



1ST INTERNATIONAL SEMINAR FOR PENAL POLICIES

Beyond prisons: an agenda for penal policies

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1st INTERNATIONAL SEMINAR ON PENAL POLICIES MANAGEMENT

Beyond prisons: an agenda for penal policies

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Place: Department of Public Policies Management at the School of Administration, Accounting, Economy, and Management of Public Policies of the Public Policy Management Department of the Faculty of Administration, Accounting, Economics and Management of Public Policies of the University of Brasília

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Annals of the 1st International Seminar on Penal Policies Management

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Presentation

The first **International Seminar on Penal Policies Management** was held in Brasilia on September 19 and 20, 2018, aiming to design an innovative agenda for penal policies. The event represented an opportunity to inter-relate the academic critical knowledge with inter-national and national praxis, seeking to debate the basis that originated the actual framework and perspectives that allow the delimitation and structuring of penal services focused on the accountability and assurance of human dignity.

The event was organized by the Laboratory for the Management of Penal Policies – LabGEPEN --that is linked to the University of Brasilia’s Department of Public Policies Management in the School of Economy, Administration, Accounting, Economics, and Public Policies Management (GPP/FACE/UnB). The seminar was made possible through funds from the Federal District Research Support Fund (FAP-DF) and the Coordination for Improvement of the Higher Level of Personnel (CAPES).

Researchers, professionals, academics, and international and national representatives from the civil society participated in the event that included discussion tables, panels, conferences, work meetings, and launching of important works about the issue. In order to register and disseminate the results accomplished during the Seminar, the report of debates was gathered in the present publication.

Enjoy your reading.

Opening Roundtable

At two twenty pm on September 19, 2018, the opening table of the International Seminar on Penal Policies Management began in Brasília and was held September 19 and 20, 2018.

The following people participated of the opening roundtable:

1. **Maria Eduarda Tannure Pianto** – Deputy Director of the School of Economy, Administration and Management of Public Policies – FACE – UnB;
2. **Magda de Lima Lúcio** – Representative of the Penal Policy Management Lab – LabGEPEN--and of the Department of Public Policies Management – FACE – UnB;
3. **Moema Dutra Freire** – Program Officer of the United Nations Development Program (UNDP);
4. **Nívio do Nascimento** – Coordinator of the Rule of Law Unit in the United Nations Office on Drugs and Crimes – UNODC;
5. **Davi de Melo** – Manager of projects of the United Nations Office for Project Services – UNOPS.

Maria Eduarda Tannure Pianto started her participation by greeting the audience and mentioning the importance of this Seminar, an initiative that involves universities and researchers with the goal of debating the penal system from a new perspective. She emphasized the importance of the creation of new penal policies within LabGEPEN. She also thanked everyone directly involved in the Seminar's organization and mentioned the pleasure of hosting the first lab meeting, and wished good luck to the participants.

Magda de Lima Lúcio stated that it was an honor to be part of the roundtable and welcomed the participants. She thanked the University of Brasília, FACE, and GPP for their efforts, and also thanked FAPES and CAPES for supporting the Seminar. She extended gratitude to the professors who organized and conducted the seminar, and mentioned the importance of such an initiative, as LabGEPEN has been filling the gap in this research field. She underlined the fact that the event aims to approach the treatment provided by the State to penal policies which is, most times, asymmetrical and does not involve the majority of the Brazilian population or the academic field, considering the significant numbers of people and investments affected by such policies. She affirmed that she hopes that measures debated in the Seminar can soon be put into practice during the federal and state mandates, including the recognition and tolerance to the difference and to the technical empowerment to rationally confront problems that haven't been faced during the last 500 years.

Moema Dutra Freire greeted the participants and thanked the University of Brasília for the invitation to speak. She congratulated the initiative for their raising awareness of penal policies as a cause for public policy. Moema noted that no effective way exists to debate development in

terms of a long-term perspective without discussing penal policies. She mentioned that UNDP offers different development perspectives and that she is encouraged when the approach includes the issues debated by UNDP. Such issues include the reintroduction of prisoners into society, the improvement of prison environments, access to rights policies, and other issues that are directly related to the empowerment of people — an important and component part of UNDP's narrative. This is why UNDP has interest in collaborating with LabGEPEN, working with interdialogue, partnership, and research collaboration. She pointed out that the lab has had several successful results and she hopes other research will prove fruitful. She reminded those present that the SDG – Sustainable Development Goals--are also related to the Seminar agenda, and she hopes that the public will consider penal policies intersectorally. She noted the commendability of this initiative, and made clear that future actions would be supported. She highlighted again the importance of the seminar and wished much success to the organization of future meetings.

Nívio do Nascimento affirmed that UNODC was very pleased with the creation of LabGEPEN. He reminded those present that when he studied at UnB, the study of public safety only regarded theory and rule of law — there were no practical discussions that involved the public in the debate of the subject from an alternate perspective. He thus noted that it was interesting and correct that such an agenda emerged inside the department of public policies management. As such, the field, along with its management tools, could be widely debated. Regarding the sustainable development goals, he highlighted that the choice of public safety as one of the goals was an important reaffirmation in the international scenario of public safety and the penal system as an essential right to achieve development. He thanked the body for the opportunity to be at the opening table.

Davi de Melo greeted the audience and thanked the group for the invitation made by GPP/FACE/UnB and LabGEPEN. He mentioned that, because he had been a UnB student, it was a pleasure to be at the opening table. He reminded everyone that the idea of the seminar comes from part of a collective construction of an ideal, being therefore necessary to debate the field and the proper means of participation. To UNOPS, the improvement of the penal establishment is more important than its construction. This is an important field for the Institution, and he felt honored to be a part of such event.

After the brief greetings of members of the table, the opening ceremony ended at 2:45 p.m.

Discussion Table 1 – Theories and Practices of Penal Policies: Delimiting the Field

At 2:45 p.m. on September 19, 2018, the activities of Discussion Table 1 – Theories and Practices of Penal Policies: Delimiting the Field, began.

Tatiana Whately de Moura – Ph.D. candidate in political science at UnB and former special advisor to the Presidential Civil House and National Penitentiary Department – participated as a mediator.

The table was composed of the following speakers:

1. **Sebastian Alejandro Rey** – Professor of Law at the University of Buenos Aires. Rey served as national director of international cooperation on judiciary systems at the Ministry of Justice and Human Rights in Argentina;
2. **Felipe Athayde Lins de Melo** – Ph.D. candidate in sociology at the Federal University of São Carlos – UFSCAR. He worked as a consultant for the UNDP in prison management models and development of policies with a focus on the care of former prisoners. He was superintendent of the Professor Dr. Manoel Pedro Pimentel Foundation, an organization within São Paulo's Prison Administration Secretariat;
3. **Andréa Mércia Batista de Araújo** – Social assistant with a specialty in management and planning of social projects; Master's candidate in public security, justice, and citizenship, and general coordinator of Bahia's office for alternative measures and penalties.

Tatiana Whately de Moura opened the debate, greeting participants and noting that the Seminar was part of the LabGEPEN project that included 90 people and was created to unite and align the efforts of academia and the policies of penal institutions and prisons.

The floor was passed to **Sebastian Alejandro Rey**, who greeted the participants and thanked the Lab for their invitation. He mentioned that when asked to talk about the Argentinian experience on penal policies management, he was reminded of the difficult moment the country is currently going through. He highlighted the importance of the theme, focusing on the fact that institutions do not pay appropriate attention. He noted that at the law school of the University of Buenos Aires, where he teaches, court practices are not taught. He also stated that presidents in Argentina, as in Brazil, are convicted based on circumstantial evidence and not proof. He approached the Human Rights issue as a central discussion in the penal policy debate. He highlighted the fact that judges must assure that Human Rights and international treaties are respected and stressed the importance of knowing the jurisprudence of international courts. He also mentioned that universities should speak up about human rights issues, which are international protection mechanisms. He pointed out the need to revisit the discussion on the penal system and talked about the difficulty in implementing the progressive sentencing related to such processes. He stressed that, to a large extent, it regards themes related to happiness.

He stated that the role of the State is to manage these issues and the happiness of people. He also highlighted the importance of the cultural shifts in cases such as drug policies when the legislation change is not enough, and the acceptance of the population is needed. He defended the importance of lawyers' and universities' participation in the construction and discussion of citizen safety. He also mentioned that in Argentina, public policies related to the construction of law are not debated. He believes that there are lawyers that might not understand penal policy, especially policies regarding penal execution, and that that is insane since there should be at least one class in the law school to debate the issue. He mentioned that at the University of Buenos Aires there is not a single professor who specializes in penal policy, and there isn't, therefore, the opportunity for students to reflect on the themes that are going to be debated during the event. He exposed the bias and contradictions between what is being studied and what is being practiced professionally. For instance, he cited the case of a professor and judge who taught him at the same university during his undergraduate career. During class he taught one thing, but at the court he acted differently. He added that most of the prisoners in Argentina are held in temporary custody and that creates some problems, such as an excessive punishment for those who committed small crimes, while others, generally those held for white collar crimes, are treated less severely. Besides, he mentioned that corruption is a complex issue in the penal system, since there are privileges and disparities among those committing these crimes. He also reported problems of overloading in the public defenders' office and highlighted the fact that there is a legal chance to allow the convicted person to progress in punishment, but that can't happen unless one has been convicted. In addition, hate speech encouraged by the media generates social pressure against this progression. He presented data showing that the media acts politically through the dissemination of information on public security, usually without sources, aiming to hide important issues such as the country's finances. The issue of house arrest is used differently among people according to influence or wealth. He also mentioned that restorative justice is still incipient in Argentina.

Felipe Athayde Lins de Melo thanked the UnB for organizing the Seminar and started a PowerPoint slide show. During the first reflection, entitled "What are penal policies?", de Melo defined the concept of penal policy as a public policy dedicated to the thought, construction, and management of services related to penal accountability. He also defined the idea of penal services as structures including equipment, technical staff, and flows to monitor penal alternatives; to apply electronic monitoring; to restrict freedom in different regimes; and to provide care to former prisoners. These ideas also relate to instances of external control, correction, and professional education. He talked about prison management, highlighting the importance of the theme in the actual moment, and explained the history of the prison system. He said that the law is not a priority when people are deprived of liberty, arguing that when rights are assured, risks are increased, and safety is compromised. He showed that such an argument is, however, wrong. This argument has created a prison bureaucracy with the general understanding that rights should be mitigated in the name of safety. He mentioned the case of the law for sentence reduction through reading. This legislation assures that inmates have their sentences reduced based on readings and book reviews, but this right is, in practice, mitigated under the allegation

that it would threaten prison security. He also defined the concept of prison bureaucracy, and presented numbers related to prison management, showing the disparity of procedures and concepts among different states. He affirmed that there are more than 1,400 different models of prison management and rules, and that each prison has its own set of procedures. Paradoxically, he informed that daily practices often contradict written norms. He presented an agenda to draft a constitution and create a basis for the foundation of penal policies focusing on the prison issue. This issue should be constructed with wide dialogue among all federal groups, contemplating the redefinition of the federative pact, conditions, and criteria for money transfer, as well as the redesign and restructuring of the National Council for Criminal and Prison Policies (CNPCP), among others.

