of self-harm.
15. Genoa Marassi prison, 27 years old. He had been involved in 24 other critical events, including an attempted suicide. He would have been released only three months later.
16. Latina prison, 36 years old. He was awaiting first trial.
17. Terni prison, 45 years old. He had had an alternative measure revoked and was therefore back in prison. He was four months away from the end of his sentence.
18. Pisa prison, 63 years old. He was under the regime of semi-liberty.

19. Lecce prison, 50 years old. He was being followed by the prison psychiatric service. He had been involved in 43 critical events, including an attempted suicide. He was detained under article 32 of Regulations on the Penitentiary Law.
20. Prato prison, 44 years old. He had been involved in 29 critical events. He was detained in a section under article 32 of Regulations on the Penitentiary Law.
21. Pavia prison, 26 years old. He had been back in his cell for about 10 days after the suspension of the assignment to the Probation Service for therapeutic reasons. He was serving a 4-year, 4-month sentence. In 2023 he had tried twice to take his own life.
22. Naples Secondigliano prison, 31 years old. He had been in prison for about a month, awaiting first trial. He was reportedly a homeless person.
23. Teramo prison, 20 years old. He had been in prison for a few days. He was deaf and had some cognitive difficulties.
24. Parma prison, 28 years old. The young man, with drug addiction problems, had been in prison for a few weeks.
25. Bologna prison, 55 years old. She had been involved in 42 critical events, including an attempted suicide. She was under special surveillance. She would have been released in November 2025.
26. Turin prison, 31 years old. He was detained in the **Mental Health Protection wing**. He was awaiting transfer to REMS (Residences for the Execution of Security Measures). He had previously attempted suicide.
27. Sassari prison, 52 years old. He had returned the night before from a hospital stay. He had previously attempted suicide. He was detained in a section under article 32 of Regulations on the Penitentiary Law.
28. Tempio Pausania prison, 26 years old, where he had been for only four days.

29. Cagliari prison, 31 years old. He had been in prison for three days for a theft from a parked vehicle.
30. Pavia prison, 42 years old. Died in a solitary confinement cell. He had previously attempted suicide. He was awaiting first trial.
31. Vibo Valentia prison, 37 years old. Died in a section under article 32 of Regulations on the Penitentiary Law. He had been involved in 14 critical events.
32. Como prison, 32 years old. He had attempted suicide before.
33. Rome Regina Coeli prison, 36 years old. He had been in prison for about a month, inside the section for newcomers.
34. Syracuse prison, 32 years old. He was reportedly suffering from psychiatric disorders. He would have been released only four months later.
35. Parma prison, 26 years old. Died in a section under article 32 of Regulations on the Penitentiary Law.
36. Turin prison, 63 years old. Died in the women's section. She had been in prison for just two months.
37. Cagliari prison, 23 years old. He would have finished serving his sentence in May 2026.
38. Cagliari prison, 31 years old. He had been detained for only two months. He was awaiting trial.
39. Rome Regina Coeli prison, 31 years old. Died in the section for newcomers.
40. Ferrara prison, 56 years old.
41. Ariano Irpino prison, 39 years old. He would have finished serving his sentence in February 2026.
42. Biella prison, 46 years old.

43. Teramo prison, 74 years old.
44. Sassari prison, 44 years old.
45. Novara prison, 20 years old, in the section for newcomers. He was to be released from prison only two months later.
46. Caltanissetta prison, 38 years old. He would have been released in 2027.
47. Genoa Marassi prison, 47 years old. He had less than a year left on his sentence to serve.
48. Frosinone prison, 24 years old. He had only been there for four months. He was awaiting trial. He suffered from mental health problems.
49. Paola prison, 21 years old. He was detained in the section for newcomers.
50. Florence prison, 20 years old. He was in a section under article 32 of Regulations on the Penitentiary Law. He would have been released two months later to go to a residential institution. He had reportedly arrived in Italy years ago as an unaccompanied foreign minor.
51. Pavia prison, 20 years old. He was in a solitary confinement cell. He had apparently been showing symptoms of psychological distress for some time. He was awaiting first trial.
52. Livorno prison, 44 years old. He had been detained for not even two months.
53. Potenza prison, 81 years old.
54. Varese prison, 57 years old. He reportedly had drug addiction problems.
55. Verona prison, 51 years old. He had three years left on his sentence.
56. Monza prison, 45 years old.

