

## PRISON ISSUE IN BRAZIL

Marcus UENO<sup>1</sup>

**SUMMARY:** Data of the prison issue in Brazil should be examined by the roots of the historical context of our country. The serious economic crisis in Brazil over the past 30 years has made investment resources scarce, failing to invest in infrastructure, consequently, in the Brazilian prison system as a whole. It's very common to our society to express hate against prisoners, specially in a country where corruption has become quite normal at the news cycle, and leave a lack of basic food, such as food, school supplies for schools, bad health care, etc. What I'd like to show you readers is that we can't see prisoners as animals, they have rights and guarantees. It comes to the point we have to ask ourselves; "why our prison system is not working"?

**KEYWORDS:** Prison. Brazil. Crisis. Prisoners. Legislature

### INTRODUCTION

It is important to make a historical retreat and analyze the transfer of a pre-illuminist Brazil until the very moment when the illuminism takes care of the ideas of the rulers. While Europe was lead by Illuminism ideas, Brazil had on its culture, retrograde purposes than what was taking over countries in Europe. The expansion of civil rights is comic when comparing to Portugal and neither there was a reduction of the influence from hierarchical institutions such as the nobility and the church. To exemplify the country's delay, while the Inconfidência Mineira was in its prime, The United States had already gained its independence. The situation of the prison in Brazil is singular In the world average, every five people, trapped. Here, the results are twice that. The number of prisoners in Brazil has more than tripled in fourteen years. Brazil has the third largest prison population in the world, it's like all the residents of Aracajú, or twice the population of Iceland were behind bars. 40% of Brazilian prisoners have not even been convicted, there are not enough public defenders. Who has no money to pay lawyers, ends up molding. In Brazil, we have only 1/3 of the public defenders needed to supply the demand. Even those caught in the act end up waiting up to 136 days for a first hearing, which is worrying, almost 40% of them are not convicted at the end of the process.

The economic crisis of our country causes the growth of crimes in Brazil. The

---

<sup>1</sup> Discente do curso de Direito do Centro Universitário Antônio Eufrásio de Toledo de Presidente Prudente. R.A.: 001.1.19.101.

lack of service opportunities for both the poor and the rich generates sub-unemployment, which inflates crime and, together, the black market in drugs and weapons. It is an endless cycle.

A study realized by the NGO Observatório de Favelas shows a labeled profile of these men. Black, young, male, born in a large family and headed by a low-income woman; dropped out of school and, before entering crime, accumulated some precarious work experiences. One hundred and fifty youths in the retail drug trafficking network in Rio's favelas and 111 adolescents in the General Department of Socio-Educational Actions were interviewed. It remains true that young people leave school at the same age they enter trafficking. This shows that we have a school that does not attract young people, which is fundamental for thinking about preventive strategies. One more proof that public policies are not being done correctly in the country. For further curiosity on this subject, I recommend watching the movie 'City of God'.

Given the above facts, it is remarkable that the state's lack of structure and irresponsibility to contain the crisis is dangerous for the prison system itself and those involved in it, directly or indirectly. An example is the security of a prisoner, which is almost nil, if Brazilian prisons were to form a country, it would be the third nation with the most proportional homicides in the world (first Honduras, second Venezuela, third would be Brazil). Even with the poor quality of the prison system, everything gets expensive, the cost of a prisoner is on average 1600 reais ( in Brazilian currency ) per month and this cost has no date to end because of all the problems mentioned above, the Brazilian chain does not what is proposed, which is to rehabilitate the detainee to live in society. 70% of them return to commit crimes and are arrested again.

Social inequality is also a problem related to the issue of detainees in prison. You who are reading this summary, I do not know if you are white or black, but I could pre state that this fact changes your life. The black population makes up more than half of Brazilians (53%). The chance of a black being illiterate is five times greater than a white, coincidentally, 1 in 4 people with higher education is black.

The impact of this goes beyond the classroom. 70% of the people living in extreme poverty in our country are black. This all directly reflects on the quality of life. While 70% own a washing machine at home, more than half of households headed by a black

person do not have the household electro, the same goes for the internet; More than 50% of blacks have no network access in the middle of the 21st century. This proportion also appears in the most essential aspects of human life. Almost 40% of blacks living in urban areas have no sewage, and 70% of people who depend on the SUS are black. The color of your skin also determines its lifetime. In 10 years, homicides of white women fell from 44% to 32.5%. While of black people, they increased from 48% to 62%. Death is not only female either, adding the genders, every 12 minutes a black person is murdered in Brazil. It is also blacks who die most in police operations; In São Paulo and Rio de Janeiro, 7 out of 10 people killed in police operations are black. And they are also the ones that occupy most of the Brazilian prison population, 75%.

It can be difficult for the black community to change that from within. Because it is hardly represented either in the judiciary or in the legislature, much less in the executive. This lack is not from today. Since the beginning of the rule of Brazilian law, blacks have been a tiny part of their representation, a comical fact for a country that has the largest population of black people. 16.5% of judges in Brazil are black. The presence of blacks in the Federal Supreme Court is null. Only 30% of senators are black. For federal deputies, we have a 20% share of black people. In the executive, as in the Supreme Court, blacks have no representation.

## **CONCLUSION**

And despite what a lot of people say, good thief, it's not dead thief, because that's a crime; Article 40 of the Law on Criminal Execution, Law 7210/84 - "All authorities must respect the physical and moral integrity of convicts and provisional prisoners". Taking care of the welfare of the prisoner is the responsibility of the government, that is law, law that is actually not being fulfilled.

It is the duty of the Brazilian people to demand that the government invest in re- education programs and public policies and try to make crime decrease, and those detainees who leave prisons do not return to the world of crime. How many times have you heard that prison is the school of crime? We have to respect human rights, and help those who needs help.

## REFERENCES

< <https://canalcienciascriminais.jusbrasil.com.br/artigos/530028213/por-que-o-brasil-tem-a-terceira-maior-populacao-carceraria-do-mundo>>.

<<http://www.forumseguranca.org.br/publicacoes/11o-anuario-brasileiro-de-segurancapublica/>>.

<<https://exame.abril.com.br/brasil/como-a-falta-de-defensores-tambem-explica-a-crisedos-presidios/>>.

<<https://noticias.r7.com/cidades/superlotacao-dos-presidios-brasileiros-e-de-175-dizcnpm-18062018>>.

<[https://www.em.com.br/app/noticia/politica/2017/02/13/interna\\_politica,846921/ crimes- e- mortes-disparam-no-brasil-com-crise-na-seguranca-edeseemprego.shtml](https://www.em.com.br/app/noticia/politica/2017/02/13/interna_politica,846921/ crimes- e- mortes-disparam-no-brasil-com-crise-na-seguranca-edeseemprego.shtml)>.

<<https://epocanegocios.globo.com/Brasil/noticia/2018/07/jovens-do-rj-entram-notrafico-para-ajudar-familia-e-ganhar-muito-dinheiro.html>>.