Next, **Andréa Mércia Batista de Araújo** greeted the participants and noted the challenges ahead. She presented Bahia's experience and exposed the actual Brazilian context and conjuncture. She stated that society is impregnated with racism, the imposition of punishment and pain, and the consolidation of stigma. She proceeded, mentioning the following parts of the actual system: penal selectivity and prison overcrowding; a policy structured on patrimonialism, slavery, and colonialism, including class and racial segregation; militarization; institutional racism; the lack of social representation among employees of prison policy and society itself; the bad service provided by the hegemonic media in the creation and reinforcement of stereotypes; the massification of the lie that says that "the police officer arrests and the judge releases"; and the penal commodification and industrial penal complex, among other features, which hinders the implementation of penal policies that are an alternative to imprisonment. She said that this diagnosis was made to present the context and the challenge imposed in creating a policy aimed at finding alternatives to imprisonment in Brazil. She also presented data on Bahia's prison reality: 15,601 inmates, another 6,449 in alternative penal programs, 27 prisons and 17 Offices for Monitoring Alternative Measures and Convictions (CEAPA), as well as the monthly cost for each of these models. She also presented some problems related to prison management, including the duality between the control in penal alternatives and the extension of penal control. She mentioned that dispute between the powers and egos is latent. She talked about the possibilities and precautions that are necessary in the management of alternative penal policies to overcome the logic of penal control. These policies will work on access to rights, protagonism, exercise of citizenship, decolonization, and deobjectification of prisoners' bodies. Finally, she presented audio recorded by a black woman named Rose who lives in a slum in Salvador, who spoke about the structural and common violence she is subjected to by security guards and health and education professionals, as well as the racism her kids routinely suffer from. She reported a case in which her son had his hair burned by a police officer just because he was wearing a hair style representative of the black power movement.

The mediator then opened the floor for a debate of the first block of five questions.

Luiz Antonio Bogo Chies, from Pelotas Catholic University, asked **Sebastian Alejandro Rey** to talk about the *Procuraciones de Justicia*, which, in Brazil, are similar to prison councils.

João Marcos Buch, prosecutor in Joinville-SC, agreed with Felipe Athayde that there are, indeed, several violations to legislations, such as in the case of sentence reduction for reading. Nevertheless, he reminded that in such cases the judiciary power should be equipped to be able to do something.

Janaína Homerin, Executive Secretary of the Criminal Justice Network, commented on the existing lies in penal policies as shown by **Andréa Batista de Araújo**, and asked how the speakers understood the contribution of organized civil society and its role in the accountability of political actors, as well as how it could strengthen the construction of the management model debated during the Seminar.

Daniel Costa, Director for Penal Alternatives in the Public Security Secretariat in DF, asked **Andréa Batista de Araújo** what the formula was to be able to work with crucial themes such as racism, LGBTQ phobia, and sexism at the Centers for Penal Alternatives, and how people understand and deal with such issues.

Valdirene Daufemback, LabGEPEN member, asked speakers to elaborate on restorative justice at the Brazilian offices and prisons in Argentina, and also on the importance of developing this perspective for penal alternatives.

Sebastian Alejandro Rey answered that the *Procuraciones de Justicia* play an important role through collective *habeas corpus* and other effective actions, although its role was even greater in the beginning, due to the problem of low budgeting. He believes the control is not efficient enough in guaranteeing rights, such as the right to education, among others. He explained that in Argentina there are tools for control and protection, but they should be improved. He said that there are fewer and fewer official instances for civil society participation, and highlighted the importance of allowing the participation of former prisoners and prisoners' family in prison management.

Felipe Athayde Lins de Melo answered that, indeed, the judiciary power should be provoked and notified. However, he explained São Paulo's case, in which the court bureaucratized the right to sentence reduction through reading. In this case, the program was decreased to a single reading group for 20 inmates, making the universality of the right unfeasible. He said community councils should be strengthened, and also mentioned the growing presence of the Universal Church inside prisons that diminishes, consequently, the participation of the Prison Pastoral Group, an agent for participation and social control. Despite the respect for different religions, he believes this increased presence has the goal of weakening spaces for social participation inside prisons. Regarding restorative justice in prisons, he mentioned that the First Capital Command (PCC) is responsible for this kind of justice in prisons. He mentioned that it is possible to adopt restorative practices in prisons as well as conflict resolution, without victimizing the people involved. He argued that this policy serves to reorganize the participation of inmates in local management through commissions and groups of conflict mediation, as well as providing support to families during visitation, among others.

Andréa Mércia Batista de Araújo stated that the event was being recorded and that the audio would be available. She mentioned civil society should be on the streets, pressuring and monitoring. Regarding transversalities (in response to **Daniel Costa**), she informed the group that technical teams should be educated and articulated within a network of people working with the theme, and listen carefully to the public. In addition to organizing constant debates about the topic, she believes it is possible to bring restorative elements within policies of alternative measures. She noted the existence of a growing, although still incipient, restorative justice group in Bahia. She expressed her worries regarding the proposals conducted in Bahia, alerting to the risks of trivializing methodologies inside a reckless dissemination process.

Tatiana Whately de Moura answered **Janaína Homerin's** question, informing that civil society organizations can contribute to the production of data and information. She believes that there is a significant amount of available data regarding public safety, and such conquest was made possible through the involvement of civil society institutions (such as the Brazilian Forum for Public Safety, responsible for the development of the Brazilian Yearbook of Public Safety), but in the penal area there is still much to be done. She highlighted the need for data and the need for the contribution of civil society organizations and LabGEPEN in that regard.

A second round of questions was conducted.

Janilze Rodrigues, a retired teacher at DF's education secretariat, worked for the prison system for a period of eight years. She understands that reading is extremely important, but the rates of illiteracy within prisons are very high and actions to change that scenario are needed.

Elder Ferreira, from IPEA, asked **Felipe Athayde** about possible and assertive strategies to implement a public policy focused on former prisoners. He questioned the role of social work, and how care would be provided to former prisoners at Reference Social Work Centers (CRAS).

Andreia Santos, a doctor working in Bahia's prison system for 15 years, asked the speakers' opinion on the participation of prisoners' family and former prisoners on the penal system administration. She stated that in Bahia there is not enough staff to be able to perform good work and asked how to conceive a penal policy born from bureaucracy, which hinders effectiveness.

Ana Paula, B.A. in law, said she has been studying the issue and asked about the semi-open regime, in which the legislation brings up the issue of agricultural colonies – a very old, but ineffective, work style. Why not restructure work policies along with the penal system? She mentioned the Foundation for the Support of Inmate Workers (Funap), which has interesting initiatives, but needs support.

Cristina, a criminal lawyer from Goiás, agreed with **Felipe Athayde**, mentioning that “the more the State moves away from the human, the more the crime gets closer”, and at the places where the State fails, the crime is organized. He asked what could be done with prison policies that assure safety, but not justice.

Felipe Athayde stated to **Janilze Rodrigues** that the median of inmates involved in educational activities in prison is 10 to 13%. Moreover, in some of the prisons, the classrooms are not being used, or there are no classrooms. There are a few obstacles for inmates to go to class, such as the displacement within the prison unit, because it requires the escorting of inmates, and these inmates are harassed and stigmatized for wanting to study. He said to **Elder Ferreira** that there are states where a policy for former prisoners has been institutionalized, while in others it hasn't. The strategy of the national policy is networking along with the Unified System for Social Work (SUAS). He agreed that is the right path, although it doesn't always work like that. He told **Andreia Santos** that in the former prisoners' policy, proposed by a consulting service (DEPEN), and that may be launched, the participation of prisoners' families and former prisoners is expected in the construction and management of penal policy. He said to **Ana Paula** that the literature shows that the work is not developed to function. He mentioned that there is a document proposing actions and jobs for former prisoners. He informed **Cristina** that the State is totally absent in the prison policy, based on the argument of the precarization of employees and functionaries through the lack of contracts and education. It's a deliberate omission. He also said that the phenomenon of prison overcrowding is also inducing the lack of policies.

Sebastian Alejandro Rey added that stigmas are also a reality in Argentina. He mentioned the positive points of house arrest and highlighted that alternative and restorative measures are in place in Argentina. They could work, but investments are needed to make them effective.

Andréa Mércia Batista de Araújo stated that there are no jobs because of the lack of political will, and that education actions are planned and are part of the penal alternatives' routine. They count with the participation of CEAPAs' partner institutions. She thanked the participants.

The roundtable was concluded at 5 p.m.

Discussion Table 2 – Public Policies and Penal Policies: Challenges from Intersectoriality and Interdisciplinarity

Às At five p.m. on September 19, 2018, the second discussion table began, debating Public Policies and Penal Policies: Challenges from Intersectoriality and Interdisciplinarity.

The debate's mediator was **Fernanda Natasha Bravo Cruz**, a professor at the public policies management department at UnB and holds a Ph.D. in development, society, and international cooperation.

The discussion table was composed of the following speakers:

1. **Fiona Macaulay** – Professor at Bradford University's Department of Peace Studies. She was also a professor at UCL's Institute of the Americas and researcher at the University of Oxford's Center of Brazilian Studies and International Amnesty.
2. **Luiz Antônio Bogo Chies** – Professor at Catholic University of Pelotas (UCPel). Ph.D. in sociology at the Federal University of Rio Grande do Sul (UFRGS). Ph.D. in social and judicial sciences at the Universidad del Museo Social Argentino. Post-doctorate in human rights and democracy at Parana's Federal University (UFPR);
3. **André Luzzi de Campos** – Ph.D. in sciences at the University of São Paulo's College of Public Health, and was the director of the Specific Policies Center at São Paulo State's Secretariat of Prison Management's Coordination of Social Reintegration and Citizenship committee.

Fernanda Natasha Bravo Cruz greeted the participants and mentioned that the opportunity to organize and host the Seminar brings new perspectives to the management of penal policies. She thanked the speakers and briefly presented her actions in the field.

Fiona Macaulay started her speech by mentioning that her first contact with the penal system happened 20 years ago, and since that day she's been working on the system reform idea trying to, at least, assure that the system will allow inmates to survive. She briefly presented an overview of the British system, which focuses on how to humanize the living conditions of inmates; how to work with management; and the meaning of humanization. She mentioned that a lot is said about human rights for inmates, but a great part of it is only theory. Regarding the concept of "moral performance" in prisons, she highlighted the interdisciplinary work conducted by a University of Cambridge group coordinated by professor Alison Liebling and Dr. Ben Crewe. The group developed a practical methodology to humanize and improve quality of life. The study was conducted in different prisons and concluded that the method was successful in different penal regimes. The researchers' group worked within a context in which the psychological pressure was bigger and bigger and allowed them to make a deep intensive and descriptive analysis

of the social, moral, and emotional climate inside a prison. The methodology is composed by a research-driven, detailed observation, and appreciative inquiry with inmates and employees, because the perception of inmates is at the center of the debate. The appreciative evaluation starts focusing on positive resources to avoid the negative, and on the distance of research subjects. The methodology also previews the finding of future ideals. Macaulay pointed that that quality of life in prison is directly related to the suicide indices, recurrence, employees' level of stress, and order and safety. She mentioned the high index of conversion to Islam in European countries as a strategy to survive in prison, as well as the worry of a few researchers with the rates of violence. People usually think that if the level of stress is higher, the chance of crime recurrence is lower, but the opposite statement is empirically proven. The results regarding the most important things for inmates are not surprising: they request respect, humanized treatment, more relation between employees and inmates, trust, and support, among others. The research also concluded that the relation between employees and inmates influences safety, order, and harmony in prisons, in addition to the well-being of employees and inmates. She explained that in England, prisons should have action and protection plans to nine vulnerable groups as established by law in 2010. When crossing the data among these groups she realized that several times subjects accumulate characteristics of different groups, and that demands an intersectional response, avoiding mechanical treatment. The idea is to work according to the following milestones: the importance of every contact; decency and respect; and equity and diversity. Macaulay believes a positive change can happen even in overcrowded prisons. She provided the general results of the research, which began studying principles and approaches of appreciative inquiry. She finished by supporting simple "managerialism" for the action of managers for the project's sustainability, adapting the methodology to simple approach techniques that resulted, many times, only in theories.