57. Venice prison, 37 years old.

58. Bologna prison, 48 years old. Awaiting trial.

AUGUSTA PRISON: THREE PEOPLE DIED FROM HUNGER STRIKE

On July 9, a 67-year-old man detained in the Augusta prison died after a six-month hunger strike. He had been brought to hospital. In the spring of 2023, within a few days, two people who were also detained in the Augusta prison died after 60 and 41 days of hunger strikes. The first, who died on April 25, believed he had been wrongfully convicted. The second, who died on May 9, 2023, was seeking extradition to his home country, Russia.

FOR EVERY 100 INMATES, 17.4 COMMIT ACTS OF SELF-HARM

Over the past 12 months of visits in Italian prisons, the Antigone Observatory recorded an average of 17.4 self-harming acts for every 100 people deprived of liberty; 2.3 attempted suicides; 4 assaults on prison staff; 5.6 assaults on other inmates; and 15.2 disciplinary solitary confinement orders.

CRIMINOGENIC USE OF SOLITARY CONFINEMENT GROWS

Compared to the data reported in Antigone's latest annual report, there is a worrying upward trend in the use of the disciplinary sanction of solitary confinement, namely the average number of solitary confinement disciplinary measures imposed per 100 prisoners is up by 3.4 points.

SOME IMMEDIATE ACTIONS TO PREVENT SUICIDES, CONSIDERING THAT MOST SUICIDES OCCUR IN SOLITARY CONFINEMENT SECTIONS OR FOR INMATES CONSIDERED 'PROBLEMATIC' OR IN SECTIONS FOR NEWCOMERS

- Turning the newcomer sections into the most welcoming places in the prison. Today, on the contrary, they are the worst places;
- Abolishing all forms of prison solitary confinement;
- Reducing any form of excessive closure for people with mental disorders;
- Allowing daily phone calls with loved ones.

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TORTURE CASES BEFORE THE COURTS IN 2024

In the first half of 2024, Antigone confirmed its commitment to defending the rights of people deprived of liberty in Italy by continuing to be involved in several criminal proceedings involving mistreatment, violence and torture.

- In the criminal proceeding at the Ivrea Court, in which 27 prison police officers are charged with injury, forgery, and torture relating to events in 2021, Antigone has brought a civil action. The judge postponed the decision to a hearing on January 29, 2024.

- The trial for alleged violence committed by prison police officers against U.M., a detainee in the Monza prison, is in the trial phase. At the hearing on January 10, 2024, the National Guarantor for the Rights of Persons Detained or Deprived of Liberty and the victim were heard as witnesses. The trial was adjourned to September 11, 2024.

- Prosecutions for cases of torture and violence committed by prison police officers against detained people in the Lorusso and Cotugno prison in Turin and the Santa Maria Capua Vetere prison, dating back to 2019 and 2020, respectively, are proceeding to trial.

- The case of violence at the Nuoro prison is in the hearing stage.

- Also the most recent criminal case for torture of a detainee in the Reggio Emilia prison, which originated from a complaint by Antigone, is currently in the preliminary hearing stage.

- Investigations are also continuing for the events that took place in the Milan "Opera" and Pavia prisons in 2020, related to protests over restrictive measures due to Covid-19, on which Antigone has filed complaints to the relevant prosecutors' offices.

An analysis of torture trials shows that the introduction of the crime has not compromised police operations, as there has been no significant increase in prosecutorial challenges since 2017. The facts of the Beccaria juvenile prison, which emerged in February 2024, and dated back to 2022, underscore the relevance of this law.

