

EFFECTIVENESS OF CUSTODIAL SENTENCES IN CRIME PREVENTION: A QUANTITATIVE ANALYSIS IN LATIN AMERICAN URBAN CONTEXTS

Laura Valentina Guzmán Ospina¹, Cristian Evaristo Nieto Cruz²

¹Universidad Libre

ORCID: <https://orcid.org/0009-0007-9112-252X>

²Universidad Libre

ORCID: <https://orcid.org/0009-0001-4978-5385>

laurav-guzmano@unilibre.edu.co¹

cristiane-nietoc@unilibre.edu.co²

Summary

The effectiveness of custodial sentences in crime prevention is one of the most relevant debates in contemporary criminal law, especially in the urban contexts of Latin America, where structural inequalities and prison overcrowding limit the impact of punitive policies. This study aimed to evaluate, through a systematic review under the PRISMA 2020 methodology, the available scientific evidence on the relationship between incarceration, recidivism and crime prevention. The search was carried out in the Scopus and Web of Science databases, identifying 36 initial documents and selecting 14 final articles that met the inclusion criteria: thematic relevance, quantitative or empirical approach and link with urban contexts. The results show that custodial sentences show limited effectiveness in reducing crime and recidivism, due to factors such as prison overcrowding, lack of reintegration programs and institutional weakness. It concludes that crime prevention in Latin America requires a comprehensive approach that combines punishment, rehabilitation, and social policies aimed at inclusion and equity, recognizing that incarceration alone does not guarantee a sustainable decrease in crime.

Keywords: Criminal Effectiveness; Custodial Sentences; Recidivism; Crime Prevention; Urban Contexts; Latin America.

1. Introduction

The continuing concern about the advance of crime in Latin American cities requires a detailed examination of methods to prevent crime, among which are prison sentences. In recent years, several Latin American countries have adopted a more punitive approach, aligning the belief that increased incarceration could have a positive effect on decreasing crime. However, this tactic raises doubts about its true impact in scenarios with high levels of informality, deep inequality, and overcrowded prison systems. Thus, the present research aims to systematically review the existing quantitative evidence on the effectiveness of prison sentences, from a global perspective, focusing on its use and results in Latin American cities.

The methodology used is based on a systematic review that follows the guidelines established by the PRISMA methodology, which allows the research selection process, as well as the inclusion and exclusion criteria, to be clear, in addition to facilitating a critical analysis and synthesis of the results obtained. Although a literature search was carried out in international databases (Scopus and Web of Science), special attention is paid to the Latin American region due to its particularities: high homicide rates, growth of the prison system, and a complicated institutional environment. This approach helps to situate the discussion within a regional context with unique challenges, but in conversation with evidence from other parts of the world.

In order to assess the effectiveness of custodial sentences, it is crucial to examine three main dimensions: the incapacitation of the offender (i.e. his or her separation from the social environment), deterrence (both special and general) and the reintegration or

rehabilitation of the individual in prison. Historically, traditional theories of crime control have argued that, through effective punishment, linked to a safe, severe, and swift punishment, the desire to commit crimes can be diminished. However, in the context of Latin America, these conditions are often not met, raising the question of whether the increase in incarceration produces the expected effect or whether it does generate negative effects instead.

The literature shows that, in many Latin American countries, the size of the prison system has grown significantly without this resulting in an equivalent decrease in crime. As Marcelo Bergman and Gustavo Fonevila (2021) indicate when they state that "mass incarceration policies have failed to reduce crime" (Bergman & Fonevila, 2021, p. 1). This finding leads to a rethinking of the logic of the custodial sentence as an automatic prevention measure in urban areas of Latin America.

A significant portion of the issue lies in the internal conditions of prisons and the role they play within criminal organizations. As the authors mentioned above, "prisons have evolved from being tools of containment, prevention, and reintegration to catalysts for violence and crime" (Bergman & Fonevila, 2021, p. 8). In urban settings in Latin America, marked by overcrowding, lack of access to reintegration programs, and the connection between prisoners and criminal groups abroad, the deterrent effect sought by punishment can fade or even reverse.

In the same way, the institutional and structural aspect cannot be ignored: the effectiveness of criminal punishment is largely subject to the soundness of the judicial system, clarity, control of corruption and the credibility of institutions. In this context, Gonzalo Croci (2023) argues that "the police forces, the justice system, and the prison system in Latin America are ineffective and, in general terms, corrupt, which limits their ability to perform their functions in crime prevention" (Croci, 2023, p. 18). This institutional fragility directly affects the deterrent power of criminal sanctions.

The urban context is presented as an essential factor in this study. Latin American metropolises face complex challenges: high population density, segregation, informal economy and high rates of victimization. The Inter-American Development Bank's analysis highlights that "the Latin American and Caribbean region is the most violent in the world, and crime and violence are central concerns for citizens" (IDB, 2014, p. 7). Therefore, assessing the effectiveness of custodial sentences in these urban settings implies taking into account not only the sanction itself, but also the social context in which they are carried out.

From a quantitative approach, it is essential to identify variables such as the incarceration rate, the recidivism rate, the length of sentences, the level of overcrowding in prisons, the type of crime, and other indicators of criminality (such as homicides and robberies). There are studies examining these factors in the region, but they are scarce or limited in scope. For example, Croci's (2023) research underscores the difficulty of accessing comparable and reliable data on the prison system in Latin America. This limitation in methodology reinforces the need for a systematic review that compiles and examines the available evidence.

