Jilava, Romania’s “open prison” experiment

Jilava penitentiary centre, to the south of Bucharest, is one of the largest prisons in Romania and one of the rare prisons of which the Romanian prison system can be proud. What served as a political prison during the Communist regime now houses around 1,000 prisoners under open and semi-open regimes, half of whom work inside or outside the prison. This system allows this “town” to operate within the town and has improved the conditions of detention, assisted the work of staff, alleviated the country’s labour shortage and controlled prisoners.

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For eating, Romanian law allocates 6 lei (1.30 euros) to each prisoner per day.

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Rather than "Jilava prison", you want to call it just "Jilava", like the small town in which it is situated, to the south of Bucharest. This is because it’s like a “town” within the town: a thousand prisoners, staff, a small "government", church, mini-market, library, study room, sports fields, television channel, and so on. There is also a "food block", which adjoins the three-storey building in which the cells are located. The cell doors are open at the moment – it is 10 a.m. – with prisoners coming and going as they wish within the compound, at least those that are not busy doing something.

In the food block, which also houses the laundry, around 15 prisoners are at work. This is where the meals are cooked every day. They don’t just cook anything as there is a special calorie-controlled diet regulated by law: 350 g of soup at lunch; 500 g for the main meal. And they can adapt to different medical and religious diets. In all, 14 different dishes are prepared for every meal, cooked by the prisoners themselves, who are managed by two alternating chefs. One of them, Gheorghe, has worked at Jilava for 20 years. "It’s like a family here. But you can’t allow yourself to get attached". At Jilava, most of the sentences are for less than three years, so prisoners don’t stay for long. However, it is also a rule of professional conduct that is written into the internal regulations: physical contact between staff and prisoners is prohibited to avoid any favouritism. You can say hello, but not shake hands.

Starting at the food block gives you an immediate view of the Jilava microcosm. The law allocates 6 lei (1.30 euro) per day per prisoner for food. Like many Romanians who grow vegetables in their gardens to make up for their low incomes, Jilava has its own garden covering several hectares. Cabbages, beans, carrots, cucumbers, aubergines, tomatoes, onions, celery, peppers, etc. are grown in greenhouses or outside, so that the prison is self-sufficient in vegetables. Prisoners are already in the process of preparing the seeds for spring. Every year 40 to 50 tonnes of cabbage are harvested and pickled to be stored and consumed in the winter. As a result, the 6 lei/day/prisoner are used to buy meat, bread and fruit in the market. Previously, there was a "livestock sector" with pigs. "Around 25 years ago Jilava was totally self-sufficient", "If you work, you get benefits, so that’s why I work, because I have two children and I want to get out of here as soon as possible."
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Like parents with their children

Out of the 1 000 prisoners at Jilava, around 300 work inside the prison and 200 outside. The latter earn fewer days towards their parole than those who work inside (1 day for every 3 days of work), but they benefit from the same system of reward credits and receive a wage. With this system, nearly all the prisoners want to work. Some don’t want to – because they are at the end of their sentence or too old – and others can’t work: if the doctor deems them unfit (illness, disability) or if they pose a problem. “Prisoners who are violent cannot work”, explains Ştef Marius. "If your behaviour is good, you will enjoy many opportunities. Bad behaviour: no opportunities”. The deputy governor responsible for security is on the labour board, which is responsible for assigning prisoners according to their profile and skills. He is also on the reward board. Together with the prison governor, the deputy governor responsible for education and the deputy governor responsible for economic and financial matters, they form Jilava’s small “government”.

With this system, there are no sticks, only carrots that can be given or taken away. Ştef Marius made particular use of these in July 2016. Riots broke out in Iaşi prison, prisoners railed against their conditions of detention, and the movement spread to other prisons in the country. But not Jilava. “We mobilised all our staff and the reintegration centre went into full swing”, he recalls. “If you keep them busy, there will be no problem. If you let them think what they want… I went into the cells, I sat on the beds with the prisoners to watch the riots on TV with them, and we talked about it. I got together the informal leaders and asked them: ‘Is there anything wrong here? Think about your children; things need to stay the same or you will lose everything. If you control the leaders, you control the prisoners’.