However, the question arises as to whether the introduction of the crime of prison riot, which among the ways in which the conduct is carried out includes so-called passive resistance, may not constitute a dangerous tool potentially capable of provoking a serious repression of dissent expressed by detained people. It seems fair to ask whether this could result, as an indirect effect, in a reduction in the use of torture complaints.

Knowing that they could be charged with a serious crime such as rioting, detained people may decide not to report the abuse they have suffered to avoid further legal consequences.

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LIFE INSIDE ITALIAN PRISONS

THE NUMBER OF INMATES WORKING DECREASES

According to data emerging from the Antigone Observatory visits, in Italian prisons only 31.5% of inmates work, a slight decrease from April's figure of 33.3%. The average number of workers for outside employers is 3.4%. Almost all workers for prison administration are engaged for a few hours per week in order to engage more people.

THE NUMBER OF INMATES INVOLVED IN VOCATIONAL TRAINING COURSES ALSO DECREASES

With regard to vocational training offered in prisons, 308 courses were active as of December 31, 2023, an increase from the first half of the year noted in 2023 with 274 courses. Despite the increase in courses by more than 30, the number of inmates enrolled decreased from 3,359 to 3,064. In relation to completed courses, these were 280 with 2,956 enrolled among which 2,587 were promoted.

26% OF PRISONERS ARE INVOLVED IN SCHOOL COURSES

The Antigone Observatory visits show that an average of 26% detained people are studying. There is a difference between northern and southern regions, where the average number of inmates enrolled in the latter tends to be higher than the national average, such as in Campania, which stands at 27%, or in Calabria, which stands at 37.4%.

THE NUMBER OF UNIVERSITY STUDENTS INCREASES THANKS TO CNUPP

On the other hand, over the years participation in university courses has increased. Penitentiary University Poles, which are organized into a coordination called the National Conference of Rectors' Delegate for Prison University (CNUPP). Today, CNUPP counts 44 universities. The balance of the monitoring carried out by CNUPP on the 2023-2024 academic year is as follows: 1,707 university students enrolled (compared to 1,458 in the previous year), of whom 1,509 are detained in 107 penitentiary institutions (97 institutions before). Among the detained students, 634 are under high security regime and 41 are under the regime of article 41-bis (for highly dangerous prisoners) of the Penitentiary Law.

THE MISSING STAFF

According to data in the Ministry's transparency sheets updated to 2024, there is a shortage of 16% of the Prison Police units provided for in the staffing plan. In total, the number of staff actually present is 31,068. The current ratio is 1.96 inmates for every officer, compared with a forecast of 1.5. This figure is not even across the territory, such as

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in the Pescara prison, where the ratio of inmates per agent is 3.7, or as in Regina Coeli in Rome, where the ratio is 3.5.

The total number of educators, according to transparency sheets updated as of July 2024, is 1,021 compared to the 1,099 on the staffing plan. The national average number of inmates in charge of each officer is 59.7. As with officers, the figure differs across the territory, such as in Busto Arsizio where the ratio is one educator for 146.7 inmates, or in Bolzano where there is only one educator for 117 inmates.

According to the three-year staff plan for 2024-2026, there are currently 288 prison managers compared to a workforce of 330. However, there are 51 penitentiary counselors, i.e., executives who won the competition in training, and who are expected to take office by September.

Despite several public selections during the last two years, the growing overcrowding cancels out the effects of increased staffing, necessitating a rethinking of staffing levels of all operators, especially with a view to turnover and future retirements.

HEALTH IS LACKING, IN PARTICULAR MENTAL HEALTH. 17.7% OF DETAINEES REGULARLY TAKE MOOD STABILIZERS, ANTIPSYCHOTICS OR ANTIDEPRESSANTS. IN ADDITION, 39.2% REGULARLY TAKE SEDATIVES OR HYPNOTICS

Over the past 12 months with our Observatory, we have conducted 88 visits to Italian prisons, which revealed a worrying presence of people receiving serious psychiatric diagnoses and a massive use of psychotropic drugs. The data we collected show that 8.4% of those present have serious psychiatric diagnoses, while 17.7% regularly take mood stabilizers, antipsychotics or antidepressants. In addition, 39.2% regularly take sedatives or hypnotics. Psychiatric and psychological staff are present for 7.4 and 20.4 hours per week per 100 inmates, respectively, which is clearly insufficient to meet the needs of the inmate population.