Luiz Antônio Bogo Chies greeted the speakers and thanked the group for the opportunity to be there. He mentioned that selectivity starts on the streets, not only concerning the approach but also regarding the access, or lack thereof, to social policies. He explained the concept of legal alienation, in which the law removes the rights and freedoms of certain people. He mentioned the need to understand that penal policies can only work by complementing or by substituting when social policies are not available. He added that when a social policy is not in practice, disorder is fostered and it's contained through penal policies. According to this conception, a new penal policy should be conceived considering the social policy dimension in which the State should not only repress but also tackle the vulnerability issue, recognizing social alienation and legal selectivity. This structure affects specific groups, so penal policy should be intersectoral. He believes that citizen safety should not be considered without taking into account an effective social participation of subjects directly affected by these policies. He mentioned Pelota's Council Community example in which he was arbitrarily substituted. He defended the idea of combative councils and mentioned the Resolution 10's 5th Article from November 8, 2004, which defines the responsibilities of the Community Council and the essential importance of collaboration with the organization responsible for the elaboration of penal policies. He reminded those present that when restructuring the council, accountability

was taken seriously, and incisive proposals and intervention actions--as well as local problems' debates--were taken into consideration. One example is the seminar organized by the council to debate the conditions of the central prison. He explained that in May 2018, there were several issues regarding Pelota's central prison. The building was constructed in 1950 and has since been enlarged with no planning. It can officially house 300 inmates, but it actually houses 1,500. Pedrinhas' prison, in Maranhão, had a much lower occupation index, was the place of a major riot. After local pressure the prison was closed. The number of inmates was then reduced, but right after reopening the occupation index increased again. The interdiction letter mentioned 15 items to be taken into account, including the integration of the Community Council in municipal management as well as the elaboration of a law encouraging local businesses to hire former prisoners. He mentioned that he is a member of the council, but in the role of citizen, not professor, so he cannot institutionally speak in the name of the university. He believes the council should be the main organization to seek intersectoral policies. Regarding former prisoners' policies, he mentioned the State should be more pro-active, and that the inmate's first entry into the prison environment is a brutal problem because it deteriorates the chance of having a smooth prison experience from beginning to end, and it is precarious. This issue was approached in the plan to avoid prison's contamination of the individual. Rio Grande do Sul's restorative justice policy resulted in prisoners' appeasement, and he believes that this should be an alternative to the inmate. Penal policies should consider the connection, complementarity, and transversality with social policies.

André Luzzi de Campos stated that his speech would be focused on intersectorality, and despite the fact that people believe it is a utopian perspective, he thinks it's feasible. He mentioned Article 31 from Resolution SAP 144 from June 26, 2010, that constitutes the State of São Paulo Prisons' Standard International Regulation. He questioned the seriousness of the article that seeks to treat services essential to life as mere privileges that are not really made possible within prison units. He said public policies point to the end of prisons, policies such as the development of a new sociability, popular and solidary economy, peace culture, as well as restorative justice and alternatives to imprisonment. This would also include and be informed by specific peoples' policies and other social policies such as those related to health and social work. He questioned how to assure public penal policies when they are not yet effective to the population, mentioning experiences such as food security and nutrition in the prison system. He highlighted the need to influence and involve different groups such as unions, universities, and the media. He mentioned the difference between Brazil and other countries in what concerns creativity in participatory processes, highlighting the need of intersectorality and intersectionality as a condition to a more integral view of individuals, society, and environment. The need to listen to different movements such as the LGBTQ, black, youth, peripheries, rural areas and cities movements, and movements regarding people with disabilities. He highlighted the criminalization of a growing number of people living in rural areas and forests, pointing out the State's lack of knowledge of their rights, including conjugal visits for indigenous inmates and the violation of their rights as well as the lack of respect for specific features of each culture. He concluded by affirming the need to democratize communication and build others' sociabilities and cultures.

Fernanda Natasha Bravo Cruz commented on the speeches and mentioned the need for recognizing diversity to promote equity. She evaluated that **Fiona Macaulay's** presentation made clear that challenges take place not only in Brazil, because in the Northern countries, such as England, human dignity is not assured. She said the criticisms to managerialism are important since it's not done in Brazil, as managerialism is still treated as something that breaks with tradition. The exposition showed managerialism's mismatch with organizations seeking to work according to different views. She highlighted the case of Pelotas, presented by professor Luiz Antonio Bogo Chies, which provided the revaluation and reflection about the social participation field, made it more combative, and highlighted the importance of his academic and civic engagement. Regarding **André Luzzi's** presentation, she mentioned that his suggestions of how to operationalize utopias were very fruitful. She reminded the participants that penal policies books were going to be launched after the second discussion table and opening of the floor.

Alexandre, federal public defender, affirmed that he was touched by **Fiona Macaulay's** speech about life quality because common sense sees it erroneously. The functionaries' life quality comes along with public policies and society that doesn't take that into account. He mentioned the case of Campo Grande's prison, located next to a landfill. He believes functionaries suffer as much as prisoners, and that the State does not take that into account. He questioned how restorative justice could serve as a satisfaction or response to the need of punishment and retribution of the evil done by the criminal.

Geder Gomes, Bahia's prosecutor, mentioned that many resolutions have been proposed during the last decade and that they contributed to important achievements to the humanization of the penal system; however, not all of them were successfully implemented. He highlighted that the actual scenario is making everyone extremely restless and nonconformist due to constant setbacks in accomplishments, which has hardly been debated. The seminar represents a rescue, a capacity to resist.

Sister Petra, member of the prison's pastoral staff, said that she couldn't believe in the possibility of the humanization of a prison since the environment is extremely inhuman to inmates and staff. She raised the question of the agenda regarding prisoner release. Regarding social participation, she mentioned that prisons are closing, and that judges, attorneys, council representatives, and civil society are no longer allowed in due to safety reasons. She asked how speakers view the access restriction not only to the civil society but also to researchers from universities.

Marlon, Rio de Janeiro's public defender, asked whether if in the study presented by **Fiona Macaulay** there is a correlation between the treatment given and the recurrence of crime, as well as the way in which this relation was established in the study.

Marco Antônio da Rocha, university professor, social worker, and employee at the Public Federal Ministry, expressed his satisfaction with **Luiz Antonio Bogo Chies'** presentation, highlighting the fact that prison won't change if society does not go inside the prisons to see what's going on inside.

Fiona Macaulay affirmed, in response to the questions about the correlation between crime recurrence and quality of life, that it is very difficult to statistically and scientifically measure the recurrence level only through qualitative work, because if the inmate is developing a life plan post-release, one thinks there is a big chance of non-recurrence. In resocialization centers the recurrence is very low. Concerning restorative justice, she clarified that this is a very important tool to satisfy the victim. Regarding the public common sense related to the need of punishment, she pointed out that there is a communication problem with government instances. Concerning humanization, she said that most inmates of prisons and resocialization centers should not be there, and that this is a paradox. Cambridge's research was basically motivated by the need to show this paradox and how even in the punishment context the danger is very present to the ones who are in prison centers every day. She clarified that goals and managerialism are mechanically built (goals for police, for performance, etc.) and create a series of cruel encouragements because the penal policy's goals generate unnecessary imprisonments. Goals inside prisons, in general, are not related to values.

Luiz Antônio Bogo Chies affirmed that he considers himself an abolitionist and an anarchist and that there is no real condition for abolishment without reform in the actual system. He assured that he trusts restorative justice as a strategy to change a punishment culture. The essay to a paradigmatic change of alternatives to imprisonment was frustrated because it was contaminated by the penal control logics. He knows there is an abusive and inquisitorial system, and beyond that there is also the need to fight against the institutional lack of good will. Regarding those units that are closing, he mentioned that each case is different and each state is different. The problems faced in Rio Grande do Sul are not the same ones faced in São Paulo. He reminded the table that prison staff are very important and have been the object of studies. He reminded the table of a case when he tried to visit a specific part of the prison but the director did not let him due to safety reasons. He insisted, but she maintained her position, arguing that in that area people suffered from tuberculosis. They insisted that this was not the case and knew that there was no one suffering from tuberculosis. This example shows how people need to be combative in their struggles.

André Luzzi de Campos exposed the need to deal with our conflicts and propose alternatives to be together within a society. He said that even with access to health, rights, and social policies, recurrence can still happen. There is a need to create an effective network for services that have already been conquered. He mentioned Betinho and talked about the need to understand that the urgent and the immediate are the same. He talked about the need to be part of council debates, and that in order to make resolutions work there are two important paths: they must be debated with social movements, councils, universities, among others; and they must create environments for research where analysis about the effectivity of such measures can take place. When information and data are available, it is easier to know if measures are assured or not; it is easier to show the press and reach public opinion. He concluded by quoting Betinho, "the government is like cooking beans, it only works when there is pressure".

The table disbanded at 7 p.m.

Discussion Table 3 – Management of Penal Services in Latin America and Europe

At 3:14 p.m. on September 20, 2018, the third discussion table began, debating the Management of Penal Services in Latin America and Europe.

Andreia Beatriz da Silva dos Santos – physician for Bahia’s prison system, Ph.D. candidate in public health, professor at Feira de Santana’s State University (UEFS), activist at Reaja and Quilombo Xis--mediated the discussion table.

The speakers were:

1. **Sacha Darke** – Senior Professor in Criminology at the University of Westminster. Co-director of the Equality and Criminal Justice Research Group based in the Department of Social and Historical Studies at the University of Westminster. Ph.D. in criminology at the University of Westminster, M.A. in criminal justice from the University of Southampton;
2. **Alejandro Marambio Avaría** (via web) – Analyst of criminal policy for the Red Cross’ International Committee. Former director of the federal prison system in Argentina;
3. **Valdirene Daufemback** – Psychologist, Ph.D. in law at UnB, specialist at the National Mechanism to Prevent and Fight Against Torture, former ombudswoman and director of penal policy at the National Penal Department, and councilor at the National Council for Penal and Criminal Policies.

Sacha Darke presented alternative detention models. He mentioned that the book reporting his research should be available in 2019. He said that he does not consider the Brazilian system to be as dysfunctional as people say. Studies show that some prison units in the North may be more dysfunctional. He clarified that his research is based on six different points: prison overcrowding, material limitations, lack of staff, co-living and surviving, interdependence and informality, and collectives and factions. He talked about a quick visit made to a prison unit in Rondonia (the Acuda Project), in which he could understand the prison’s dynamics and their alternative therapies. Sacha considers himself an abolitionist and questioned what the alternative to prison would be for people who represent danger to the society and to themselves. In the United Kingdom an abolitionist wrote about what prison would be like in an abolitionist system: the theoretical framework could be based on a human rights’ perspective; prison should be meant to hold for a short time and with dignity; and only to people who risk committing crimes, since they would represent danger to themselves and to the society because of past behaviors. Detention centers should not be hierarchical, but should offer fair treatment and aim for social empowerment. According to him, the convicted person’s criminology should also be analyzed, connecting different areas of knowledge, the experience in prison, and the prisoner’s viewpoint. He mentioned that within his workgroup there are prisoners and former prisoners who share the same abolitionist viewpoint. According to him, many of them are activists

and want to completely change prisons. Once released, they return to prisons through NGOs to work with inmates and work for prison reform. He also mentioned the work conducted in partnership with the university where a tutor sends study material to inmates. There are three different projects: in the first, students go to the prison to study and work with academic mentors; the second is a reading group about criminology; and the third involves former prisoners and inmates, and consists of moments of common writing. A great majority of the students who visit prisons end up helping with the research. Regarding Grendon's prison, he explained that the facility used to be a mental hospital and is now a prison facility. Its director has a Ph.D. in criminology and all inmates are dangerous and violent. Some abolitionists defend that these people remain in prison because there are no conditions for recovery. However, it is a different prison where inmates are called residents, there are no solitary cells nor punishment. There is group therapy, and inmates are divided into self-managed communities. They work around four core principles: democracy, reality confrontation, living in community (each one has a different responsibility), and tolerance. He mentioned there are small disputes, but the conflicts are solved within small groups of at most eight people, and in case they are not solved, they are sent to a larger group composed of 40 people. These conflict resolution groups change every six months. Punishment is based on the concept of restorative punishment in which most punishments are therapeutic ones. If anyone is aggressive, he's given one month to send his defense that will be judged by these groups. The closest experience in Brazil is the case of APAC, in Minas Gerais. And like every prison unit, he believes rules should be followed in Grendon. He quickly mentioned Acuda, a project based in Rondonia, where inmates are writing their own constitution, and terms of conduct are responsible for dealing with infractions. He stated that APACs are still very evangelical, while in Acuda all religions are accepted. He mentioned that resocialization centers in São Paulo work with former prisoners and that rules are also established by inmates. Only when rules are broken and they can't directly deal with the conflict is responsibility then given to the State.