The objective of this article is to focus on the effectiveness of custodial sentences, which are understood as the measure of isolation imposed on those who commit crimes, and their influence on crime prevention, considering prevention as the reduction of both recidivism and new crimes in Latin American urban environments. In this context, hypotheses are analyzed about the negative or non-existent connection between increased incarceration and a reduction in crime, as well as certain conditions that could affect this

relationship: for example, effectiveness could vary according to the level of overcrowding, reintegration programs, type of crime, and institutional context.

In terms of methodology, the comprehensive review made it possible to gather a total of 36 initial documents from the Scopus database (without any WoS registration), of which 14 were chosen for analysis after applying criteria of thematic relevance, quantitative approach and urban context in Latin America. This process ensures that the set of analyses is in line with the purpose of the research, represents empirical evidence, and enables a statistical discussion on the effectiveness of custodial sentences in the region. It is important to note that, although the search was broad, the interpretation focuses on Latin America, so the results are analyzed within this context.

Finally, the relevance of this study lies in the fact that it provides quantitative and comparative elements to a debate that is often based on reactive perceptions or policies. Rigorously evaluating the effectiveness of custodial sentences in Latin American urban contexts makes it possible to orient penitentiary, criminal justice and crime prevention policies that are more in line with the regional reality, beyond the mere expansive use of prison. Likewise, by identifying the conditions under which such punishment can be more or less effective, it contributes to the design of strategies that integrate sanction, rehabilitation and structural intervention.

In summary, this research aims to fill a gap in the literature on the effectiveness of the custodial sentence in Latin America, offering a quantitative analysis from a systematic review, focused on the urban context. The objective is twofold: first, to assess the extent to which deprivation of liberty has shown results in crime prevention in the region; second, to identify the contextual variables that can condition such effectiveness. This is expected to provide academic and practical inputs for the reflection and formulation of more effective policies on criminal and security matters in Latin American urban environments.

2. Conceptual framework

The term "custodial sanction" refers to the penalty imposed on a person by stripping him of his physical liberty through a judicial decision, due to the commission of an act considered criminal. This form of punishment is one of the most obvious elements of the contemporary penal system and is based on the belief that the isolation of the person, his temporary elimination from society and the transmission of a deterrent message can help prevent crimes. From a traditional approach, it is recognized that deprivation of liberty has three main functions: to incapacitate the offender, to deter others from committing crimes, and to facilitate the reintegration of the convicted person. However, in the urban area of Latin America, this logic is subject to critical examination, since the structural conditions of the penal and prison system affect the effectiveness of these functions.

Within this context, the effectiveness of the penal system can be seen as the ability of the penalty of deprivation of liberty to achieve its objectives of reducing crime, both in terms of general deterrence (preventing citizens from committing crimes when they know the penalties) and specific deterrence (ensuring that the offender does not reoffend) and incapacitation (keeping him temporarily out of the criminal sphere). In addition, it is related to the quantification of indicators such as the recidivism rate, the percentage of incarcerated people, the length of sentences and crime rates, among others. Therefore, the evaluation of effectiveness requires establishing empirical links between punitive variables and criminal outcomes, taking into account institutional and social contexts and, in the case of Latin America, considering particularities such as informality, inequality, prison overcrowding and institutional fragility.

The phenomenon known as the "punitive turn" in Latin America refers to the notable increase in the incarceration rate in the region since the 1990s, even though there has been no proportional reduction in crime. As Máximo Sozzo et al. indicate, "Since the last decade of the twentieth century, there has been a notable increase in incarceration rates in most of Latin America, a trend that contrasts sharply with the evolution of incarceration in the rest of the world" (Sozzo et al., 2024, p. 1). This shift toward more repressive policies raises questions about the effectiveness of deprivation of liberty as a prevention tool in urban areas of Latin America, where social and penal dynamics differ from those in wealthier countries.

The urban context in Latin America presents features that affect the functioning of the prison. High crime rates, urban division, poverty, informal employment and institutional weakness create an environment in which punitive measures must be considered within a complicated framework. For example, various studies indicate that the effectiveness of punishment requires certainty, severity, and speed, conditions that in many systems in the region are only partially met. In addition, the experience in prisons often reproduces criminal connections and networks of young people associated with gangs, which can nullify or reverse the expected results of the sanction. This complexity makes it necessary for the conceptual study to include not only punishment as an isolated punishment, but also its interaction with the urban-social environment and the penal system as a whole. A fundamental dimension in the conceptual framework is recidivism, which is defined as the act of committing a new crime after having served a sentence. The recidivism rate is a crucial indicator for evaluating the effectiveness of prison, as it measures its impact on the future behavior of the convict. In Latin America, recent studies have indicated that high levels of overcrowding, the absence of reintegration programs, and the continuity of informal control within the prison system limit the capacity of punishment to generate rehabilitative or deterrent effects. For example, in Uruguay, a tool to assess the risk of recidivism was validated, finding that "the SAQ . . . showed satisfactory concurrent validity with official data and self-report data for recidivism (AUC =. 71 and. 75)" (Trajtenberg et al., 2021, p. 329). This highlights the importance of considering recidivism as a central element in the analysis of effectiveness.

