

## Public Politics: A Focus on the Re-Education and Re-Socialization of Women Prisoners of a Brazilian Prison Unit

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**Abstract.** This work aims to identify the public politics focused on the process of re-education and resocialization of the detentals of the Palmas Women's Prison Unit (UPF). In order to achieve this objective, questionnaire were applied with the reeducing ones and an interview script with the UPF manager, research in literature was used to verify the existence of state and national public resocialization politics. Information was obtained from the UPF database, available on the Secretariat of Social Defense of the State of Tocantins and the Ministry of Justice. Initially, a theoretical framework was used that addresses concepts of prison sentences and prison system, the situation of women in prison and concepts of public politics. The results of the analysis indicated a dissatisfaction with the physical structure of the UPF by the detentals and the manager considers that the actions of resocialization developed in UPF.

**Keywords:** Re-education, Resocialization, Brazilian Prison System, Brazilian Public Politics.

### 1. Introduction

The current situation of the Brazilian prisons and the dismantling of the prison system point to the discredit of the prevention and rehabilitation of the condemned person. In this sense, society finds itself at a time when confrontation is the paradox that is the current Brazilian prison system, the point of view has the sharp rise of crime, the cry for Reprieve of sorrow and, on the other hand, a Prison super population as major prison conditions. Several factors contribute to what is to arrive at a precarious prison system. However, the abandonment, the lack of investment and the neglect of the public power for the long term, there are still more cases of chaos called the Brazilian prison system.

Thus, a prison arises from a surgeon as a substitute for the death penalty, from public and cruel torture, which is not an effective or correct consequence of the sentence, which becomes a school of crime, as well as a degrading and pernicious, afflicted of the most degenerate vices, being impossible a resocialization of any human being when submitted to this system [1].

Starting from the premises of education and the professionalization of the distressed as possible conditions for their re-entry into the world of work and, consequently, social interaction, it was possible to investigate labor and educational programs developed as a criminal enforcement policy in Brazil, with the central purpose of to verify the real impact of education and work on the social reintegration of the victims through public policies aimed at this situation.

In summary, reflecting on possible relationships between education and work implemented and recidivism rates, we intend to discuss the impact of education and work as public policies of resocialization in Brazilian criminal enforcement. Understanding, according to Thompson (1980, pp. 21-22), that "the meaning of prison life is not simply the question of walls and bars, cells and bars; It must be sought through the consideration that the penitentiary is a society within a society, since in it have been drastically altered

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numerous features of the free community" and that, as a social system, the penitentiary represents an "attempt to create and maintenance of a human group submitted to a total control regime" [9].

The present research, taking as reference the social microcosm object of analysis, tried to understand that the reality about the penitentiary system was apprehended in its multiplicity of facets, in several planes and dimensions, making possible a sociological reconstruction of the problem.

Resocialization in Brazilian prisons generally consists of a chimerical objective, considering the various issues involved. The Public Administration, however, should be analyzed, since it is through this that, the policies directed at the prison population occur [2].

The pedagogical aspects of punishment must also be emphasized. After all, punishing the citizen cannot be the ultimate goal. The penalty should be based on strong public policies in the sense of re-socialization and re-education of its prison population. The prisoner should be resocialized, so that, when released, he lives harmoniously with the community and in society. Equally, the State must preserve the dignity of the human person and other rights not affected by the prison sentence.

The Palmas Feminine Prison Unit, appears as an unknown, since little is known about the influence of public policies on the re-socialization of the prisoners of this unit. Thus, it can be noted that an unfamiliar scenario is presented in order to know the situation and verify the real impact of public policies related to education and reintegration to the labor market of those who serve their sentence in the unit.

### **1.1. Objective**

To analyze the public policies aimed at the development of reeducation and social reintegration of those held at the Women's Prison Unit of Palmas (UPF).

### **1.2. Delimitation of the study**

The research was carried out at the prison for women in Palmas-Tocantins/Brazil. The aforementioned Prison Unit has approximately 25 servers, of which 13 penitentiary agents and 12 hired servants and approximately 50 (fifty) are re-educated. There are 04 teams that work on duty, each team does two shifts a week, and the teams are composed of penitentiary agents and administrative agents. A penitentiary agent works in the registry of the unit, who is responsible for registering the detainees and feeding the database, the unit manager and head of security who are responsible for the unit's security procedures.

## **2. Brazilian Prison System and Public Politics and Resocialization**

The situation of penitentiaries in Brazil is calamitous, chains and penitentiaries overcrowded, in degrading conditions; this context affects the entire society that receives individuals who leave these places in the same way as they entered or worse. It is the right of all citizens, even if they have committed an offense, to be treated with dignity and respect, while ensuring physical and moral integrity according to Article 5, XLIX of the Federal Constitution [3].