Valdirene Daufemback greeted participants and reminded the table of their idea of debating practices from different places. She mentioned that **Sacha Darke** represented a European experience. **Alejandro** would speak as a Red Cross representative and she would talk about Brazilian experiences. She said that her idea was to present axes that determine penal services in Brazil. She highlighted the fact that unless there is judicialization, conflicts won't be solved, and the relation between solved conflict and penal law stimulates penal policies as a whole. She believes that for the general population, justice is accomplished when there is punishment. TV shows, for instance, usually show an incorrect narrative of the concept of justice in which it's related to the sensation of punishment. Conflict resolution is associated with penal law, justice is associated with punishment, punishment is equal to a sentence, a sentence is equal to prison, and prison can be anything. There are more than 1,400 prisons in Brazil and it can be said that there are more than 1,400 models of prison management. There is diversity, not in a positive way, but in the sense of disorganization and improvisation. She said that prison overcrowding should be debated further. She mentioned that according to the data provided by Infopen, between 1990 and 2017, there was a 707% increase in the prison population. Assistance is, therefore, more

precarious because the number of prison staff has not increased in the same proportion. The number of women in prison has also significantly increased. Brazil is among the four countries with the largest number of people in prison, and is the only one exhibiting growth, as prison populations in Russia, China, and the US are decreasing. She also mentioned the importance to dialogue about the war on drugs. Based on Law 11.343/2006 (Drugs Law), while the number of people in prison due to different crimes is increasing, the number of inmates incarcerated due to drug crimes increased even more. She highlighted that the law aimed to change this reality, but it wasn't correctly internalized because, since it was no longer possible to arrest drug users, they were then classified as drug dealers due mainly to the police institutional culture. So, there was a significant increase in the number of people arrested trafficking crimes. It was also noted that the increase is different among black and white people. In São Paulo a large percentage of people arrested due to trafficking were not related to criminal organizations, and in Rio de Janeiro 671 people were arrested in 2013 but not judged for approximately seven months, costing approximately R\$8 million. The speaker also talked about institutional violence. There are six times more people that die in prison than in the streets because of the lack of humanization and justification of violence; also contributing is the lack of attention to the prison system, as if it is a policy that does not demand a continuous budget and specialized methodology. She also talked about the lies and false dichotomies, the use of factions and fear, and the naturalization of these organizations inside the prison system. These scenarios lead to a paralyzing pessimism and to the search for salvationist solutions. She highlighted that these issues hinder the chances of performing public policies resulting in precarious structures, and focused on arresting people, but there are efforts to make change through alternatives to imprisonment. She mentioned that changing the term "alternative prison" to "alternatives to imprisonment" is already an advancement widening the scope beyond the penal system. She also talked about the electronic monitoring cases, explaining that there are no protocols or regulations and implementation of electronic monitoring is very messy, being also an obstacle to the consolidation of rights. Caution is needed. Regarding former prisoners' policies, she highlighted that there is not yet a national policy being implemented, only local efforts. About rights, society talks about jobs, but not entrepreneurship. It is a complex issue that should be tackled through national parameters to guide penal services. Finally, she concluded her speech by talking about social participation, highlighting that the councils related to the management of social participation do not have parity as other councils do. She also informed that acknowledging this management deficit in Brazil depends on Depen, UNDP and UNODC developing a series of reference regarding management models.

Alejandro Marambio Avaría (via web) thanked the group for the invitation to participate in the event and congratulated the initiative. He initially presented the International Committee of the Red Cross' (CICV) involvement with the theme, highlighting its four core principles: humanity, impartiality, neutrality, and independency. Since 2016 the committee has been developing seminars focusing on prison infrastructure's management in 18 of the 20 Latin American countries. He commented that their latest workshop resulted in the development of documents with the fundamental principles of Nelson Mandela Rules. These rules constitute

the minimum standards for the treatment of inmates, based on the importance of human life and on a system capable of causing less harm to inmates. This document, which counted with the contribution of prison staff, is an advance to the prison system and could be used in the region. Another important document is "Towards Humane Prisons", based on the analysis of infrastructure, defining criteria for construction, and providing guiding principles for prison planning. It's a unique document because it goes straight to the point of infrastructure. It's important to mention that the Red Cross does not want specialists building prisons but wants to avoid their construction. However, if there is a need to do so, the committee recommends verifying the developed criteria. Since the committee is incapable of avoiding their construction at some places, patterns should be improved instead of building undignified prison centers. It should be taken into consideration that the individual that will live there will be deprived of liberty, but not of other rights. The State should not simply build new prisons, but, if they are planning to do so, these places should allow fair treatment and dignifying conditions to inmates who will already be removed from society and limited. He highlighted that besides the construction, there is also stress and other types of violence. It is important to say that the prison system is counterproductive to social reintegration. Therefore, the environment should be improved. Prisons are being built and will continue to be built, so it's important to consider such criteria. Prisons should not work as a punishment itself because the deprivation of liberty is the punishment. Prison centers should be as close as possible to life in society in order to be able to provide tools for social reintegration. The principles of this prison's model are: to not cause harm; to keep conditions as normal as possible; to promote health and development of residents; to keep contact with society; and to consider diversity in the architecture and management of prisons. Structures should take into account different groups such as women and LGBTQ, among others. He concluded by mentioning the importance of thinking about how penal policy can influence the prison to become a "crime school", and in that sense a deep analysis is required.

Andreia Beatriz da Silva dos Santos mentioned that all of the contributions brought new perspectives, **Sacha Darke** presented innovative experiences, **Valdirene Daufemback** provided an acute analysis about the evolution of indexes, the inmates' perspective, and for whom the policy is conceived. **Alejandro Marambio** talked about the need to foster the debate about prison centers and their structure, also clarifying that this is not an invitation to build more prisons, but to rethink the existing ones. Then, the mediator opened the floor to the debate.

Felipe Athayde asked **Valdirene Daufemback** to comment on the state organizations responsible for managing the policy and how it would be possible to induce their restructuring.

André Luzzi asked about the agreements on penal policies and how employees could participate in the procedures related to policy reformulation and dialogue.

Helder Ferreira, mentioning careers structuring, asked **Valdirene Daufemback** to comment on work conditions and how to avoid corporativism.

Andreia Santos asked **Alejandro Marambio** about the real possibility of developing health policies in the prison system.

Alejandro Marambio responded that the prison cells have an impact on health. Mental health hasn't been explored enough. Health is a wider and more complex concept, and this is a very conflicting situation. The Red Cross considers the right to health as a central argument to the impact on life.

Valdiren Daufemback clarified that it is essential to consider an inter-relational penal policy. It should be related to cultural, educational, sportive, and social policies to people deprived of liberty. Thinking about the complexity of this inter-relation is also thinking about governance. The creation of structures to allow social participation is essential. Penal policies are not usually linked to other policies and do not have instances of social participation. Therefore, it is very difficult to nationalize these policies, even when they are successful. This is why we talk about conceptualizing penal policies. Penal policies are wider than the prison system. Alternatives to imprisonment and restorative justice should be validated. The creation of a state secretariat could be a suggestion, reminding that safety is created by every member of the staff: psychologists and educators and not just the prison guard. States need to challenge themselves and think differently. States should work on professional training and education, focusing on different forms of action. The actual training courses are not good enough to cope with the wideness of penal execution. They spread a methodology of war between prison staff and inmates instead of custody, care, and protection.

Sacha Darke affirmed that we all need to challenge ourselves. Everyone knows that prisons do not work, that they are not humane, and that we need to think about justice and humanity. How many former prisoners is it going to take to allow us to listen to their voices? Why aren't prisoners and former prisoners not heard about the subject? There are millions of former prisoners who feel the stigma and we should focus, take their hands, and promote this debate.

Alejandro Marambio once again thanked everyone for the invitation and mentioned that it is necessary to conceive a work tool for former prisoners. This is the message of the Red Cross and of its partner institutions.

Valdiren Daufemback mentioned **Fiona Macaulay's** intervention regarding managerialism, highlighting that penal policy's framework should be worked to be able to deal with social conflicts that go beyond prison. She reaffirmed that LabGEPEN is facing the challenges and thanked all the online and presenting participants.

At 5:10 p.m. the third and last discussion table was concluded.

Closing Conference – Nelson Mandela Rules as a Foundation for a New Model of Prison Management

At approximately 6:20 p.m. on September 20, 2018, the closing conference – Nelson Mandela Rules as a Foundation for a New Model of Prison Management--started with the following speaker:

Piera Barzanò – Senior inter-regional advisor from UNODC in Vienna. She collaborated in the revision process of the UN Standard Minimum Rules for the Treatment of Prisoners and works on its implementation in African countries.

Luiz Guilherme Paiva – Ph.D. in law, public functionary, and was National Secretary for Drug Policy and Councilor at the National Council of Penal and Criminal Policies. Paiva mediated the closing conference.

The mediator thanked everyone not only for the opportunity to mediate the table, expressing his personal satisfaction with the theme but also for the opportunity to share the table with **Piera Barzanò**.

Piera Barzanò thanked LabGEPEN for the invitation and specially thanked **Valdirene Daufemback**. She reported that the United Nations started worrying about deprivation of liberty some time ago. She mentioned the Standard Minimum Rules approved in 1955 and commented how difficult it was, by that time, to dialogue about the subject since many countries were not willing to review their rules. With time, however, these rules were recognized and were more accepted by countries although they were not mandatory, only suggestions. She commented that she hopes that the actual Nelson Mandela Rules, which have been in place for three years, also have a wide acceptance in Brazil. She expressed her happiness when she heard references about those rules during the Seminar. She mentioned that **Alejandro Marambio**, speaker at the previous discussion table, had already presented the five principles she wanted to comment on, adding that these rules have already presented positive aspects. The first positive aspect is that the rule is updated and improved. The second one is that the adoption of this document, although not binding, is a result of a commitment in a hostile moment for human rights. She commented that after 30 years working at the UN, lots of things have changed. There is a hostile environment regarding human rights, not only in Brazil but in the whole world. She pointed out that Nelson Mandela Rules represent an important advancement. The third positive aspect is the international attention not only to people deprived of liberty but also to people working with those people deprived of liberty. She commented that one can't talk about the rights of people deprived of liberty without mentioning the rights of staff. She highlighted that in fact there is a lot to be done to improve imprisonment conditions so that people can be treated with more humanity and dignity. She mentioned that she had the opportunity to work on the elaboration of a few documents and presented some data on the prison population. In 56%

of analyzed countries prisons were overcrowded. 40% of prison units were more than 150% above their capacity. She highlighted that overcrowding is a problem and it was approached within Nelson Mandela Rules. She informed that this is a primary demand because unless the overcrowding situation is solved, Nelson Mandela Rules cannot be applied. There may be dedicated administrators, but if the overcrowding issue is not solved, success is not achieved because health and life quality cannot be implemented. She said that she would like to take a philosophical viewpoint to a new prison management model and highlighted the main points of Nelson Mandela Rules:

Rule 1: Respect to all people deprived of liberty regarding values inherent to human rights. She highlighted that Nelson Mandela Rules do not approach technology and that technology can be used very well to assure safety, but can dehumanize. She pointed out that the Rules are anthropocentric and prioritize techniques of conflict resolution. She reminded that prohibition of torture is contemplated and that they ensured that classical torture and maltreatment are considered a priority for prohibition. She mentioned that the rules mention the obligation to protect the integrity of all actors, including suppliers and visitors. She commented that the root of insecurity in prisons is the lack of respect for fundamental rights making that Rule number one.