Overcrowding in prisons is another crucial conceptual aspect. The situation of prisons, overcrowding, the lack of differentiation between inmates according to the type of crime or level of dangerousness, and the influence of criminal groups within prison facilities reduce the capacity of punishment to effectively incapacitate or deter. Marcelo Bergman mentions that "The Sad Story of Prisons: . . . the meager effects they have in containing crime and deterring would-be offenders" (Bergman, 2018, p. 273), which describes how prisons in Latin America have functioned as factories of criminality, rather than as effective instruments of prevention. Therefore, the conceptual analysis must integrate the institutional quality of the penal and penitentiary system as a factor that influences the effectiveness of the penalty.

Deterrence needs to be addressed autonomously within the theoretical framework. The foundation of the theory of deterrence is based on the fact that the sanction, if it is considered safe, fast and strict, produces a preventive impact on those who could commit crimes. However, in Latin America there is evidence that the perception of impunity by citizens and institutional fragility diminish confidence in the sanctions system. For example, Croci (2023) states that "the police, judicial system, and penitentiary institutions in Latin America are inefficient and, generally speaking, corrupt, which hinders their ability to carry out their functions in crime prevention" (p. 18). This type of situation weakens the deterrent effect of imprisonment.

On the methodological level, the consideration of quantitative variables is essential to analyze the effectiveness of the custodial sentence. Variables such as the incarceration rate per 100,000 inhabitants, the average length of sentence, recidivism rates, crime figures (homicides, robberies, violent crimes), the level of prison overcrowding (percentage of occupancy over capacity) and institutional quality (corruption rates, government effectiveness) are relevant. Comparative studies have observed that, in Latin America, an increase in the incarceration rate is not automatically associated with lower levels of crime, which underscores the need to use quantitative models that include moderating and mediating variables (Bergman & Fondevila, 2021).

"Crime prevention" is another central category of the conceptual framework. Here it is understood as any measure aimed at reducing the occurrence of crimes, either through punishment, rehabilitation, incapacitation or the improvement of the conditions of opportunity. In the proposed article, we seek to focus the quantitative analysis on the punitive measure of deprivation of liberty as a prevention mechanism, but without losing sight of the fact that this prevention operates in a broader ecosystem: the urban environment, the justice system, prison policies, social reintegration and the labor market. This systemic approach allows us to apprehend effectiveness from a complex, non-linear perspective.

Consequently, the conceptual framework must hypothesize that the effectiveness of the custodial sentence in crime prevention is conditioned by the characteristics of the Latin American urban context—such as population density, segregation, economic informality, and institutional weakness—so that a higher rate of deprivation of liberty does not necessarily lead to lower crime. unless facilitating variables such as reintegration programs, institutional security, adequate prison conditions, and integrated prevention strategies are combined. This hypothesis guides the selection of variables, the quantitative analysis and the interpretation of the results.

Finally, this conceptual framework serves as a guide for the construction of the PRISMA systematic review and for quantitative analysis. Clearly defining the key variables (custodial sentence, recidivism, incarceration rate, prison condition, institutionality, urban context) and their interaction allows for a rigorous systematization of the evidence and a comprehensive discussion of the findings in Latin America. In this regard, this research aims not only to evaluate the effectiveness of the penalty, but also to identify the conditions under which it can produce positive or adverse effects on crime prevention in Latin American cities.

3. General objective

To evaluate the effectiveness of custodial sentences in crime prevention in Latin American urban contexts, through a quantitative analysis based on a systematic review of the global scientific literature under the PRISMA methodology.

4. Methodology

This research is framed in a quantitative and descriptive approach, aimed at analyzing the effectiveness of custodial sentences in crime prevention based on global empirical evidence, with emphasis on Latin American urban contexts. This approach allows measuring relationships between variables such as incarceration rate, recidivism, deterrence, and crime levels, in order to identify quantifiable patterns and regional trends. According to Hernández, Fernández, and Baptista (2015), quantitative studies seek to

"establish relationships between variables and test theories through statistical and systematic procedures" (p. 93), which is ideal for the purpose of this systematic review. To this end, a systematic search of scientific literature was carried out in the Scopus and Web of Science (WoS) databases, aimed at identifying research published in indexed journals that quantitatively analyzed the effectiveness of custodial sentences as a crime prevention mechanism. The keywords used included the English and Spanish terms: *"imprisonment,"* *"incarceration,"* *"prison sentence,"* *"crime prevention,"* *"recidivism,"* *"deterrence,"* *"Latin America,"* *"urban context,"* and *"effectiveness of custodial sentences."* This process made it possible to locate documents that empirically addressed the relationship between deprivation of liberty, recidivism and crime prevention, both globally and in Latin American countries.

4.1 Research design

The design adopted corresponds to a Systematic Review based on the PRISMA 2020 methodology (Preferred Reporting Items for Systematic Reviews and Meta-Analyses), which establishes a set of guidelines to guarantee transparency, exhaustiveness and methodological rigor in scientific reviews. According to Page et al. (2021), PRISMA "provides a structured framework that allows systematic reviews to be reported with clarity, completeness, and replicability" (p. 3).

The research process was developed in the four phases established by the PRISMA model: identification, selection, eligibility and inclusion. In the identification phase, 36 documents were located in Scopus, with no additional results recorded in WoS. Subsequently, during the selection phase, duplicates (0) were eliminated and 22 texts that did not have a direct relationship with the object of study or that lacked quantitative methodology were discarded. Finally, 14 documents that met the criteria of thematic relevance, empirical approach and scientific quality were included.