Relevant then is the issue of reports of failure to translate detainees awaiting medical examinations, a circumstance that leads to an aggravation of their health conditions. In this sense, critical issues of a high degree are found in the Lazio Region, where continuous reports of missed visits related to the problem of escorting continue to reach the Legal Information Desk volunteers active at the Rome Regina Coeli and Rome Rebibbia Nuovo Complesso prisons.

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WITNESSES FROM THE OMBUDSMAN AND ANTIGONE'S PRISON-BASED LEGAL INFORMATION DESKS

From the north to the south of the country, Antigone has received in recent months more and more testimonies of full prisons and inhumane conditions. These weeks have been worsened by discomforts resulting from high temperatures. "Today my son called me and told me that they are keeping the inmates locked in the cells almost 24 hours a day (maybe an hour or two hours of yard time but I don't even know if those are respected). With 50 degrees and no fans last night my son (who has asthma and is under nebulizer treatment and taking antibiotics) felt sick and no one let him out. The situation is at the limit, something needs to be done". So writes the mother of a boy detained in Milan's Opera prison to the Antigone Ombudsman. Similar reports come from Rome's Regina Coeli prison, where since the beginning of 2024 there have been more than 1,100 admissions for 628 regular places (crowding at more than 180%). To carve out space within already cramped areas, Regina Coeli prison is undergoing continuous transformations (classrooms turned into cells, more and more beds added in already full sections). The scorching heat in these months makes the lack of space even more unlivable. Operators of the Legal Information Desk that Antigone runs in the Lecce prison have had to stop their activities because of the intolerable heat. During their last visit, they met a man of Moroccan origin who had been hospitalized for months in the prison's infirmary due to major gastrointestinal problems. Aside from the scorching heat, the volunteers found sanitary conditions bordering on decency, so much so that they were forced to conduct the interview in the corridor of the section. Dramatic hygienic conditions were reported to the Ombudsman by some women in the Agrigento prison. "There are three of us in the cell. The bidet is used both for washing and cleaning dishes. The showers are shared and only one out of two works for 15 people in the section. We are invaded by cockroaches and ants. Rats escape from the bidet. The mattresses are full of mold. We are often without water and light. We bought the fans at our own expense. We never have access to the library. There are no classes to take. There is no activity. Women are not considered by anyone, we are at the abandonment".

ANTIGONE'S PROPOSALS FOR A 'CONSTITUTIONAL' PRISON

1. Withdraw the "Security Decree" (which is in the process of being approved) that introduces new offenses including prison riot (which also punishes up to 8 years for three people who with passive, nonviolent resistance disobey an order from

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authority) and intends to make women who are pregnant or have a child under 1 year old serve their sentences in prison;

2. Increase the early release per semester to 75 days;
3. Approve measures to allow daily phone calls;
4. Equip all cells in all prisons with fans or air-conditioning and refrigerators, at least in the units;
5. Return from closed-cell system to open-cell system during the day;
6. Modernize prison life through the ability to connect, with due caution, to the internet network;
7. Hire 1,000 young cultural mediators and 1,000 young educators and social workers; prison police also need support, as they cannot replace these professionals;
8. Encourage volunteer presence in the summer months by filling prisons of support during these weeks;
9. Multiply the presence of psychiatrists, ethno-psychiatrists and physicians;
10. Ask directors to convene discipline boards and introduce the possibility of granting alternative measures as rewards;
11. Provide that one can only enter the prison if minimum living space is ensured;
12. Making people under semi-liberty regime spend the night outside the prison;
13. Close the solitary confinement units;
14. Transform the newcomer units into high and qualified reception units;
15. Train teams of police officers, educators and doctors capable of handling difficult cases together so that they do not escalate.