Rule 2: Application of the non-discrimination rule. She stated that each person working in a prison knows who the most vulnerable inmates are. She reminded everyone that measures for protection of these people's rights should not be discriminatory. The fact of being deprived of liberty is already distressing. Up to what point can this cessation of rights be tolerated? A relationship between a father and a son, for instance, is disrupted by prison. Therefore, besides the deprivation of liberty there are other convictions that are inherent to this deprivation. And this is also the State's obligation. Some people that are in provisional imprisonment shouldn't be there.

Rule 3: Reintegration/integration of a person within the society. She highlighted that Nelson Mandela Rules mention the goals of imprisonment: isolate people from society and reduce recidivism. The reintegration of people in society should be considered, as well as the offer of services to allow reentry into society. She commented about the difficult situation in West African countries, and highlighted the importance of considering the cultural, social, and economic situation of each country. She spoke about the situations of fear that prison staff in these countries go through and commented on the importance of finding answers to inmates and staff who are afraid.

Rule 4: Communication among the public sectors. She highlighted the importance of creating agreements between different ministries and public safety organizations. She pointed out the issue of working during the period of imprisonment, expressing that in some places the issue of reintegration into society and work are not conceived.

Rule 5: Respect to the prison community. It is a consequence of Rule number 2. Respect to the people that are part of the prison community – both people deprived of liberty and prison staff – is essential to improve the well-functioning of the prison system.

Next, the specialist commented on the differences between the context in 1955 and the actual context, mentioning the issue of internal and external inspections. She talked about the Nelson Mandela Rules' checklist that can be used as an evaluation tool. Finally, she said that after three years of Nelson Mandela Rules' approval it is important to know that its core philosophy is not binding. She hopes that this document can help most in countries facing serious problems.

Then, **Luiz Guilherme Paiva** commented on the existing debate about the possibility of using or not using international mechanisms to improve the local prison system. He reminded the group that Brazil was then afraid to be exposed, but the importance of using international mechanisms to improve the local system was understood. He highlighted the importance of the international influence on the improvement of the Brazilian system. He also presented the process of reviewing the rules in 1955 and argued that the actual challenge is to apply these rules. He reassured the importance of the international tools in the context of hostility to human rights in Brazil and commented that it is necessary to link the prison system's debate with a wider discussion about development. The discussion was then opened to the public.

João Marcos Buch, judge, congratulated the speaker and commented that Nelson Mandela Rules are denied in Brazil. He asked **Piera Barzanò** whether she could rank Brazil regarding other countries concerning the application of the Rules.

Valdirene Daufemback asked about the relation between the implementation of Nelson Mandela Rules and the resources needed.

Piera Barzanò answered that changing the posture in prison management is already a great step and it is possible to make a lot of change without financial resources, highlighting that of course it is better if there are resources, but many measures do not require money. Regarding Buch's question, she said that she read lots of material about Brazil and only bad things were shown. However, she recognized there are also positive situations and initiatives. She concluded by mentioning that this is a situation that takes place not only in Brazil.

The mediator made the final considerations and thanked everyone that worked for the Seminar. He thanked each organizer and partner institution (CAPES and FAP/DF) and concluded by reassuring that this international seminar represented a milestone in the field of penal policies and it will be remembered for a long time.

The closing conference was concluded at 7:20 p.m.

Thematic Panels

The thematic panels started simultaneously at 11:00 a.m. on September 20, 2018. Mediators, speakers, researchers, specialists, professors, and professionals of penal policy management participated in the event. Panels were reported on by students/monitors of UnB's Public Policy Management Department (GPP – FACE – UnB).

Panel 1 – Diversities and Interseccionalities on Penal Policy

Mediator: João Vitor Loureiro | **Reporter:** Douglas de Medeiros

Speakers:

1. **Christiane Russomano Freire** – Post-graduate degree in political science at PUC-RS. M.A. and Ph.D. in criminal science at PUC-RS. She is a post-doctorate scholar of the Social Sciences' Post Graduate Program at PUC – RS.
2. **Felipe da Silva Freitas** – Ph.D. candidate and M.A. in law at UnB, member of the research group in criminology at the State University of Feira de Santana. He worked as a consultant for UNDP for the development of an education template for prison staff.

Report:

At 11:00 a.m. on September 20, 2018, in FACE's meeting room, the activities of the panel entitled Diversity and Intersectionality in Public Policy was started with the presentation of speakers by the mediator **João Vitor Loureiro**.

Christiane Russomano started the presentation by talking about her research on female prisoners. She presented a chart (Infopen – Mulheres 2016) showing the increase in women's imprisonment in the last 16 years. While the number of women arrested increased by 656%, the number of men increased 293%, and 45% of women are in pre-trial custody. 62% of them are there because of drug trafficking. This data led to a study that aimed to analyze the gender issue related to the criminalization of drug trafficking. She analyzed and problematized the reaction and resistance of actors in the field of criminal justice and penal policy regarding the implementation of the Penal Process Code's Article 318 (new wording given by law number 13,257, 2016) widening the legal chances for the substitution of imprisonment by house arrest. She mentioned there is an ongoing research in two women's prison centers in Rio Grande do Sul and Rio de Janeiro analyzing the moral and normative principles used to avoid the concession of house arrest to pregnant women. This reinforces the need to analyze the decisions of justice courts around speeches, narratives, and legal foundations. Such foundations are used to deny the right to house arrest through the analysis of sentences and decisions as well as the application of interviews and focal groups among women. She also approached the specific case of Rio Grande do Sul where the justice court recognized that only 40% of pregnant women or

women with children under 12 were eligible for house arrest. The distinct conceptions provide an obstacle to the decisions in which the crime is compared to a heinous crime. She highlighted that moral issues are constantly used by judges as an allegation that the crime was committed in a family environment or the dependency on chemicals as a reason for not recognizing the right to house arrest. The good health condition is also used to not recognize house arrest. Even with the changes in Article 318, some judges still apply the old legislation. She mentioned that the recognition or non-recognition of house arrest for women who can fit the legal criteria became a subjective decision of the magistrate and no longer an objective one according to the law, an example of objective criteria being punishment related to crimes committed with no violence against the victim. The fact is that public policy is requiring minimum assurances and norms can be questioned, but the judiciary power and the Public Ministry refuse to execute. Preliminary conclusions show that even if they are mothers, and hold household and financial responsibility for their homes, they are seen, above all, as criminal subjects. Even female prosecutors are critical regarding house arrest, being even more severe with sentences. Most decisions maintain the segregation and the non-concession of house arrest is justified by the maintenance of the public order (60%). Then, the speaker presented concrete cases taking place in prison centers, such as prison staff taking the cases of neglected prisoners directly to the Public Ministry due to the low access to justice. These same employees are accused of advocacy (accusation not accepted later on). She mentioned an interview conducted with judge Patrícia Fraga, from Rio Grande do Sul, who is a visionary and requested a meeting with the Public Defense Office to request rights for these female inmates, but the process was made difficult because she was from a different city. She concluded by saying that the colonization of positivist ideas hinders the accomplishment of rights because of normative moral concepts.

Felipe da Silva Freitas presented his project “Letters from Prison”, developed with DEPEN’s ombudsman. He highlighted that when imprisoned, people share the same space, deprived of physical contact with their families and friends. He explained the conceptual difference between criminal selectivity and racial and gender hierarchies. Criminology will say it is selectivity when black people are “prison’s subjects”, considering that there is a much higher number of black people in prisons because police officers are discriminatory when arresting. In prison management, racial hierarchies are created, and the issue is not debated. There are letters from prison report personal stories, accusations, and requirements. One of the project’s goal is the mapping and systematization of letters sent from people deprived of liberty. He has already had access to 8,818 letters and analyzes them with a team of 10 researchers working for the project. Almost all letters were written by the inmates, some were written by family members or a friend, and others were collectively written. 85% of them were written by men and 15% by women. Women’s narratives are attributed to preservation codes and care to the other (family and husband, sometimes also in prison). Men’s letters are about their own stories and demands, reaffirming the expression of public space. The letters present demands (5,646); accusations (295); and both (2,742), regarding the State, and can be used as a tool to assure public policies and to register this historical moment. In order to understand the actual moment, critical sense is needed when reading the letters. Accusations commonly related describe situations

of psychological violence, physical violence, abuse from authority, police violence, overcrowding, non-compliance with the penal code of procedures, lack of access to health and education, and social assistance and non-compliance with the legislation regarding the execution of penal law. Demands for pardon, blessing, switching, legal assistance, transfer to a different unit, sentence progression, and information about letters already sent are frequent. He highlighted the intersectionality (sexism and racism) and the social composition that could be understood and attended to. That is to say, a selectivity also occurs in the exercise of basic rights inside the prison system. He noted that prison is a continuation of slavery in which functions are classified based on gender and class. In medical cases, for instance, it is common that black people get fewer pain killers than white ones through the allegation that they are more resistant to the pain. Prisons are racialized images. Finally, he left three questions: how does our humanity hierarchies impact on the type of offer (or lack of offer) of public services? How does violence naturalize itself and how do we hierarchize our senses about what is human, adapting to the exercise of more or less violence from public power, depending on the person involved? How is it possible to change that scenario?

Next, the mediator opened the floor to the first questions.

Lucas, undergraduate student in sociology at UnB, asked about the perception of women's vision regarding the concept of a normal life. Do they differentiate the prison situation and compare with their previous life?

Felipe da Silva Freitas explained that letters are strategically written by inmates because a great number of them are sent to the State. Technicians who read these letters do not explicitly realize this idea, but this is more notable in letters from police officers who were arrested, and who address the perspective of how life was before being in prison.

Rafael, an undergraduate student in sociology at UnB, noted that even reading the letters it is difficult to know exactly what people are going through. He also highlighted that DEPEN should be attentive to the issue of alterity. Letters are more and more impersonal. The profile of women's letters changed from "I'm a good mother" to "I need help and health" (requiring and claiming basic rights). How should one deal with the intersectional approach in prison facing the changes provoked by the repressive waves coming from public safety?

Felipe da Silva Freitas answered that letters are capturing these changes because the lower amount of personal information in the letters results in fewer chances of getting caught by the State. Inmates can analyze the scenario, empirical experiences, political change and context. One of the greatest challenges is that the penal system leaves the 18th century and operates in the 21st century. It is essential to question the penal system in its actual scenario.

João Vitor Loureiro asked **Christiane Russomano** if there is any reason to justify the fact that female prosecutors are more strict and tougher in the application of sentences to women than to men.

Christiane Russomano answered that women working in the judiciary system justify their life as mothers and managers who would never steal and perfectly perform their social role differently from those women who, according to a more distant and superficial view, “chose a life of crime”, and ran away from their responsibilities, mainly motherhood. Therefore, they end up being more strict when sentencing women who commit crimes. There is also a social issue, a very large economic distance between a woman on the periphery and a woman working in court. Women working with social assistance have a closer understanding of the reality of the concrete life conditions on the periphery, can better understand the factors leading female inmates to be involved in criminal activities, and even as a condition or need to provide for their children.

João Vitor Loureiro, mediator, asked **Felipe** to what extent skin color affects prison staff and people deprived of liberty.

Felipe answered that the greatest challenge is the problem debating with public power and society on different levels because prejudice and racism in Brazil are structural due to the unbalance of political forces. It's like the LGBTQ issue, in which people who identify themselves as LGBTQ are distanced and placed in specific cells or units to be able to survive and even have some freedom within the prison system. However, the ones who are LGBTQ and do not come out to other prisoners or staff suffer more to survive within the system. And there is no answer to how public policy could interfere in that case.