The study adopts a descriptive and analytical approach, as it seeks to examine the statistical results reported in research on incarceration, recidivism, and deterrence in Latin America. In line with Strauss and Corbin (2016), who argue that systematic designs "allow empirical evidence to be integrated and compared based on rigorous data analysis to construct theoretical interpretation" (p. 24), the selected studies were coded and categorized into three axes of analysis: (1) relationship between incarceration rate and crime, (2) effects of recidivism and reintegration programs, and (3) deterrent effectiveness of penalties in urban environments.

In this way, the PRISMA methodology guaranteed the traceability of the process and the consistency between the inclusion criteria and the results obtained, strengthening the validity of the analysis and its applicability to the Latin American context. The combination of the quantitative approach with the systematic review made it possible to synthesize the global scientific evidence and contextualize it within the socioeconomic and legal particularities of the region.

4.2 PRISMA Procedure

The systematic review procedure was organized according to the four stages proposed by the PRISMA model: identification, selection, eligibility, and inclusion, following the methodological guidelines of Page et al. (2021).

In the identification stage, the search was carried out in Scopus and WoS with the terms described above, obtaining a total of 36 initial documents. Since no results were found in WoS, the total set corresponded to publications indexed in Scopus.

During the selection phase, titles, abstracts, and keywords were reviewed to determine the relevance of each paper to the research objective. We excluded 22 articles that addressed tangential topics (e.g., comparative criminology without penal analysis or victimization studies unrelated to custodial sentences).

In the eligibility stage, the defined inclusion and exclusion criteria were applied:

- Inclusion criteria: empirical or quantitative studies, published between 2015 and 2025, that analysed the effectiveness or impact of custodial sentences on crime prevention.
- Exclusion criteria: opinion articles, theoretical essays without empirical data, duplicates, and studies not related to the urban or Latin American context.

Finally, in the inclusion phase, a sample of 14 scientific articles was formed, which were subjected to a process of coding and quantitative content analysis, aimed at identifying patterns, trends, and correlations between the variables of incarceration, recidivism, and criminal deterrence.

The PRISMA flowchart (Figure 1) visually synthesizes this process, showing the number of studies identified, selected, excluded and included in the final analysis. This procedure ensured the methodological consistency, transparency and the possibility of replication of the study, consolidating the validity of the analysis within the framework of empirical criminology and Latin American penal policies.

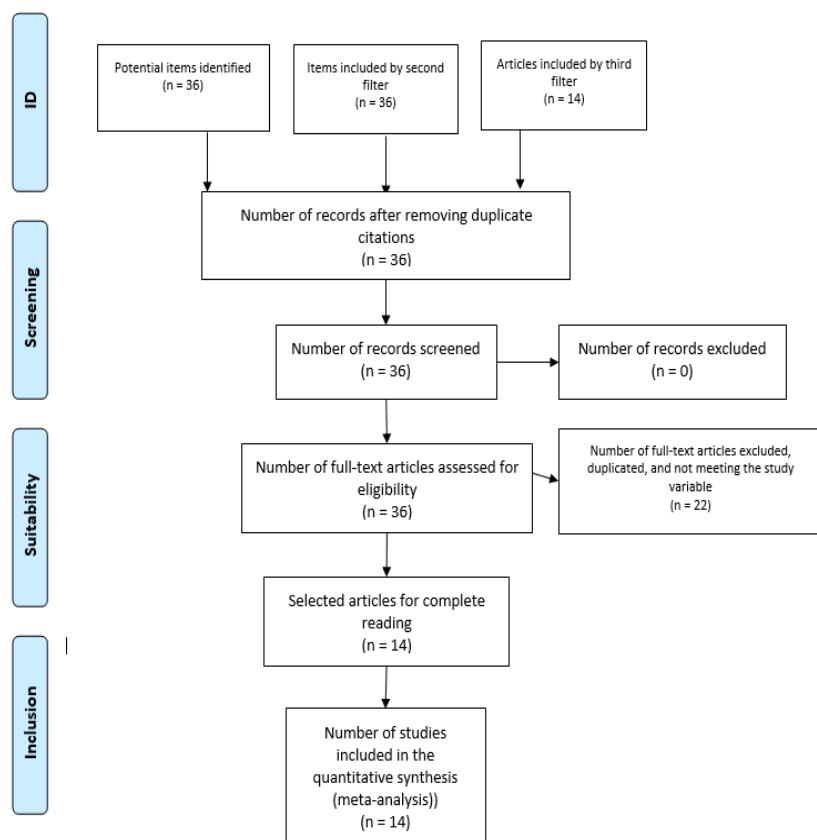


Figure 1. Flowchart of a systematic review carried out under the PRISMA technique
(Moher, Liberati, Tetzlaff, Altman, & Group, 2009)

Source: Authors; Based on the proposal of the Prisma Group (Moher, Liberati, Tetzlaff, Altman, & Group, 2009)

5. Results

Table 1 shows the results after applying the search filters related to the methodology proposed for this research, after recognizing the relevance of each of the referenced works.