In this context, the importance of the adoption of public policies that effectively promote the recovery of the detainee for social interaction and having as basic tool the Law 7.210 of July 11, 1984, which regulates the Criminal Execution in Brazil and its two main axes: punish and resocialize. Otherwise, the sad spectacle of the accounts will continue, with repercussion of the recidivism and lack of prestige of the aforementioned legal norms. Overcrowding in prisons represents a real affront to fundamental rights. In this regard, it is sufficient to cite art. 5, XLIX, of the Federal Constitution (which guarantees prisoners respect for physical and moral integrity), as well as remember that the dignity of the human person is one of the basic principles of the Federal Constitution [4].

It is important to point out that the Penal Execution Law (LEP) itself, in its Article 88, establishes that the sentence must be served in an individual cell, with a minimum area of six square meters. In addition, art. 85 of the LEP provides that there must be compatibility between the physical structure of the prison and its capacity of stocking.

In this context, overcrowding has as its immediate effect the violation of constitutional norms and principles, bringing consequently to those who have been subjected to a custodial sentence a "on penalty",

since the coexistence in the prison will bring a greater affliction than the very sanction imposed on the individual. Overcrowding in the penitentiary system prevents any kind of re-socialization and care for the prison population, which causes strong tension, violence and rebellion.

However, some critics say that, instead of preventing crimes, mass entrapment may have the effect of increasing crime, and the Brazilian prison system is in an intricate situation when it comes to criminal treatment and re-socialization of the victim. Recidivism and the lack of access to the labour market are two factors that cannot be neglected. Within the scope of public authority, it is noted that public management is fundamental to at least reduce this framework.

According to Professor Baratta, "the promotion of the principle of reciprocity and the rotation of functions should also be promoted", it also means increasing the democratization of prison life and, at the same time, the interaction and mutual opening between prison and society. Later, the author explains "prison can transform itself into a laboratory of social knowledge indispensable to the emancipation and progress of society" [1].

In 2011, through Ordinance N<sup>o</sup>. 46/2011, the National Council of Justice (CNJ) established the Working Group of Judges of Sticks and Alternative Measures. The consolidation of the Criminal Policy of Penalties and Alternative Measures becomes increasingly relevant to the obvious problems of the prison system, such as overcrowding and treatments that violate basic principles of human dignity. Through this Working Group, a partnership with the Ministry of Justice was made possible, in which the objective of implementing a policy for the National System of Penalties and Measures on everything related to the issue of disqualification is pursued [6].

Penitentiary Administration uses an Integrated Penitentiary Data Collection Program (InfoPen), an important tool to help decision making, at the regional, state and federal level.

Table 1: Reference InfoPen December 2012.

Number of prisoners in custody in the penitentiary system	Male	Female	Total
	482.073	31.640	513.713
Number of vacancies	288.104	22.583	310.687
Quantities of penal establishments	1.399	79	1.478

**Source:** portal.mj.gov.br (2013).

According to the Table 01 the deficit of vacancies is 203.026, with the new policies of disqualification encouraging penalties with alternative measures the Ministry of Justice through the CNJ intends to reduce this deficit and consequently the number of prisons that has only been increased in the course of time [5].

## 2.1. The situation of women in the prison system

Faced with the broad context of the prison crisis in Brazil, with serious violations of human rights and human dignity, specifics characterize the issue of female prison. Although the detainees in Brazil account for little less than 7% of the prison population, disrespect for human rights is even more serious, since the specificities and particularities of women are not considered in the prison system. Basic health needs are neglected, for example, as sanitary napkins, prenatal care, safe childbirth and day care, and breastfeeding of the newborn.

It can be said that the female prison is a perverse portrait of Brazilian society, since it reflects gender inequality. Although the prison population as a whole suffers from disrespect for fundamental rights and guarantees, when it comes to imprisoning women, the picture is worse: there is less visibility in the media, fewer resources, fewer civil society entities engaged in the cause; Finally, it is verified that there are no public policies of gender in Brazilian prisons and it can be affirmed that there is a historical context of blocking the agenda of this type of policy [8].

Based on data published by the National Penitentiary Department (DEPEN) in June 2011, there are 35,596 women arrested in Brazil, of which 6,087 are detained in the police system. They currently represent 6.93% of the total population incarcerated in Brazil. This number was already higher: in 2006, the percentage of prey in the police system was 11.05%, which is an advance in the sense of providing adequate allocation of the imprisoned woman [7].

The current number of places for female imprisonment in both the penitentiary system and the police system is 20,519, which is a deficit of more than 15,000 places. There are 158 female criminal establishments, 94 of which are public prisons [7].