Since there were no more questions, the mediator **João Vitor** thanked everyone and concluded the panel at 12:30 p.m.

Panel 2 – Civil Society, the Penal System, and Human Rights

Mediator: Camila Prando | **Reporter:** Letícia Mendes Lara

Speakers:

1. **Marco Antônio da Rocha** – Professor at the State University of Paraná – UNESPAR. M.A. in social service, social policies, and social movements at PUC-SP and Ph.D. in social service and social services at UEL. He is a fonctionnaire at Parana’s Public Ministry;
2. **Maria Palma Wolff** – Ph.D. in human rights and fundamental freedoms at the University of Zaragoza, Ph.D. at PUC-SP, professor and researcher in the field of penal policies and human rights. She was president of the Prison Council and general director of the Institute for Forensic Psychiatry in Rio Grande do Sul.

Report:

At 11 a.m. on September 20, 2018, the activities of Panel 2 began under the mediation of **Camila Prando**, who initially turned the floor over to **Maria Palma Wolff**. The professor showed the wide relation between civil society and the penal system, in which civil society is the force responsible for culture and general opinion making, while the State plays a training and force operator role. This debate should be present in the human rights discussion in which rights are acquired through a process of struggle for freedom. Next, she contextualized in history--Brazil as colony, empire, and republic—the ways in which the constitution contributed to the construction of the actual prison model in addition to showing the link between civil society and the prison system and, therefore, showing why the historical trajectory is so important to the understanding of practices and violations of rights that have taken place until today. Finally, she stated that change in the prison system will not occur that easily because it is a result of a historical process. And alternative policies to prison should be reconsidered since prison does not work, nowadays, to resocialize or recover, but instead to reinforce, create limits, and justify exclusion.

The mediator passed the floor to **Marco Antônio da Rocha**. The professor began by explaining the complexity of participation in the execution of penal policies because, at first, citizenship is “made of paper”. That is to say rights are formally assured, but not materially implemented. He then associated the execution of these policies to the Judeo-Christian ideology in which sentences are socially correlated to the idea of “paying for your sins”. He explained the idea of community councils and organizations related to the execution of penal policies, mentioning that they are totally based on assistance because they are not empowered. So, they are incapable of debating the hegemony of prisons because, in addition to the lack of formal power, they also face social limitations. Despite that, these organizations are still important for taking initiatives, even if these are specific ones designed to improve prisons. There are many challenges ahead such as the mapping of these organizations and councils and the importance of civil society in the prison system. Finally, he mentioned the importance of the role of LabGEPEN in such work.

Camila Prando opened the floor to the debate. **Luís Antônio**, from Pelotas, proposed the creation of a group to systematize the contribution of each speaker.

Maria Helena then told of her experience in seeking to educate community councils, and pointed to the need for change in the execution of penal policies. She then mentioned the importance of LabGEPEN as an essential tool in assuring the participation of civil society in the prison system.

Fernanda Natasha Bravo Cruz approached the issue of transversal connections and intersectorality between institutions, in addition to stating that there should be more tools to assure dialogue instead of control mechanisms.

Marcos, from Porto Velho, mentioned the specific experience of the state of Rondônia, Acuda, in which inmates develop their spirituality and take care of their own well-being through massage techniques, mud baths, and acupuncture. But he highlighted that, on the other hand, the project faces a lot of resistance because the treatment given to inmates contradicts societal patterns focused on punishment and mistreatment.

Sebastian, professor in Argentina, asked how the end of slavery affected the prison system and what new kinds of punishment and penal control were established to the then-free public.

Andreia Beatriz da Silva dos Santos, doctor, reflected on the role and action of public institutions in black people's penal control. She mentioned the importance of the struggle and resistance of black people throughout history.

Maria Palma Wolff wrapped up the contributions and questions, focusing on **Andreia's** reflection about black people's struggle, and stated that councils should be more structurally involved with municipal policies linked to services and programs. She thanked those present for the opportunity to be there.

Marco Antônio da Rocha reinforced the need for participation and valorization of councils and organizations in an innovative way, proposing the strengthening of participation and social control in an effective and independent way. He thanked everyone. The panel was concluded.

Panel 3 – The Singularities of Penal Management and Architecture

Mediator: Antônio Suxberguer | **Reporter:** Guilherme Queiroz da Silva

Speakers:

1. **Renato De Vitto** – Public defender, was a state of São Paulo prosecutor, advisor at the Judiciary Reform Secretariat, São Paulo's 1st general public subdefender, and general coordinator of public defense and administration of the National Prison Department. He was also general director of the National Prison Department and advisor at the National Council for Justice;
2. **Suzann Flavia Cordeiro de Lima** – Professor at the Federal University of Alagoas – UFAL--and coordinator of the Research Center for Special Projects (NUPES). M.A. in architecture and urbanism at UFAL, Ph.D. in psychology (cognitive psychology) at the Federal University of Pernambuco – UFPE—post-doctoral degree in criminology at Katholieke Universiteit Leuven, Belgium. Consultant in penal and socio-educational architecture.

Report:

At 11:00 a.m. on September 20, 2018, the activities of Panel 3 – The Singularities of Penal Management and Architecture – started.

Suzann Flavia de Lima started by presenting essential ideas about prison architecture, giving information such as the specific type of social technology and the form in which it is related to the Foucaultian concept and the docilization of prisoners. She then made a comparative analysis between the prison infrastructures of Brazil and North America. The prison architecture of both countries prioritizes safety, but the North American projects consider relevant the humanization of the space and shared activities, bringing the prison guards and inmates closer. In Brazil on the other hand, until 2005, humanization of these spaces was not considered important. Regarding the materials for the construction of prisons, she mentioned that the architecture chosen reflects the State's vision regarding prisoners. In the Brazilian model, there is a worry about the increase of expensive security technology, but no worries about the improvement of social technologies for humanization and livability. These social technologies usually refer to hospital technology, integration with the community, public access, security, and promotion of well-being. Therefore, infrastructures are conceived to the contention of "monsters", encouraging the performance of this brutalized behavior. So, at some level, prison architecture causes prisoners to become more dangerous. The professor also elaborated on the dangerous implications of adopting reference projects for prison architecture. Considering the extension of Brazilian territory and the diversity of climate and biomes, the strategy of reference models for the construction of prisons adopted by the Brazilian state creates a series of problems related to the adaptation of building in accordance with the bioclimatic context. She also highlighted the inadequacy of these reference projects to the needs of women deprived of liberty. There is, for instance, a lack of sanitary structure for menstrual periods and failing architecture related to ergonomic needs of prison staff and, yet, there are sanitary and electrical implications of

prison overcrowding. Another relevant issue exposed was the relation of urbanity between the prison and the municipality. The construction of prisons outside the urban perimeter increases traffic jams, inducing urban growth, as well as the flow of people and resources. Because of that, it is essential to include security areas in the municipal master plans. She presented some successful reference projects that were innovative in the prison architecture implemented in Belgium, Canada, Spain, Norway, and the Netherlands. The importance of substituting reference projects for reference concepts is related to the need to focus on the materialization of the desired social relation, being able to substantially collaborate for a decrease in the recidivism index, as verified in the countries mentioned above.

Around 11:55 a.m., **Renato De Vitto** started his speech about prison management by stating that the actual Brazilian scenario is full of setbacks. He explained that the difficulty in establishing a good prison management policy is related to the fact that common sense dominates the dispute for governability of penal policies generating, for instance, the Brazilian overcrowding phenomenon or the management being reduced to police activity. The challenge imposed on Brazil is for the production of penal policies which are supported by technical knowledge and scientific studies. Therefore, the union would be not responsible for financing the expansion of prison units, but for the investment in health in the prison and creation of alternatives to imprisonment. He explained that the federal government exempts itself from responsibility for the penal policy and imprisonment in the country. He thereby exposed that the need to create new agreements with the union are related to the destination of resources to induce a new model, one in which the deprivation of liberty will be expensive.

The panel mediator, **Antônio Suxberguer**, exposed his contribution focusing on the relevance of creating an institutional arrangement that is able to submit its agents and relations of transparency, accountability, and control to other institutions and to the civil society. In addition, he highlighted the need to elucidate on the functioning of prison policies, and on the difference between performance and results, so that we don't have an institutional design merely focused on the number of inmates as a sign of a good outcome of penal policies. Finally, he questioned the continuity and sustainability of the actual Brazilian penal policy, pointing to the importance of creating monitoring and evaluation criteria, indicators, and other management tools capable of contributing to the confronting of the naturalization of violence.

Finally, **Suzann de Lima** reminded the group of the importance of the ethical debate inside the field of architecture while **Renato De Vitto** thanked everyone and highlighted the great quality of the Seminar towards penal policies. The panel was concluded at 1:00 p.m.

Panel 4 – Guarantee of Rights: Interfaces Between the Judiciary and Executive Powers

Mediator: Beatriz Vargas Ramos | **Reporter:** Tainá Porto

Speakers:

1. **João Marcos Buch** – Judge of law in Santa Catarina. Member of the Executive Council of Judges for Democracy. Educator at National School of Education and Specialization of Judges. Specialist in criminology and criminal policy and in contemporaneous law, M.A. in juridical science;
2. **Marcelo José Gonçalves da Costa** – Deputy-Secretary for Minas Gerais state’s prison administration. He was the ombudsman of Minas Gerais’ prison system. Specialist in criminology at PUC – MG’s Institute for Continuing Education. Worked as psychologist, criminologist, and director of different prison units in Minas Gerais.

Report:

The mediator opened the table by welcoming the speakers and the audience. **Marcelo José Gonçalves da Costa** congratulated LabGEPEN for the initiative and thanked the other speakers. He presented data from the state of Minas Gerais where, in 2003, 23,298 people were in jail and by 2018 the number had increased to 71,580 inmates. This happened during a bad period for the penal system in the state (2003-2018). He stated that the judiciary power works with no knowledge of the reality of the penal crisis, overcrowding, or violation of human rights, being absent from both debate and responsibility. The speaker then presented actions to reduce damages from being imprisoned and to decrease the number of people deprived of liberty in the state. The first action is to take data, budget, and the main problems faced in prison management to both the judiciary power and to organizations responsible for execution of penal policies in order to present a realistic portrayal of the situation. The second action is to avoid “managerialism” of policies – to leave the department and act within networks. The third action regards sharing and aligning responsibilities between strategic secretariats and staff, which are directly responsible for penal execution (such as custody and management of prison units). According to the secretary, the execution of penal policies is extremely interconnected, and the solution of problems should involve the rank and file, not just the cabinet. He highlighted the speech of autonomy in the application of public policies, especially prison policy. Then, the speaker stressed some interfaces between the judiciary and the executive powers such as focusing on activities of individual sentences and analyzing the prison system’s public profile. According to his analysis, it is not worth creating activities with the simple goal of occupying the inmate’s time. Qualification and education are needed to succeed. How can the judiciary power establish criteria? This interface is needed to institutionalize practices. Another important interface is the strengthening of the dialogue between community and prison. He problematized the prison as the main form of penal blame for all kinds of crimes, noting that the number of non-executed arrest warrants is greater than the total of vacancies in 18 Brazilian states,

meaning a total distance between the judiciary and executive powers. The dialogue with the judiciary power is necessary to expose and acknowledge the crisis and the need to act differently, considering different forms of penal responsibility and reducing overcrowding.