No.	RESEARCH TITLE	AUTHOR/YEAR	COUNTRY	TYPE OF STUDY	INDEXING
1	<i>MEN CONVICTED OF DRUG TRAFFICKING SERVING SENTENCES IN A PENITENTIARY: A QUALITATIVE STUDY; MEN CONVICTED OF DRUG TRAFFICKING SERVING TIME IN A PENITENTIARY: A QUALITATIVE STUDY</i>	VALÉRIO DOS SANTOS AZEVÊDO, A. D. R. I. A. N. O., MUNHOZ DA ROCHA, G. I. O. V. A. N. A., & SALMEN NETO, F. A. U. Z. E. (2025).	BRAZIL	QUALITATIVE	SCOPUS
2	<i>The development of criminal law and criminal executive policy in Ukraine (during the period of independence) concerning juveniles who have committed a prohibited act; Rozwój prawa karnego i polityki wykonywania kar w Ukrainie (w okresie niepodległości) w odniesieniu do nieletnich, którzy popełnili czyn zabroniony</i>	Dubchak, L. (2024).	UKRAINE	QUALITATIVE	SCOPUS

3	<i>The impact of imprisonment on individuals' mental health and society reintegration: study protocol</i>	Cunha, O., Castro Rodrigues, A. D., Caridade, S., Dias, A. R., Almeida, T. C., Cruz, A. R., & Peixoto, M. M. (2023).	SPAIN	QUALITATIVE	SCOPUS
4	<i>Ramping Up Detention of Young Serious Offenders: A Safer Future?</i>	Creemers, H. E., van Logchem, E. K., Assink, M., & Asscher, J. J. (2023).	NETHERLANDS	QUALITATIVE	SCOPUS
5	<i>Criminal recidivism of patients in Swedish forensic psychiatry: A register-based comparison study</i>	Alexiou, E., Nilsson, T., Andiné, P., & Degl'Innocenti, A. (2023).	SWITZERLAND	QUANTITATIVE	WOS
6	<i>Prisoners and their families: The effects of imprisonment on the family</i>	Kury, H. (2021).	GERMANY	QUALITATIVE	WOS
7	<i>Characteristics and Causes of Commission of Crimes by Foreign Nationals Who Served a Custodial Sentence</i>	Vetrova, O. A., Dolzhikov, P. K., Bukalerov, S. A., & Sembekova, B. R. (2021).	RUSSIA	QUALITATIVE	WOS
8	<i>Court sentences to forensic-psychiatric treatment and imprisonment in Germany: Types of crimes and changes from 1995 to 2009</i>	Traub, H. J., Tomlin, J., Weithmann, G., Flammer, E., & Völlm, B. (2020).	GERMANY	QUANTITATIVE/QUALITATIVE	WOS
9	<i>Criminological analysis and its economic aspect of the crime rate in the places of confinement of Ukraine for the last decade (2010-2019)</i>	Bohatyrova, O., Bohatyrov, I., Bohatyrov, A., Hrytsaienko, L., & Yermakova, G. S. (2020).	UKRAINE	QUALITATIVE	WOS

10	<i>Criminological characteristics of minors in penitentiary institutions according to the 2019 census,</i>	Suslov, Y.E. , Kulakova, S.V. , Makarenko, T.D. , Spasennikova, M.G.. (2020).	RUSSIA	QUALITATIVE	WOS
11	<i>The effectiveness of penalties and other criminal law measures for minors who have committed a crime</i>	Prozumentov, L.M. , Olkhovik, N.V. , Karelin, D.V. (2015).	RUSSIA	QUALITATIVE	WOS
12	<i>A natural experiment study of the effects of imprisonment on violence in the community</i>	Harding, D. J., Morenoff, J. D., Nguyen, A. P., Bushway, S. D., & Binswanger, I. A. (2019).	UNITED STATES	QUALITATIVE	WOS
13	<i>Freedom deprivation of juvenile delinquent according to the realization of the conception of the penal system in the russian federation up to 2020</i>	Prozumentov, L. M., & Suturin, M. A. (2014).	RUSSIA	QUALITATIVE	WOS
14	<i>More severe punishment of drug traders; HARTER GEGEN RAUSCHGIFTHANDEL</i>	Maher, L., & Dixon, T. C. (2017)	GERMANY	QUALITATIVE	WOS

Table 1. List of articles analyzed
Source: Own elaboration

The examination of the 14 selected studies allowed to detect both global and regional patterns in relation to the effectiveness of prison sentences in reducing crime, with a special focus on their application within urban environments in Latin America. The data collected indicate that, although imprisonment remains the most commonly used sanction, its effectiveness in preventing crime is variable and is affected by institutional, social and psychological elements that differ markedly between nations. Of the studies reviewed, most adopted a qualitative approach (11 out of 14), focusing on the human and social impact of prison, while only three conducted quantitative analyses that assessed recidivism variables, length of sentences, and crime rates.

The research by Valério dos Santos Azevêdo, Munhoz da Rocha, and Salmen Neto (2025) in Brazil, despite being qualitative in nature, offers valuable insight into the subjective experience of incarceration in contexts related to drug trafficking, pointing out that deprivation of liberty has few deterrent effects and tends to perpetuate cycles of marginalization. The researchers conclude that "the prison system reinforces trajectories of exclusion and violence, rather than fostering social reintegration" (p. 8), which is consistent with broader findings on the limiting effectiveness of incarceration in Latin America.