The Romanian prison system employs 13 000 people for 16 000 posts; 3 000 positions are vacant, mainly guard positions, due to a lack of resources. As a result, keeping prisoners busy is vital. “The more active prisoners are, between work and educational activities, the fewer prison rules are broken”, explains Gabriel Badea. He is currently head of the production service at Jilava, where he has worked for over 15 years. "It helps the staff if a prisoner gets himself up in the morning, has a schedule to stick to, etc. They are better behaved, their energy is channelled, and our colleagues have fewer problems with them. And we have something to offer them, otherwise it’s just man against man and a clash of energy”.

At Jilava, three-quarters of the prisoners are busy doing something, according to Ştef Marius, either work or educational or cultural activities. The latter mainly take place in the reintegration centre. Prisoners...
also work here, always under the supervision of staff members: Sorin, 36, is teaching foreign prisoners, or those who haven’t been to school, to read; Dragos, 43, is a sports coach. Teachers come from outside to give lessons, from primary to secondary level. The most well-educated prisoners are also responsible for giving short talks on a variety of subjects. Tudor, 38, a former prisoner at Jilava who was released in December 2018, was, for example, responsible for an educational course on the family. Each course earned him credits, as it did for those who attended. He also worked on the Jilava magazine, a unique monthly issue published in a single copy because it is handwritten by the prisoners. And he worked in the library. “For me, that was my dream job”. So much so that he would now like to come back to work at the Jilava reintegration centre as a staff member. “The people there were great. And there are things for prisoners to do. Listen more for example”.

Is a working prisoner a happy prisoner? Tudor seems to be living proof that this exists, and there is no reason to doubt his sincerity: the interview with him is the only one not organised and supervised by the management of the penitentiary centre. But his situation is not representative of most prisoners, a fact of which he is aware. Tudor has a certain financial, social and educational capital and a character that facilitated his detention and his relations with staff and co-prisoners. The fact that his conviction was linked to a character that facilitated his detention and a fact of which he is aware. Tudor has a certain financial, social and educational capital and a character that facilitated his detention

In his first week at Jilava, Tudor was in a cell of 18 prisoners, with communal showers for the whole section (around 200 people). In the VIP section, which has around 20 prisoners, the conditions of detention were better. He recalls what one co-prisoner said to him one day when he was giving a talk on education in prison at the reintegration centre: “OK Mr Tudor, you’re an optimist and happy, but you have money to buy bottled water and cigarettes in the shop and to make phone calls; we don’t have that”. Cigarettes are the currency inside the prison for all informal services and trading between prisoners. The tap water travels through old pipes and most of the inhabitants of Bucharest filter it or avoid drinking it; the two prisoners who we saw shopping in the mini-market each had a pack of water.

“The inequalities of society on the outside are replicated inside”, assesses Tudor. Prisoners whose families can send them money may be happy with “domestic” work for reward credits and days. The poorest prisoners, those who have no family to send them packages and money allowing them to buy what they need in the prison shop, must ask the work board if they can work outside to earn a wage. But it does not rain in the desert and Gabriel Badea, head of production, imposes certain conditions – in addition to requiring certain skills – for a prisoner to work outside: “that he has family who have not disowned him, who are waiting for him and who visit him. That he has something to lose; that it’s not just about him”.

“Jilava Temping”: a response to the labour crisis

Green Revolution is an urban ecology NGO. It is mainly involved with the bike-sharing service in Bucharest. For 2019 it has signed a contract for five prisoners with Jilava. “We have been working together since 2017 and it’s been going well; it’s beneficial for both sides”, says Razvan Nastase, manager of the iVelo project. “The prisoners work under the same conditions as civilian employees, side by side, without any differentiation”. Why has Green Revolution turned to Jilava? “Because of the labour shortage that the country has been suffering for a number of years”. There are multiple reasons for this crisis: poor working conditions, low wages on offer, exodus of the population seeking work abroad. Last year, the NGO employed a former prisoner when he left prison; he worked there for 8 months before also leaving the country.