João Marcos Buch thanked the group for the invitation and opportunity to participate. He began his speech by reading an article he wrote entitled “Does the prison work?” in which he presented his work routine as a judge and described his concerns and dissatisfaction with a criminal justice system promoting unfair practices, brutality, and violation of human rights inside prison environments. Initially he said that prison would work if it were managed and conceived by people who promote human dignity and citizenship. Later on, he mentioned that prison doesn’t work because being mismanaged is a hegemonic strategy and there is no institutional movement against this dominant rhetoric. He said that he is an abolitionist and followed his presentation denouncing practices of the judiciary system and showing that a criminal judge can have a positive action impacting prison management and promoting dignity. He explained what a criminal judge does, presenting external and internal misunderstandings of criminal judges’ attributions and the responsibility of judges and the judiciary power for bad things in the prison crisis. He showed a video about sentence reduction through reading that highlighted the experience of Santa Catarina in a project that promotes reading among inmates and the paths and resistance the project had until its institutionalization. The project goes beyond the great proposal of partial reduction of time in prison. The inmates who are part of the project wrote and published their own books with such titles as “Inmates and Judges” and “Screams”, and many of them claim that the workshop allows them to understand themselves. He concluded by mentioning the judiciary power’s capacity to promote practices, such as reading, that break barriers and cells.

The mediator opened the floor to questions.

Debora Zampier, journalist at LabGEPEN, asked how the National Council for Justice could better induce good practices in the penal policy field.

Andréa Mércia, general coordinator of the Center of Alternatives to Imprisonment at Bahia made two remarks. The first one, directed at **Marcelo Costa**, regarded the need for information about alternatives to imprisonment in Minas Gerais. Secondly, she complimented João Buch for his speech and asked him to elaborate on the speech made by an inmate in the video where he mixes the meaning of right with privilege.

Fernanda Collen asked which mechanisms can be used by the judiciary power to obligate criminal judges to accomplish their social role.

Speakers made their final remarks and answered the questions. **Marcelo Costa** explained some of the attributions of the secretariats of prison administration and public safety and their conflicts. He highlighted that since the policy of alternatives to imprisonment in Minas Gerais is included inside the regional scope of social prevention of crime, it is related to public safety.

João Marcos Buch talked about the importance of understanding rights as rights and not privileges because privileges can be cut. He also highlighted that the National Council for Justice should be pressuring criminal judges.

Panel 5 – Criminal Groups and Interdialogues with Public Safety

Mediator: Cristine Zeckseschi | **Reporter:** Juliana Gomes Queiroz

Speakers:

1. **Luiz Cláudio Lourenço** – Professor at the Federal University of Bahia – UFBA. M.A. in social science at the Federal University of São Carlos – UFSCAR--and Ph.D. in political science at the University Institute for Research in Rio de Janeiro – IUPERJ. Coordinator of Lab for the Study of Crime and Society – LASSOS (UFBA). He was general secretary, treasurer, and director of the Brazilian Society for Sociology.
2. **Isabel Seixas de Figueiredo** – Consultant to the Brazilian Forum for Public Safety. M.A. in constitutional law at PUC/SP. Specialist in public management at the National School of Public Administration. She was director of the Department for Research, Information Analysis, and Staff Development in Public Safety at the National Secretariat for Human Rights.

Report:

The debate about criminal groups and interdialogues with public safety started at 11:00 a.m. on September 20, 2018.

Luiz Lourenço began his speech by explaining how the Brazilian prison system condones and facilitates the rise and maintenance of criminal factions, and how they are rising alarmingly within Brazilian communities. The first moment in which criminal factions were addressed in São Paulo was during the 1990s when, in Taubate, the First Command of the Capital (PCC) emerged. This group was rapidly structured due to great adhesion from inmates, and caused the first great simultaneous riot in Brazil, in 2001, involving different prison units in the state of São Paulo and, being remotely controlled, showed the strength of PCC at that time. The inmates who were then identified as PCC's leaders were transferred to other states, thereby generating a rotation of leaders and expanding the group to many other states. In 2006, PCC enlarged its power inside prison units, improving its organization and worked outside of prison units, coordinating attacks against prison guards. This increase in PCC's power happened concomitantly with some governmental actions including those regarding prison overcrowding, mostly in São Paulo, which ended up coinciding with the increase in the power of criminal factions. Overcrowding therefore has helped strengthen PCC. The speaker highlighted the importance of seeing the prison system not only as a responsibility and possession of the State and prison staff but that prison units also depend on the inmates' contribution to work. There is space for the permeability of rules for inmates in any institution. In order to avoid organized agglomerations and rebellions, negotiation, instead of imposition of order with inmates, should be prioritized. The problem of prison overcrowding is that it creates needs and demands for rights and assistance and the State is economically and managerially incapable of managing and providing. This complicated framework, which started last decade in São Paulo, is still persisting and is now getting worse. States such as Bahia, for instance, have been suffering from lack of governmental maintenance.

A group called the Peace Command was formed to combat the lack of support to prison units from the state of Bahia. The Command is a group spreading peace inside units and trying to provide the needs not assured by the state in an effort to pacify prison relations. They also work in peripheral areas. In the past few years, some inmates identified as leaders of factions were returned to their original states, creating the idea that the problem of violence was decreasing. Specific groups and the general population became interested in the phenomenon, seeking to understand what measures were developed by the government in the scope of public safety. A study conducted in the state of Bahia proved that the more overcrowded the prison was, the greater the criminal dynamics inside the prison units. When rules are militarily imposed to certain groups (small drug sellers, for instance), prisoners end up responding to those actions through violence, and the State seeks to respond to these violent actions with even more violence. It is essential to remember the structuring role of the State inside organized crime. So, is the State contributing to strengthening criminal factions or is it worrying about the implementation of more efficient strategies and of decreasing prison overcrowding?

Isabel S. Figueiredo elaborated on the guidelines and methodologies of the Annual developed by the Brazilian Forum for Public Safety that registers the main data related to public safety in Brazil, highlighting the main statistics regarding crime. She talked about the inclusion of new variables in the survey such as police expenditure, gun shopping, vests, ammunition, adequate clothing, etc. She explained about the National Meeting, in which the program included an important debate with representatives of candidates for presidency and their proposals for public safety, considering this is an important agenda for Brazilian society. She questioned what the big issues are that make this a central agenda for the elections. She mentioned that Lula, in his first election, did not have a strong and present agenda for public safety, but countered with a program that included public safety. During his second mandate, new approaches were not introduced, and the theme was actually debated. These themes became a priority during the 2010 elections, when Dilma Rousseff was elected. In the following elections, it became a more recurrent theme, occupying spaces other than the electoral stage. The National Confederation of Industries (CNI), for instance, has also been conducting studies on public safety. The fact that the national industry invests more in private security than in public safety is questionable. The speaker mentioned Daniel Cerqueira (from IPEA) and a recent study that shows that 4% of the Brazilian GDP is directed towards public safety. So, economically, but also in terms of population, the investments in public safety are scarce. She presented the National Research of Victimization, which addresses the impacts of violence on society, such as the loss of rights of citizens and the fear of walking on the streets, along with other recurring fears caused by a non-effective public safety policy. The Brazilian Forum for Public Safety also conducted a study, along with Datafolha, regarding the main consequences of the lack of safety and increase in criminality, such as the fear of leaving home and, especially, of being in public spaces. This insecurity contributes to the support of conservative views and practices and many times makes people more reactive and repressive, supporting torture, the death penalty, the reduction of the age limit for criminal responsibility, etc., as a way to avoid or punish the violent act. She then highlighted the connection between organized crime and corruption, as it is difficult

to understand the boundaries between them. Still, organized crime is not usually debated and discussed between public security institutions, especially on the regional level, as it is limited to the purview of the Federal Police. The issue was never a central issue to the federal government either (SENASP and DEPEN), and the attention given to the theme shows it is still insufficient, despite the increase in dialogue. This issue lacks dialogue with specialists studying the theme of public safety. She mentioned the recently published decree regulating the Unified System of Public Security (SUSP) before the new national council for public safety. The decree does not mention, however, the issue of corruption as an organized crime. Moreover, she highlights that the new National Plan of Public Safety will be launched and that there is also no dialogue between the public safety agenda and the prison system. She concluded her speech by stressing the lack of dialogue between these two actors: the prison system and the public safety system, and adding that institutional efforts were not enough to institutionalize dialogue, protocols or even exchange, and analysis of data and information, respecting their singularities and missions.

The mediator, **Cristina Zeckseschi**, presented two relevant questionings in a wider and more complex context. The first one regarded the possibility of dialoguing and the existence of a paradox between safety and freedom. On the one hand, one says that it is possible to find safer prison units where the prison administration takes all the control. On the other hand, however, one defends that it is safer when management and routine are shared with inmates. Is it possible to have a prison system in which the dialogue between inmates and prison administration actually exists? Then, she talked about SUSP's proposal, noting that it was formulated and thought out many years ago, but has never been implemented. Therefore, she questioned what the main difference would be between the model conceived years ago and the one being suggested now. She highlighted the importance of the social understanding of corruption as an organized crime and noted that there is still difficulty in understanding the political class as a criminal one. She then opened the floor to contributions and comments.

Sandro Camilo, Deputy Secretary of Justice in the state of Ceará, explained the case of Ceará, based on Cristina's perspective. Due to an expensive and strong bureaucratic apparatus within the prison system, the regional government could not provide what was needed for the maintenance of inmates. Families therefore need to provide food and hygiene items. The problem of public safety and prison became alarming when it started affecting society's life through fear, as mentioned by **Isabel Figueiredo**. It is difficult to find a solution to control the overcrowding problem because the number of inmates today is greater than the number of prison agents, making any kind of effort to resocialize inmates useless. He concluded by questioning governability, as it is not worth offering a good prison system if social reality outside these prisons is still neglecting these systems. He believes not only that new units should be built but also that the police approach should be changed.

Rafael Barreto, specialist at the National Mechanism to Prevent and Fight Against Torture (MNCPT), explained that studies conducted by MNCPT try to understand and question "belonging". What makes an individual want to belong to a criminal organization? Where is the State

failing in allowing the feeling and the need to belong to be satisfied instead by the adhesion to criminal groups?

Tomas elaborated on the idea that the big problem of the prison system, besides overcrowding, is the fact that individuals are forcibly removed from social interaction to be under state supervision. A relation of rights and duties is created between state/prison staff and prisoners and this is not respected by neither State nor prisoners. Since the State lacks control, criminal organizations arise and unite, providing and acting as a form of control and functional administration inside prison. The failure to obtain effective resocialization takes place because the State does not provide an efficient environment, and because the number of staff is insufficient to respond to the inmates' demands. It should also be noted that staff are not trained to aim for the goal of resocialization.

Fernando A. C. Oliveira, who works for the state of Ceará in the Pacific Ceará Program, asked if the priority should be the debate of safety policies or prison policies.

Piera Barzanò, senior inter-regional advisor from UNODC, asked about the importance of the State in the field of penal policies and public safety.

Luiz Lourenço talked about models designed to rule the liberty of inmates such as associations for protection and assistance for convicted people (APACs) that fight for the inmate's recovery, protection of society, help for victims, and promotion of restorative justice as a model of empowerment of inmates in the prison experience. He added that there are no prisons without criminal organizations, and there never will be in the actual Brazilian model. Inmates end up agglomerating in groups, and within those very organized groups, a leader is determined. These prison groups are nationalizing and bringing to the agenda issues that are needed to maintain the system. He affirmed that there is not, in Brazil, an actual prison system because there is not a security protocol that is followed equally in all prison units in all states. Each complex has its own form of managing the system. The issue of prison architecture and the fact that each state has its own architecture contributes to the dehumanization of inmates and to the absence of a functional system. Public safety and the prison system should be treated jointly. Prison is structuring, but it doesn't work as a system; it works merely as a mechanism to control those who don't have judiciary resources. People with lots of financial resources are not seen in jail. Prison is, according to him, the second worst form of penalty, second only to the death penalty, because it executes the individual while he is still alive. Functional prison policies should, therefore, be developed. There is no easy way out because the problems of both criminal factions and public safety are not really faced because there is a political group responsible for juridical and financial resources which group gets benefits from this governmental absence.

Isabel Figueiredo raised a question regarding police profiling that was not debated. How is this discrimination treated within the police force? What should the priority be for police officers? How can this issue be clearly approached with police officers?