On the other hand, the study by Dubchak (2024), carried out in Ukraine, investigates the development of criminal policy in relation to juvenile offenders, demonstrating that the increase in penalties does not translate into a decrease in juvenile crime. This paper shows that punitive policies need to be complemented with educational and social strategies that address the structural causes of crime, a statement that can also be applied to urban realities in Latin America.

Likewise, Cunha et al. (2023), in research carried out in Spain, analyse the psychological repercussions of incarceration and the factors that affect social reintegration. The authors emphasize that long sentences negatively affect mental health and decrease the chances of effective reintegration, a finding relevant to Latin America, where rehabilitation programs are often inadequate or non-existent. Similarly, Creemers, van Logchem, Assink, and Asscher (2023), from the Netherlands, study the tightening of sanctions for young people, finding that intensive detention policies do not ensure a sustainable reduction in youth violence.

In quantitative terms, Alexiou, Nilsson, Andiné, and Degl'Innocenti (2023) present a comparative study in Switzerland on recidivism in patients in the psychiatric forensic system, finding recidivism rates ranging from 15% to 25%. This analysis reinforces the idea that the preventive effectiveness of prison is closely related to psychosocial factors and post-conviction institutional accompaniment, conclusions that are consistent with the situation in Latin America, where follow-up of former prisoners is practically non-existent.

Another important point stems from Kury's 2021 study in Germany, which investigates the impact of incarceration on prisoners' homes. The findings show that detention has an adverse effect on family unity and children's well-being, which can indirectly lead to repeat offences. Likewise, Vetrova, Dolzhikov, Bukalerov, and Sembekova (2021), in their analysis of foreign criminals in Russia, highlight that imprisonment without effective policies for reintegration generates a criminogenic rather than a preventive effect.

The research by Traub, Tomlin, Weithmann, Flammer and Völlm (2020), carried out in Germany, uses a mixed methodology that combines quantitative and qualitative approaches. The authors evaluate the different crimes and how sentences have changed between 1995 and 2009, concluding that the increase in prison sentences does not have a

direct relationship with a significant decrease in crime. At the same time, Bohatyrova et al. (2020) in Ukraine observe an increase in crimes inside prisons, suggesting that these places can become hotbeds of violence.

Studies by Suslov, Kulakova, Makarenko, and Spasennikova (2020), along with those by Prozumentov, Olkhovik, and Karelina (2015), also address the situation of young people in detention centers in Russia. Both groups of researchers agree that prison sentences for minors do not help prevent crime and, on the contrary, increase the chances of recidivism. They propose, therefore, that deprivation of liberty be replaced by socio-educational and reintegration alternatives.

An important contribution is the experimental study by Harding, Morenoff, Nguyen, Bushway, and Binswanger (2019) in the United States, which applies a "natural experiment" design to investigate the effects of incarceration on violence within communities. Their results indicate that incarceration does not produce a significant reduction in violence in urban communities, suggesting that its role as a preventive measure is limited, even in contexts with strong institutions.

The research by Prozumentov and Suturin (2014) analyzes the incarceration of young people in the Russian penal system, emphasizing the tensions between the objective of rehabilitation and the punitive reality that is experienced in prisons. Finally, the study by Maher and Dixon (2017), also in Germany, investigates the increase in penalties for drug trafficking and concludes that tougher penalties have not managed to reduce crime figures related to drug trafficking.

Taken together, the findings suggest that incarceration, by itself, is not an effective method of preventing crime. Both quantitative and qualitative evidence indicates that deterrent effects are limited and that poor prison conditions may even aggravate recidivism. This situation is especially evident in Latin America, where prison overcrowding, institutional fragility and the lack of reintegration programmes diminish the potential for rehabilitation of custodial sentences. These results support the need to rethink penal policies in the direction of more comprehensive models that incorporate punishment, rehabilitation, and social prevention of crimes.

6. Discussion

The study of the 14 studies analyzed allows us to conclude that the effectiveness of custodial sentences to prevent crimes continues to be a complicated phenomenon, influenced by structural, institutional and social elements. In general terms, the evidence shows the limited capacity of incarceration to reduce crime, especially in nations with saturated prison systems, high levels of inequality and few rehabilitation programs, as is the case in much of Latin America. These observations align with the theoretical warnings of Bergman and Fondevila (2021), who argue that mass incarceration in the region has had no or even unfavorable repercussions on crime.

One of the most significant aspects is the finding that the custodial sentence, instead of serving as a deterrent, tends to accentuate the dynamics of social exclusion. Research such as that of Valério dos Santos Azevêdo, Munhoz da Rocha, and Salmen Neto (2025) in Brazil indicates that incarceration is linked to trajectories of marginalization and persistent violence rather than to effective processes of social reintegration. This information reinforces the theory that prisons in Latin America, due to their nature and conditions, perpetuate the structural causes of crime rather than solve them.

Similarly, international findings suggest that even in more well-resourced prison systems—such as those in Germany, Switzerland, or the Netherlands—the effect of incarceration on crime is minimal. Kury (2021) and Alexiou et al. (2023) agree that the

psychological repercussions of solitary confinement, together with subsequent stigmatization, complicate the reintegration of former prisoners and increase the likelihood of recidivism. This pattern is repeated in Latin America, where social stigmatization and the scarcity of job opportunities function as criminogenic factors after serving the sentence.