Overall, DEPEN data show that the majority of incarcerated women are young (aged 18-34), did not complete primary school and are trapped by drug trafficking, occupying low-level positions in the traffic structure [7].

With regard to work in the female prison system, according to DEPEN data, only 30% of those detained are included in labour therapy programs, that is prison work. Education is even more restricted: only 12.8% of all women in prison in the country have access to education. It is important to emphasize that work and education in prison allows remission of punishment and, therefore, a low percentage of these women have this opportunity today [8].

### 3. Case Study

#### 3.1. The palmas women's prison

The Prisional Feminine Unit (UPF) was founded in the municipality of Lajeado, 60 km from Palmas, in December 2008, the inmates were transferred to the building of a former police station in the southern region of Palmas-TO, in the Bela Vista Sector, since then the administration has been trying to adapt the building to its new reality. Today, with approximately 42 detainees, among those serving prison sentences in the provisional, closed and semi-open regimes, it is considered a peaceful prison unit.

The UPF has 1 pavilion with 4 small cells, measuring 2.5 m X 2.5 m each and 02 large cells of approximately 60 m<sup>2</sup> each. Between the two large cells is the kitchen of the Unit, where the meals of the detainees and the servers are prepared by the detainees themselves.

Currently the UPF follows the guidelines of the CNJ, where transferred all male servants to work in male prison unit. This orientation came after several denunciations of the involvement of public servants with prisoners in several prisons in Brazil.

Not unlike other units, the prisoners who serve their sentence in the semi-open regime are authorized by the judge of the criminal enforcement branch to develop work in the kitchen of the unit, using those days worked to redeem a penalty, every 03 days worked is 01 day less prison sentence. In the Palmas Feminine Prison Unit, it is noted that there is an investment by the State in the provision of social rehabilitation facilities. However, in the media it is noted that there are some public policies to reverse or mitigate this scenario of ineptitude in re-socialization.

#### 3.2. UPF reeducation profile

A questionnaire was applied to 40 (forty) detainees, by the researcher herself, the research objective was initially explained, so it was not necessary to identify the questionnaires, however, some detainees with the intention of expressing what they felt identified their respective questionnaire. So that the answers of their opinions could reach someone to change some situations. It was observed during the research that some of them have very difficulty to express themselves; they may be due to the low level of instruction verified in the data provided by the UPF database. The contents of the tables have as source of database of the UPF.

Table 2: Reference July 2013, Amount of Dam per Regime.

Closed Regime	16
Open Regime	00
Half Open Regime	13
Provisional Regime	28

According to table 02, it is observed that 51% of the preys have not yet been tried or have not yet received the sentence.

Table 3. Reference July 2013  
Indicators: number of prisoners per education level

Illiterate	00
Literate	07
Elementary School Incomplete	19
Complete primary education	07
Incomplete high school	06
Full High School	14
Incomplete Higher Education	03
Full Higher Education	01
Postgraduate studies	00

It was observed that the characteristics of this table is comparable to the data of almost all the states, being that the majority of those detained did not complete the elementary school.

Table 4. Reference July 2013.  
Indicators: number of prisoners by age group.

18 to 24 years	15
25 to 29 years	12
30 to 34 years	10
35 to 45 years	15
46 to 60 years	03
More than 60 years	02

It is noted that the largest number of prey are between the ages of 18 to 24 and likely to return between the ages of 35 to 45.

Table 5. Reference July 2013.  
Indicators: Number of Attempted / Consumed Crimes-Penal Code.

Simple Homicide (Article 121, caput)	06
Qualified Homicide (Article 121, paragraph 2)	05
Simple Theft (Article 155)	01
Qualified Theft (Art. 155, paragraph 4 and 5)	02
Simple Theft (Article 157)	02
Robbery (Art. 157, paragraph 2 9)	04
Narcotics Trafficking (Article 12 of Law 6,368 / 76 and Article 33 of Law 11,343 / 06)	37

According to table 05, it is verified that the biggest cause of prisons in the UPF is the traffic of drugs, with 46% of the prisoners being arrested. Currently the judges are following a guidance from the CNJ of withdraw from incarceration , classifying the crimes of simple robbery and simple theft, assigning to these people alternative sentences to answer the process in freedom. With this there is a great turnover of these detained, because generally this crime is connected to the consumption of drugs, and addicts who steal to maintain the addiction.

### 3.3. Quantitative results analysis

The questionnaire was applied with the re-educators of cells 05 and 06 on August 28, 2013 and the re-educators of cells 1, 2, 3 and 4 on August 29, 2013 for a total of 40 (forty) re-education, comprising 95% prison population of UPF in the days of the research.









