



**MAXIMUM SECURITY REGIME PENITENTIARY**

**CODLEA - BRAȘOV - ROMANIA**

**The Penitentiary** is a complex institution, of special regime, which needs to provide the material base, safeguard and security of the convicts, as well as all requirements for the reformation and resocialization of convicts, and represents, as last and fundamental resort, of social-curative efforts.

The maximum security penitentiary Codlea is subordinated to the National Administration of Penitentiaries, part of the Ministry of Justice, which is one of the public institutions for defence, public order and national safety of the state. The National Administration of Penitentiaries and, therefore, the Penitentiary Codlea, carry out their activity, in compliance with provisions of the Romanian Constitutions, Romanian Penal Code and the Code of Penal Procedure, Universal Declaration of Human Rights, European Convention on Human Rights, according to Recommendations of the Council of Europe with regards to the treatment of convicts, to provisions of the criminal procedure legislation and to Government Resolutions issued to the enforcement of the legislation.

The Romanian penitentiary system accommodates about 35, 000 convicts, in 44 residences, out of which 35 are penitentiaries, 6 are penitentiary – hospitals and 3 re-education centres. The units employ approximately 12300 penitentiary workers, to a relation personnel – prisoners up to 1/ 5.1.

**2004** – Law no. 293/ 2004 with regards to the statute of the civil clerks of the National Administration of Penitentiaries, normative act regulating the demilitarization of the penitentiary personnel, was enforced on September 28. At the time, approximately 12 000 army employees were called in reserve and became civil clerks of special statute.

**2006** – Law 275/ 2006

**- Government Resolution 1897/ 21.12.2006 – Regulations to the enforcement of Law 275/ 2006**

Law nr. 275/ 2006 on writs of executions and measures set by the judicial bodies during a judicial investigation, replacing law 23/1969 which became obsolete.

The new law provides modern development, in accordance with European recommendations, for the enforcement of penalties privative of freedom, thus aligning the Romanian penitentiary practices to European practices, with introduction of new elements, such as the delegated judge for penalty execution and customisation of penalties privative of freedom.

Novelties brought by the new execution law and its regulation to its enforcement include the following:

**1) Establishment of 4 detention regimes:**

- Maximum security regime – initially enforced for individuals sentenced to more than 15 years or to life imprisonment
- Closed regime – initially enforced for individuals sentenced to no less than 5 years imprisonment, but less than 15 years
- Semi-open regime – initially enforced for individuals sentenced to no less than one year of imprisonment, but less than 5 years
- Open regime – initially enforced for individuals sentenced to no more than one year of imprisonment

Regimes for the executions of penalties privative of freedom are based on the progressive and regressive systems, convicts going from one regime to the other, in compliance with provisions of the mentioned law.

Regimes for the executions of penalties privative of freedom differ depending on the degree the freedom of movement of the convicts is limited, on the way they carry out activities and the detention conditions.

**2) Emergence of the delegated judge institution** – appointed on a yearly basis by the president of the Court of Appeal within the territorial circumscription where the penitentiary is located.

The judge delegated for the execution of penalties privative of freedom supervises and controls the lawfulness of the penalty execution.

The execution of the penalties is carried out under the supervision, control and authority of the delegated judge.

3) Individuals sentenced wear civil outfits, regardless of the regime for the execution of the penalties privative of freedom.

**4) Rights of individuals deprived of their freedom:**

- Rights of people deprived of freedom may only be restricted under the limits and conditions provided by the Constitutions and the law.

**5) Work performed by people sentenced to penalties privative of freedom**

People sentenced to penalties privative of freedom that work are able to work, may, upon their agreement, perform labour according to their qualification and skills, as well as activities for unqualified personnel.

Work performed by people sentenced to penalties privative of freedom in penitentiaries shall be carried out:

a) as services provided for economic operators, natural persons or legal entities, within or outside the penitentiary;

b) independently;

c) for the penitentiary, in house holding activities required by the penitentiary;

d) in case of a calamity.

People deprived of freedom benefit of 30% of the income and, further to the work performed, the labour days are taken out of their sentence.

**6) Schooling**

Educational courses for primary, grammar school and **secondary school** are organised within the penitentiary.

10) **The intimate visit** was introduced.

People deprived of freedom may quarterly benefit of two hours long intimate visits. By exception, the frequency of the intimate visit may be monthly, for the first year after getting married, for individuals getting married in the penitentiary, in accordance to the provisions of the law.

### **Geographical location and history**

On the N-W border of the Barsa Land, at the feet of the highest peak in the Persani Mountains, Magura Codlea (1294m), located at an altitude of 560 m, in Codlea city – second large city in the Barsa basin, both in what regards the historical past and the current political, economic and socio-cultural development.