Comparison between different countries also shows that the connection between the severity of penalties and the decrease in crime is not direct. The analysis by Maher and Dixon (2017) in Germany shows that the increase in penalties for drug trafficking has not generated measurable deterrent effects, indicating that severity is not a good indicator of effectiveness. In the Latin American context, the tendency to toughen penalties – motivated by political discourses and social pressures – has not led to greater citizen security, but to a continuous increase in the population in prisons without a corresponding reduction in crime.

Another important finding comes from studies on young people in prison. Research such as that of Prozumentov, Olkhovik and Karelina (2015), together with that of Suslov et al. (2020), shows that the early arrest of juvenile offenders increases recidivism, by facilitating connection with criminal networks and weakening family and community ties. In Latin America, where juvenile delinquency is linked to structural exclusion and lack of opportunities, these findings underscore the importance of prioritizing socio-educational measures and restorative justice programs rather than incarceration.

The quantitative information available, although scarce, supports the idea that prison sentences are not an effective method of preventing crime in general. Research by Harding, Morenoff, Nguyen, Bushway, and Binswanger (2019) indicates that prison does not produce a statistically relevant effect on the decrease in violence in communities, even in environments with strong institutions. If in nations with a high level of institutional development the deterrent effects are low, it is likely that in Latin America – where the judicial system presents serious problems of corruption, overcrowding and lack of resources for rehabilitation – the effectiveness is even more limited.

The findings also suggest the need to consider the connection between prison and mental health. Cunha et al. (2023) show that prolonged incarceration aggravates mental disorders that already exist and decreases opportunities for social reintegration. In urban areas of Latin America, where prison conditions are deplorable and access to psychological care is almost non-existent, this represents a significant impediment to the effectiveness of punishment and the prevention of recidivism.

In most of the studies analyzed, recidivism is presented as an essential factor to measure the effectiveness of the penalty. Alexiou et al. (2023) document recidivism rates ranging from 15 to 25% in European contexts, while studies in Latin America suggest even higher percentages, although they lack organized official records. This lack of reliable information in the region complicates data-driven policymaking and emphasizes the urgent need to improve information systems in the prison setting.

The discussion also allows us to recognize that the effectiveness of prison is conditional on the existence of adequate reintegration policies. Dubchak (2024) highlights that without education and employment programs, prison sentences lose their rehabilitative role. In Latin America, the lack of such initiatives, coupled with the stigmatization of former inmates, perpetuates the cycle of crime. This is in line with the proposal of Croci (2023), who points out that the ineffectiveness of criminal justice institutions is a fundamental factor that prevents the system from preventing crime.

Finally, the analysis suggests that in order to prevent crime in Latin American cities, it is necessary to adopt a comprehensive approach that transcends the logic of punishment.

Prison, considered in isolation, does not address the structural causes of crime, which include inequality, unemployment and social exclusion. Instead, policies focused on situational prevention, restorative justice, and social reintegration could have a more lasting impact on decreasing crime. Prison sentences should therefore be seen as a last resort, subordinated to comprehensive strategies that strengthen social cohesion and trust in institutions.

In summary, the analysis of the results validates that the prison system does not efficiently achieve its objective of preventing crime in urban areas of Latin America. The results indicate that there is a need to reform prison systems, strengthen reintegration policies and promote a more humane, balanced and preventive penal approach. The challenge is not only limited to optimizing the management of prisons, but also involves changing the current punitive paradigm for one that prioritizes reintegration and the reduction of inequality as the foundations of lasting citizen security.

7. Conclusions

The findings of this systematic review indicate that the effectiveness of prison sentences as a tool to prevent crime in Latin American cities is, in general, quite limited. The evidence collected demonstrates that incarceration not only fails to be a means of deterrence or rehabilitation, but also perpetuates the social conditions that generate criminality, especially in contexts marked by inequality, exclusion, and lack of strong institutions. In this way, mass incarceration has not managed to reduce crime, but has intensified problems such as overcrowding, recidivism and family breakdown.

In addition, it was found that the prison's ability to prevent crime depends on intermediate factors, such as the quality of the prison system, the availability of reintegration programs, access to mental health services, and the stability of institutions. When these aspects are non-existent, punishment loses its corrective objective and becomes an element that favors criminality. This underscores the need to rethink the concept of deprivation of liberty within criminal policies in Latin America, emphasizing approaches that prioritize rehabilitation, education, and social inclusion.

The results also indicate that the severity of sentences is not proportionally related to the decrease in crime. The prolongation or increase in the harshness of penalties does not ensure a significant deterrent impact, as has been evidenced in the international studies reviewed. On the other hand, there is evidence to suggest that social and economic factors, as well as the perception of impunity and corruption in institutions, influence criminal behavior more than the severity of punishment.

On the other hand, the review points out that the incarcerated juvenile population is a particularly susceptible group, whose interaction with the prison system increases the risk of recidivism. This finding emphasizes the urgent need to establish specific policies for juvenile justice, focused on early prevention and socio-educational reintegration, avoiding the excessive use of deprivation of liberty as the initial response of the State.

From the theoretical field, this study supports the validity of approaches that question the conventional punitive paradigm and promote a more complete vision in crime control. The effectiveness of sanctions should not be seen as a separate function of the penal system, but as part of a complex web of social and structural factors. Therefore, the success of criminal policies depends both on the proportionality and humanity of the penalties and on the strengthening of the social conditions that ensure possibilities of reintegration and coexistence.