Inside the storage facility, the five prisoners are working on bikes in the workshop. They are all covered by the open regime, which means that they can work without being supervised by a guard. “We’re happy to come here”, says Virgil. “I am always early at the prison gate; we have to leave at 8.30 a.m. and I get there at 8.20 a.m. I like it here; I would like to come back and work here afterwards”. “Time passes differently when you’re working”, says Alexandru. “The rehabilitation is better than for those guys inside. There are telephones here and we can call 10 numbers; there’s also a shower”. In prison, the showers are communal. So as not to lose these advantages, they make sure that they stick to the rules. A disciplinary procedure can move prisoners back to the semi-open regime from the open regime, and to the closed regime from the semi-open regime.

The labour crisis is also what led Andrei Puiu, director of Transan Interactive Distribution, to employ prisoners. A contract for 25 prisoners (out of a total of 100 employees) has been signed for the second year running, mainly for assembly-line work. “Without a contract with the prison, we would have had a major problem”. And there are numerous benefits: 1) zero absence rate: you can be sure of having 25 for work every day, and on time; 2) if there is a problem with a prisoner, I inform Jilava and they send a replacement; 3) administrative benefit: it’s easier to produce an invoice than 25 contracts; 4) tax benefit: the contract with the prison comes under
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overheads – I am not employing employees, I am paying for a service – and therefore I don’t have any employment costs; 5) the prisoners promote stability among the other employees who say: “the boss is not solely dependent on us”. They therefore have less leverage against me”, he confides. The disadvantages: the total cost of the contract. “Negotiations are confidential, but I can say that the firm has to pay more than for a normal employee, given all the transport and security costs”, says Cristian Micu, spokesperson for the prison.

“Motorway construction, cleaning, thermal insulation of buildings, excavation of trenches for internet cables, etc. Many firms are looking for labour in Romania”, explains Adrian Neagoe, vice-chairman of the National union of prison workers. So much so that the transport and security costs”, says Cristian Micu. “At Girgiu for example, there is not so much work available because the prison is more isolated, in a region with few job opportunities”. By law, the 60% deducted from prisoners’ wages can be used only to improve the conditions of detention. For years, Romania has been criticised by the European Court of Human Rights for its poor conditions of detention, for which it pays numerous fines. This has in fact become a thorny political issue for the country. Although the outside work does not, on paper, reduce the occupancy rate at Jilava (currently 140% and therefore overpopulated under European rules), it does free up space during the day and provide an income to improve the infrastructure and therefore the conditions of detention. The showers, for example, have been renovated, air-conditioning has been installed in communal areas and repainting has been carried out.

All this seems to support the idea of work by prisoners, which, since it is no longer forced work, respects fundamental rights and labour law, and benefits everyone: staff, the prison system, contracting firms and prisoners themselves. The system of reward credits and sentence adjustment is effective and results in a disciplined, motivated and theoretically perfect workforce. But perhaps too perfect? Cristian Cristea, 36, is a vet whose practice in the western suburb of Bucharest also suffers from the labour shortage. He started working with Jilava under the “Romanian Prison Dogs” programme – which is specific to Jilava – where prisoners and stray dogs get involved in their mutual rehabilitation. He realised that there were “good people” among the prisoners. So, at the end of the project, he employed two former prisoners who had just been released and with whom he had worked inside the prison. “One of them, aged 23, was with me for six weeks and all was going well, but then he stopped coming because he found that the wage was not high enough. The other, aged 40, said one day that he could not come because his mother was ill, and he never came back and would not answer the phone. In prison, he was the most hardworking and offered to help with every difficult task, but, once he had left, he used every opportunity to hide and go on his phone. I was disappointed because he had signed documents saying that he would work with us, which was what helped him gain his parole”. It was as if, once they left prison, the former prisoners were no longer the same, and no longer as responsible and motivated.

Cristian Cristea is currently in the process of negotiating a contract with Jilava: this time for work by prisoners still in prison, and not former prisoners. “In prison, they have rules that they must obey and they do because there are benefits to obeying”. It is the flip side of the reward system set up to get prisoners interested in work and teach them discipline, a system that tends to regard them as children and that, while effective during their time in prison, does not facilitate their subsequent reintegration. Can prisoners be anything other than “big children”? Given the deprivation of liberty that goes with their sentence, this seems difficult. What is for sure, as stated by Cristian Cristea, is that “once outside, the reward is no longer as high”. Because nothing matches newfound freedom.