Codlea penitentiary, located on 12 Garii St., was set up in May 1953, on close down of the former penitentiary in the city of Brasov.

It was set in the building of the former salami factory, which belonged to the “Gh Dimitrov” Industrial District Plant, and the offices were established in private houses belonging to local citizens Hordocher Roxa, Totter Ioan, Totter Emil and Borchner Augustin.

During 1953 – 1955, detention rooms for men and women, the canteen and laundry, food and equipment storage rooms, the staff club, offices, kitchen and soldiers mess were successively built. The oldest building was erected in 1893 and is part of the administrative buildings, and is going to be reinforced in the near future.

Documents indicate that, from set up to the present, the following category of convicts spent time here: common-law convicts, women and men with sentences up to 25 years or forced labour, as well as convicts sentenced to death. From 1953 to 1965 convicts sentenced for crimes against state security, political convicts, men and women with sentences to forced labour for life. Some of the convicts were transferred after sentence to other penitentiaries in the country.

### **Current profile of the penitentiary**

In compliance to Law no. 275/ 2006, on sentence execution and measures set by judicial bodies during the judicial investigation, the regimes to execute penalties privative of freedom are the following:

- maximum security regime
- closed regime
- semi-opened closed regime
- opened regime

Codlea maximum security penitentiary is assigned to the detention of the following categories of convicts:

- preventively retained people sent to trial and sentenced by the trial judge;
- definitively sentenced, reoffenders and non-reoffenders;
- women prisoners;
- minors, preventively detained and sent trial and on judicial affairs.

It is, therefore, a penitentiary for all categories of prisoners and it may theoretically provide all types of detention regimes. In April the total number of people deprived of freedom was of 655, and the legal detention capacity to 6 m<sup>3</sup> air/ person is up to 767 places, with 995 installed beds.

### **II Psychosocial and educational assistance service**

A specific category of activities organised for and with people deprived of freedom are the socio-educational activities drawn up upon a socio-educational programmes methodology for evaluation and intervention on prisoners that can be recuperated and socially rehabilitated. The Codlea penitentiary socio-educational service comprised of 1 head of the service, 2 psychologists, 2 educators, 2 social assistants and one minister carries out the following socio-educational

activities: literacy teaching, qualification courses, schooling, preparation for release, social reintegration, judicial education, education of the good citizen, moral revitalisation of minors, therapeutic programmes, religious activities, AIDS prevention courses, ANTIDRUG, leisure activities and activities to maintain the relationships between the prisoners and their families. Codlea penitentiary also includes a chapel, which was inaugurated on national premiere in 1993, where religious activities of various confessions are carried out.

Among the programs run are the following: Proford (qualification), Instad (adaptation), Alfaz (literacy teaching), Educosan (education for health), Educoplex (legal education), Zodia schimbării (Sign of change) (preparation for release), SUM (moral support to special categories of prisoners), Deris (depression prevention), Vadd (reducing aggressiveness), Antidrog, HIV – AIDS, Daruri pentru libertate (Gifts for Freedom) etc.

### ***Collaboration with governmental institutions***

#### *Collaborators*

- County Agency for Labour Force Employment
- Probation Service by the Brasov Tribunal
- Brasov School Inspectorate
- "Transilvania" University
- local representatives of the Antidrug National Agency
- General Directorate for Social Assistance and Child Protection, Brasov

### ***Collaboration with nongovernmental organisations***

We successfully and closely collaborate with the Association "Vestea Buna, the Association "Cuvantul Vietii" and the Centre for Homeless in Brasov. We also closely collaborate with the Humanitarian Service for Penitentiaries, with Scouts of Romania and New Life Centre, with the Centre for Homeless in Brasov, Association for Support to Prisoners for Social Reintegration in Codlea Penitentiary which changed its name to the Association for Urban Safety and Mediation (ASUM).

## **Educational, therapeutic, social assistance and religious activities provided by the Service for Psychosocial and Educational Assistance within Codlea Penitentiary**

The penal sentence is null and with no positive results when the entities in charge of issuing and enforcing it do not consider firstly the diminishing of the new criminality risk by the ones concerned. For this reason, both Law 275/ 2006, and regulations to enforcement, and the new strategy of the National Administration of Penitentiaries focus on efforts regarding mainly the educational intervention and psychosocial assistance.