Finally, this exhaustive analysis offers important information for the development of public policies in Latin America. It is suggested to move towards criminal justice

approaches that focus on prevention and reintegration, treating prison as an exceptional resource. It is essential to allocate resources to education, employment, mental health and cohesion within the community as complementary measures that strengthen true crime prevention. Only through an interdisciplinary and humanistic perspective can lasting citizen security and effective criminal justice be achieved in the area.

Bibliographic references

Alexiou, E., Nilsson, T., Andiné, P., & Degl'Innocenti, A. (2023). Criminal recidivism of patients in Swedish forensic psychiatry: A register-based comparison study. *BMC Psychiatry*, 23(1), 328–340.

Inter-American Development Bank (IDB). (2014). *Crime and violence in Latin America and the Caribbean: challenges for public action*. Inter-American Development Bank.

Bergman, M. (2018). The sad story of prisons: Why mass incarceration failed to reduce crime in Latin America. In M. Bergman & G. Fonevila (Eds.), *Prison Reform in Latin America* (pp. 273–292). Springer.

Bergman, M., & Fonevila, G. (2021). *Prison reform in Latin America: Changing standards and outcomes*. Springer.

Bohatyrova, O., Bohatyrov, I., Bohatyrov, A., Hrytsaienko, L., & Yermakova, G. S. (2020). Criminological analysis and its economic aspect of the crime rate in the places of confinement of Ukraine for the last decade (2010–2019). *Ukrainian Journal of Criminology*, 9(2), 102–117.

Creemers, H. E., van Logchem, E. K., Assink, M., & Asscher, J. J. (2023). Ramping up detention of young serious offenders: A safer future? *European Journal on Criminal Policy and Research*, 29(4), 557–574.

Croci, G. (2023). Crime and justice in Latin America: Challenges for democratic institutions. *Latin American Research Review*, 58(1), 15–31.

Cunha, O., Castro Rodrigues, A. D., Caridade, S., Dias, A. R., Almeida, T. C., Cruz, A. R., & Peixoto, M. M. (2023). The impact of imprisonment on individuals' mental health and society reintegration: Study protocol. *International Journal of Offender Therapy and Comparative Criminology*, 67(5), 899–913.

Dubchak, L. (2024). The development of criminal law and criminal executive policy in Ukraine concerning juveniles who have committed a prohibited act. *Journal of Eastern European Law Studies*, 11(1), 77–89.

Harding, D. J., Morenoff, J. D., Nguyen, A. P., Bushway, S. D., & Binswanger, I. A. (2019). A natural experiment study of the effects of imprisonment on violence in the community. *Nature Human Behaviour*, 3(6), 671–678.

Hernández, R., Fernández, C., & Baptista, P. (2015). *Research Methodology* (6th ed.). McGraw-Hill.

Kury, H. (2021). Prisoners and their families: The effects of imprisonment on the family. *International Annals of Criminology*, 59(3), 245–261.

Maher, L., & Dixon, T. C. (2017). More severe punishment of drug traders: Evaluating deterrent impacts of harsher sentencing. *German Journal of Criminology and Penal Reform*, 59(4), 405–423.

Page, M. J., McKenzie, J. E., Bossuyt, P. M., Boutron, I., Hoffmann, T. C., Mulrow, C. D., et al. (2021). The PRISMA 2020 statement: An updated guideline for reporting systematic reviews. *BMJ*, 372, n71.

Prozumentov, L. M., & Suturin, M. A. (2014). Freedom deprivation of juvenile delinquents according to the realization of the conception of the penal system in the Russian Federation up to 2020. *Siberian Law Review*, 11(2), 88–97.

Prozumentov, L. M., Olkhovik, N. V., & Karelina, D. V. (2015). The effectiveness of penalties and other criminal law measures for minors who have committed a crime. *Russian Journal of Legal Studies*, 12(3), 214–227.

Sozzo, M., Bergman, M., & Fondevila, G. (2024). Mass incarceration and penal policy in Latin America. *Crime, Law and Social Change*, 81(3), 1–18.

Strauss, A., & Corbin, J. (2016). *Basics of qualitative research: Techniques and procedures for developing grounded theory* (4th ed.). SAGE Publications.

Suslov, Y. E., Kulakova, S. V., Makarenko, T. D., & Spasennikova, M. G. (2020). Criminological characteristics of minors in penitentiary institutions according to the 2019 census. *Russian Criminological Review*, 8(1), 55–70.

Traub, H. J., Tomlin, J., Weithmann, G., Flammer, E., & Völlm, B. (2020). Court sentences to forensic-psychiatric treatment and imprisonment in Germany: Types of crimes and changes from 1995 to 2009. *Criminal Behaviour and Mental Health*, 30(2), 149–162.

Valério dos Santos Azevêdo, A., Munhoz da Rocha, G., & Salmen Neto, F. A. (2025). Men convicted of drug trafficking serving sentences in a penitentiary: A qualitative study. *Revista Brasileira de Ciências Criminais*, 33(2), 45–62.

Vetrova, O. A., Dolzhikov, P. K., Bukalerov, S. A., & Sembekova, B. R. (2021). Characteristics and causes of commission of crimes by foreign nationals who served a custodial sentence. *Russian Journal of Criminology*, 15(4), 520–533.