Hereinto, the Codlea Penitentiary, through the Service for Psychosocial Assistance and Education provides the following fields of intervention for people deprived of freedom:

- A) Adaptation to freedom privative conditions
- B) Literacy teaching, schooling and professional qualification programmes;
- C) Educational programmes with the purpose to acquire social skills and habits;
- D) Psychological assistance programme;
- E) Social assistance and intervention programmes;
- F) Religious assistance activities;
- G) Programmes for the preparation with view to release;
- H) Cultural, educational and leisure activities;
- I) Activities to monitor and settle requirements of educational and therapeutic nature.

**A) The programme for adaptation to freedom privative conditions** are carried out during the quarantine period (the first 21 detention days) and are addresses to people deprived of freedom, during the first detention days. The same programme is focused on the adaptation to detention shock, on reducing the depressive conditions, acquiring basic knowledge on the detention place, by-laws acknowledgment, on informing individuals deprived of freedom on the place where they are executing their sentence, on opportunities and possible difficulties that they will meet, etc. During this period, people deprived of freedom may discuss with a psychologist, social assistant, educator and other employees of the penitentiary, in order to settle issues they might face. During the same period of time, they are introduced to programmes they may attend during detention and they make their first choices.

### **B) Literacy teaching, schooling and professional qualification programmes;**

**a) The literacy teaching programme** is addressed to people deprived of freedom who did not acquire the minimum reading and writing skills and that are willing to learn. Such programmes are

performed outside the penitentiary system and are extremely useful both for the personal development of the ones concerned, and to facilitate social integration. The programme is coordinated by an educator-officer, with the support of five people deprived of freedom with a statute of educators to their peers, who are educated and monitored, so as to provide a good quality of the teaching-learning process.

The programme is also particularly useful to educators to peers, as they acquire teaching techniques, and new knowledge, thus developing clear pro-social skills and practices.

**b) The schooling programme** is mainly addressed to people that did not graduate eight grades, as well as to people that want to continue with secondary school or university studies. In order to register to one of the primary, grammar or secondary school classes, an individual deprived of freedom needs to fill in a request to the purpose, duly submit the school record to certify the number of grades graduates, sign a statement and a commitment.

According to Law 275/ 2006, schooling courses for people deprived of freedom are organised in compliance to provisions specified by the Ministry of Education and Research, together with the Ministry of Justice, with teaching personnel provided and paid by the School Inspectorate. Certificates do not mention that classes were graduated in detention.

Also, according to the same law, people deprived of freedom may attend university courses, in a reduced or distance learning system. Expenses related to school training are taken by the Ministry of Education and Research and the National Administration for Penitentiaries, and expenses for university studies, by the sentenced or other natural persons or legal entities.

Regulations to enforce Law 275/ 2006 provide that people imprisoned under an open or semi-open regime have priority to reduced attendance courses involving trips, and that all people deprived of freedom have equal opportunities to distance learning, regardless of the penalty regime. Should the convict attend university on imprisonment, he/ she can only continue the studies in an open distance learning system. To attend university courses, people deprived of freedom need the authorisation of the detention place manager. After being authorised, they need to bring written proof that they are accepted to attend classes of a university, as well as proof the guarantee of financial support needed to attend classes.

c) The professional training programme is addressed to people deprived of freedom who are willing and able to attend a professional qualification and re-qualification course. It addresses support to their socio-professional reintegration. People who want to attend professional training courses need to submit documents certifying the previous level of training graduated and their birth certificate. Up to the present, Codlea Penitentiary hosted qualification courses for carpenters, mason-paver- plasterer, cook and electronic and network IT operator. The courses are established by the penitentiary administration together with the territorial structure of the National Agency for Labour Force Employment, by signing a collaboration protocol providing conditions to organise the courses. Documents certifying the professional qualification are issued by the course organiser and do not mention the freedom privative condition of the individual, and are acknowledged in accordance to the law and may be individually collected by the graduates after release.

**C) Educational programmes with the purpose to acquire social skills and habits;**

a) **Education of the good citizen** is a programme addressing young people and other people deprived of freedom, who want to learn how to be successful when they are faced with various situations in life and are looking for appropriate behavioural solutions. People often miss opportunities, good occasions, because they don't know how to react. The programme was drawn up specifically with the purpose to avoid such failures, and the ones interested in it may register for participation.

b) The legal education programme has the purpose to familiarize people deprived of freedom with the legal provisions regarding freedom privative measures set by judicial bodies. It is also important that people deprived of freedom acquire information skills regarding legal regulation of interest for their particular situation. (Transmitting legal information to people deprived of freedom who express their wish to know more on the field, as well as getting prisoners familiarised with basic law the directly concern them and new regulations occurring through legislation amendments). It is of the utmost importance that people deprived of freedom are aware of their rights and obligations, so they are able to observe them and to learn how to defend their rights, in accordance with the legislation and in a civilised manner.

**G) Programmes specific for minors.**

Minors' education is extremely important, especially for the ones that already part of the penitentiary environment. The law, however, does not allow for minors to stay in penitentiaries for

adults for more than 5 days. For this reason, programmes addressed to them aim to transmit knowledge to contribute overall to the development of social skills and practices, with no claim, however, that we are drawing up and implementing complex education programmes. Focus is set on interpersonal communication, releasing tension, transmitting knowledge, attitudes and values, both within individual activities and within micro-groups.

**D) D) Psychological assistance programmes.**

**a) The programme to reduce depression and suicide risk** addresses people that become extremely depressed and consider suicide, either during detention or the quarantine period. This kind of people tends to feel alone, useless, extremely sad, have trouble sleeping, hardly communicate, feel that there's no hope that everything is over for them. Anyone in such a situation needs support and specialised help of a psychologist. For this reason there is such a programme and it is extremely important that the psychologist is duly informed, so he can provide the support to the ones undergoing such conditions.

**b) The programme to reduce aggressiveness** addresses people that committed violent crimes and had other violent behaviours and wish to learn how to control their negative impulses and have good behavioural management. The program is regularly attended by well intended people who are interested in their own social reintegration and that undertake responsibilities for their own and their fellows past, present and future.

**c) Moral Support Programme** is addressed in particular to young people, women, as well as adult men who feel the need to talk to someone in order to overcome the difficult situation they are in. Just as any other counselling programmes, this programme is mainly based on group counselling, on the therapeutic effect of interpersonal communication and mutual support.

**d) The programme to support mentally disabled people** directly addresses prisoners who require immediate medical and psychological assistance in order to overcome mental health issues that they are faced with. It includes counselling modules, as well as modules for educational and occupational activities. Team work is promoted so that several specialists contribute to the recovery of the mental health.

**E) Social assistance and intervention programmes.**

a) **The programme to initiate, maintain and encourage relationships with the family** addresses the ones that have difficulties in maintaining relationships with their family or the ones who wish to set up a family and meet difficulties hereinto. The programme includes both educative activities, and well as individual, group or family counselling. Also, support from institutions dedicated to socio-familial reintegration of people searching support may be provided within the programme.

b) **The antiAIDS Counselling and Educational Programme** includes informational, educational, counselling, activities, as well as activities for the testing of people interested in learning more on the HIV virus, on the illness it may cause, on the transmittal means and on methods to prevent contamination. Work is performed within a team, and the team is supported by equal educators, people deprived of freedom who want to get involved in supporting other, thus showing pro-social attitudes.

**F) Religious assistance activities.**

In accordance to law 275/ 2006, freedom of religious faith of people sentenced to penalties privative of freedoms may not be restricted. Also, according to the regulation to enforce law 275/ 2006, representatives of organisations, associations and religious cults may carry out religious services and activities and may visit people deprived of freedom, without influencing the schedule of the detention institution. The same regulation provides the fact that people deprived of freedom may receive, keep and use religious objects and religious literature.

Therefore, any person deprived of freedom is entitled to participate in religious events organised by religious cults and churches that collaborate with the penitentiary and that expressed their wish to carry out activities of religious nature within the penitentiary.

Registration to participate in religious events may be performed either orally or in written, with the penitentiary management or representatives of the psychosocial and education assistance service.

Codlea penitentiary is currently collaborating with the Humanitarian Service for Penitentiaries, with the Association "Vestea Buna", the Association "Cuvantul Vietii", with catholic ministers, protestant reverends etc and is open to collaboration with representatives of any church acknowledged by Romanian and international laws. Also, the penitentiary includes a full-time employed Orthodox priest. The activity of the orthodox priest addresses people deprived of freedom, during their

detention in the penitentiary. Any person deprived of freedom may request religious assistance, for a peaceful mind, regardless of the religious faith, or the category belonging to.

Requests for religious assistance may be expressed verbally either to personnel of the detention place administration, regardless of the rank. Should the request regards orthodox activities, it is recommended that the person addresses the penitentiary priest. In order to participate to programmes of other confessions acting as volunteers in the penitentiary, the petitioner may address any member of the staff, with the exception of the priest. Apart the verbal request, a written request may also be submitted, addressed to the penitentiary manager or the deputy manager on psychosocial intervention.

The penitentiary priest carried out group activities and individual activities. Group activities are mainly represented by church mass, in particular the Holy Scriptures, also considering possible individual petitions. Individual activities are mainly based on personal issues discussions subject to spiritual, missionary and philanthropic intervention of the priest.

Depending on the type, activities may be either strictly religious or educative. Religious service may cover all scripture topics (any church service), while educative programmes may meet catechism needs (religious education and Bible studies) or general culture needs, thematically quantified.

With view religious activities carried out, Codlea Penitentiary includes an arranged chapel on the premises of the detention place and annex office.

## **G) G) Release Preparation Programmes.**

**a) The “Zodia schimbarii” (Sign of Change) programme** addresses people deprived of freedom, aged between 18-25, and have no more than six months left to release. It is important to work intensively with this age category, because the crime can not only be justified by poor living condition, but also by the family environment where they were brought up. Lack of a positive purpose in life and no plans for the future, no model to follow, moral immaturity caused by the mentioned education lacks, belonging to an inappropriate social group, only accelerated their turn to criminality. The entire programme aims to create pro-social attitudes, detect and reduce criminal tendencies, develop skills to facilitate social reintegration of participants. The programme is carried out and coordinated by the social assistant.

**b) “Give me a chance” Programme** - the programme was initiated with the intention to consolidate educative actions carried out within the penitentiary. The focus is on the key aspects of the reintegration to the community of the person deprived of freedom, taking into consideration that crimes are more often than not caused by an inadequate attempt to settle personal issues. Also, the program aims to provide a continual re-education process with view to social reintegration of people deprived of freedom by opening new perspectives to collaborations to reintegration services. The Initiators of the programme are dedicated to transmitting as many information as possible on institutions, associations and people willing to support social reintegration of released convicts. We are successfully collaborating at present with the Brasov Probation Centre, institution directly interested in social reintegration, with the Brasov Centre for Homeless, with the Agency for Labour Force Employment, with the Association for Social Reintegration Support to Prisoners in Codlea Penitentiary, with New Life Centre and the list of collaborators is open.

The programme addresses people deprived of liberty that passed the probation commission, regardless of age and is carried out by 3 specialists (psychologist, educator and social assistant). The programme is split on 3 modules, as follows: Psychological counselling module (aiming to build self-confidence, understanding the fact that each person also has good sides that society looks up to, detecting way to point out positive features of personality, stimulating the negative emotions generated by the feeling of usefulness of the criminal life, experiencing the feeling of durability associated to an honest living, probing for the individual resources among the group members), counselling with view to finding a job, drawing up a curriculum vitae and going to employment interviews), individual social counselling (identifying the needs of each beneficiary, drawing up an action plan and settling certain significant issues, such as finding a shelter).

There is a brochure edited specifically to meet the various issues related to institutions and documents required.

The strength of the programme is represented by the collaboration with the County Agency for Labour Force Employment, which may provide weekly counselling on finding a job, on free qualification courses on release, on vacancies existing on the labour market and certain vocational counselling elements.

**c) “Gifts for Freedom” Programme** is carried out together with Romania’s Scouts and is addresses young persons between 15-26 years, spending their final days in detention. The programme includes group counselling activities and interactive pedagogical activities (games,

group discussions, etc.). Also, the initiators of the programme have undertaken to involve in the complex process of social reintegration as many associations and institutions that might ease the pro-social route of the ones that sincerely wish to stay free people when they walk out the penitentiary doors.

**H) Cultural, educational and leisure activities.**

**a) Sports programmes** aim to include all prisoners in the penitentiary and include sports activities carries out on fitness equipment, football, table tennis, chess, etc. Sections and penitentiary contests are organised regularly, and each of the persons deprived of freedom may register for the contest.

**b) The theatre club** is already organised for a while in the Codlea Penitentiary, but its activity only recently grew more visible and coherent. There's always a play on prepare and they are played regularly for people deprived of freedom and in front of the community public, that is, on the stage of the Codlea Cultural Centre and there are opportunities to present in on other stages on the county. Any person deprived of freedom may become and actor if they are gifted, if they have the time and the will to get involved in such activities.

**c) The Painting Club** is open to people who want to employ their gift for graphics and painting. They can register either verbally or in writing.

**d) The Music Club** is open to talented people who are interested in cultivating their gift for music.

**e)** There are also in the penitentiary people interested in handcrafts, especially goblin and sculpted objects. They are encouraged to work and develop their gift, both in the cell, and in the clubs open within the programme ACTIVCLUB.

**f)** The Penitentiary Magazine, "Chances of a World Adrift" is edited with support from the Association "The Good News" and is written mostly by people deprived of freedom who are invited to also participate in improving the magazine.

In order to prevent reoffending and for the social reintegration of people deprived of freedom, we consider partnerships with various companies willing to employ them.

Up to the present, we identified a company who will train and employ people who are getting released from the penitentiary, and their training is initiated during the last period of their detention.