After the comments, **Cristina Zeckseshi** thanked everyone and closed the panel at 12:43 p.m.

Debate with representatives of presidential candidates

The activities started at 10:15 a.m. on September 19, 2018. The debate among representatives of presidential candidates aimed to debate points of each candidate's government program regarding penal policies. The following representatives were present:

1. **Arthur Trindade Maranhão Costa** – representing Marina Silva (Rede Solidariedade);
2. **Gabriel Sampaio** – representing Fernando Haddad (Partido dos Trabalhadores – PT);
3. **Guaracy Mingardi** – representing Ciro Gomes (Partido Democrático Trabalhista – PDT);
4. **Marivaldo Pereira** – representing Guilherme Boulos (Partido Socialismo e Liberdade – PSOL).

The mediator, **Felipe Athayde Lins de Melo**, started the debate, stressing the importance of the theme and thanking each speaker. He highlighted that the debate rules were previously shared between speakers.

Then, professor **Luiz Antônio Bogo Chies**, member of LabGEPEN and professor at the Catholic University of Pelotas, presented the criteria used by the lab to analyze the candidates' official programs registered at the Superior Electoral Court (TSE). The professor mentioned that some categories were established based on studies conducted by the lab. He informed that all of the programs except the ones presented by Álvaro Dias, Ciro Gomes, and Guilherme Boulos contained only one paragraph of proposals. Therefore, they were considered significantly less than required, the category in which they were classified being labeled "omissive" or "merely rhetorical". He highlighted that, in the specific analysis of proposals, the lack of data is also an indicator and in the majority of cases, data are scarce. He described the proposals of each candidate and concluded that the proposals closest to the goal of citizen safety are the ones presented by Boulos and Haddad. He informed that LabGEPEN developed a wide agenda of 18 proposals that address the complexity of prison management. He concluded by highlighting that the rhetoric of common sense and the repressive models are marks of most of the programs presented, and asked how representatives evaluated the issue of converging with and distancing from this particular rhetoric.

The mediator passed the floor to the speakers.

Marivaldo Pereira greeted participants, complimented LabGEPEN, and highlighted the importance of the initiative. He stressed that the unity presented during the event should continue even after the elections. Regarding the government program, he informed everyone that PSOL believes that repression is not the solution to violence but rather the deepening of the search for its causes. He reminded everyone that during Dilma Rousseff's mandate, a mapping of homicides was developed to search for the problem's root. The study was conducted by IPEA and showed the correlation between lack of education and the violence index. He highlighted that PSOL's proposal is integrated with educational and social assistance policies, among others.

Arthur Trindade Maranhão Costa greeted the event's organizers, LabGEPEN, and highlighted the importance of the theme. He argued that the political-electoral moment complicates the deepening of the debate about public safety and agreed with professor **Luiz Antonio's** analysis. He informed everyone that he is not going to stick to the argument that the punishment debate is bad because he believes he is among partners. He highlighted, however, that some initiatives are important. He mentioned that in Marina Silva's program, federal protagonism is proposed in the areas of public safety and prison policies, and that this was rejected by the latest presidential mandates. He argued that, in order to consolidate this proposal, political capital is needed, and Silva is willing to do so.

Gabriel Sampaio greeted the participants and former president Lula and highlighted the importance of the debate. He stressed the need to tackle punitivism, which is represented by the candidacies of some presidential contenders. He believes a greater pact will be needed, and that the causes of this view are structural and complex, and that studies are needed to face them. He pointed the relation between skin color, social class, physical address, and the indexes of violence and imprisonment. He affirmed that it is important that the union takes responsibility for the issue, highlighting the need to rediscuss drug policies, the justice system, and the reinforcement of some public policy elements in order to be able to tackle the issue with prevention and intelligence.

Guaracy Mingardi greeted the participants and said that the program that was presented and officialized two months earlier was not the end stop of the political commitment, but the starting point. **Ciro Gomes'** representative believes that the main debate centers around overcrowding. He highlighted that most inmates are in prison because of the drug policy. He stressed that the union can't do much because the protagonism in public safety and prison policies is regional. He also mentioned the role of the judiciary system in sending inmates to prisons.

Débora Zampier told **Gabriel Sampaio** that PT was in power for 12 years and questioned, considering the ideas proposed, how does one operationalize them?

Gabriel Sampaio agreed that there were many successes in the last 12 years, but advancements are needed. He mentioned how slavery has influenced the context for over three centuries, enrooting a structure of violence. He highlighted the importance of a federative and institutional great pact because legislative and judiciary changes are needed, as well as changes, mainly related to the war on drugs, in the management of public safety in states. He affirmed that democracy needs to be restructured in Brazil, and proposed a pact with all sectors, not only the ones that debate public safety.

Felipe da Silva Freitas asked **Arthur Trindade Maranhão Costa** if the need for and importance of federal protagonism is just a reaffirmation of how essential the theme is, or if he has a concrete proposal of a new institutional, legislative, and constitutional framework. In that case, what would the proposal be?

Arthur Trindade Maranhão Costa answered that in fact a more incisive action from the national government is needed, but it wouldn't be enough. A new institutional framework should be established, and although presidential commitment is not enough, it is an important step. He also stressed the need for a new federative institutional framework. He highlighted the fact that a new framework proposal had been presented to Marina Silva, which includes the creation of a specific special advisory to this theme, and might even contain councils for public safety and penal policies, inspired by the international policy structure developed during Lula's government. Marina agreed with the proposal.

Renato de Vito, told **Guaracy Mingardi** that he read that **Ciro's** proposal is to occupy idle spaces in the federal prison system, and asked how he evaluated the role and performance of federal prisons, and what would the changes be to the legislation proposed by **Ciro Gomes**.

Guaracy Mingardi, answered **De Vito**, stressing that the transference of inmates to federal prisons was related to criminal organizations that are organized within prison and not in the general prison policy. He highlighted that this is only the beginning of a solution to deal with criminal organizations. Regarding the legislation change, he said that changes are needed so that individuals sent to federal prisons can be transferred to state prisons, and that this is very difficult because judges and managers do not usually want them to return.

Débora Zampier asked **Marivaldo Pereira** about their proposal regarding penal policy and how social participation would be taken into account.

Marivaldo Pereira answered that social participation is essential to elaborate and monitor any policy. Nevertheless, he highlighted that within the field of public safety and inside prisons there is a great resistance towards accepting popular participation. He stressed the case of inmates' families and their obstacles in prison units. He proposed the creation of a binding mechanism, such as the possibility of conditioning the distribution of resources to the changes or openings proposed by units. He also mentioned that transparency and social control are essential in tackling structures that profit from this prison model.

Then, a question from the audience was drawn, and it concerned the actions that were necessary to conduct an eventual reform of the justice system. Since it was not specifically directed to any candidate, the mediator asked that all speakers answer.

Guaracy Mingardi clarified that the issue of selectivity didn't start in justice, but on the streets. In justice, selectivity increases because of the disparity of judicial decisions due to skin color and social class. He informed that selectivity is enrooted in the prison staff's mind, and can't simply be changed through a presidential decree. He highlighted, however, that the president should take a step forward. He believes a plan should be conceived, since today's projects are very vague, and the wide participation of federative entities, safety institutions, and civil society is essential in order to implement an effective public safety policy.

Gabriel Sampaio mentioned that a reform is really necessary and urgent, but should consider social participation. The assurance of a democratic debate is a task that should be shared among all sectors of society. He defended that the role of the executive power is to lead this process and specified the following actions: debate drug policy; evaluate pre-trial detention (establish deadlines and require justification according to the concrete case, avoiding the trivial use of expressions such as “the maintenance of public order”); and debate alternatives to imprisonment (legislation changes to increase the chance of applying alternatives to imprisonment).

Arthur Trindade Maranhão Costa agreed with **Guaracy Mingardi’s** and **Gabriel Sampaio’s** answers. He said that some initiatives are the duties of the National Congress, relying on the leadership responsibility by the Presidential Cabinet and its dialogue with the legislative power. He highlighted that it is necessary to review the federative pact and create a new framework for funds through the establishment of conditions to distribute the money. Besides, other points should be re-evaluated, such as the police model focused on flagrant arrest (mainly the one related to drug trafficking), since the great majority of pre-trial detentions are a result of flagrant arrests. He mentioned that the implementation of hearings regarding custody, although they have not accomplished the role that was initially conceived, can be an important tool to implement and strengthen alternative measures.

Marivaldo Pereira defended a new judiciary reform and the need to re-evaluate councils. He explained, for instance, the way in which the National Council for Justice and the Public Ministry’s National Council are distanced from society. He explained that there was a need for reform which would aim to decrease the judiciary’s subjectivism and re-discuss the punitivist perspective based on prejudices. He informed the group that this is why the actual drug policy is the main mote of PSOL’s campaign. He mentioned that the actual drug policy is a tragedy, and that the judiciary power and the public ministry are, in general, against their own dialogue. Finally, he highlighted the need to re-debate the National Magistrates Organic Law (LOMAN).

Then the mediator read a question sent via internet regarding the situation of women in prison.

Marivaldo Pereira said that there is a need to rediscuss the drug law and change the view on this issue. He further explained that defending the review of the drug law is not advocating drug use. It is necessary to evaluate the results / data on drug policy practiced under the current Drug Law in order to understand whether it reduced the rate of incarceration and the number of deaths, and whether or not it weakened criminal organizations. He stated that most women in prison were arrested for carrying drugs to prisons and that this causes a social tragedy. He pointed out, as an example, the anti-smoking policy, which was effective and is seen as an example throughout the world, and that this policy did not have to criminalize any user.

Arthur Trindade Maranhão Costa agreed with **Marivaldo**, in the sense that there is a need to debate the Drug Law, considering the social tragedy that such a policy promotes. He pointed out, however, that this debate does not move hearts. Therefore, he noted that the pressures must be given in the financial perspective. Through presidential protagonism, it would be nec-

essary to defend the implementation of the already-extant legislation related to women. This would already mean a breakthrough.

Gabriel Sampaio clarified that the fight against machism is the main point. In the case of the imprisonment of women, he showed the importance of the recently approved collective *habeas corpus*. As for the specific proposals, it will be necessary to strengthen the elements of the social pact with the whole population, including the issue of prison overcrowding, and also on the issue of pre-trial detentions.

Guaracy Mingardi mentioned that the number of imprisoned females in general has always been small, although it has grown significantly in the past 12 years. The main reason for that is the issue of drugs within the prison system. He stressed that this situation could be changed, but that in the coming years the number of incarcerated women will continue to rise. The issue of the drug war is also a big problem. He highlighted that the female prison system has not been on the managers' agenda, and that the growth of these numbers in recent years has not yet been addressed. He stressed the need to at least comply with the existing criminal legislation. He stated that **Ciro Gomes'** commitment is to align the transfer of resources with compliance with the law.

The debate was concluded, and the mediator asked participants to state their final remarks and close the table.

Luiz Antonio Bogo Chies stated that during the debate, proposals went beyond the candidates' government plans (with the exception of **Ciro Gomes'** case). He reported that this is a positive but worrying remark since the information shared was not included on the official documents. He pointed out the relation between the prison issue and issue of rights and social policy. He also recognized the connections between the proposals presented by speakers and the ones presented by LabGEPEN, such as the issue of a federative pact for financing and review of legislation, among others. He concluded by reaffirming the importance of the Seminar.

Marivaldo Pereira thanked organizers and participants for such an importante initiative. He stated that PSOL will continue to prioritize penal policy, as well as the issue of structural racism, such as the case regarding extermination of black youth, that does not impact the National Congress. In addition, he stated the importance of reviewing the drug law, regulating drug production, commerce. Finally, he stated that the unity of the different sectors of the varying ideologies surrounding this drug agenda is essential.

Arthur Trindade Maranhão Costa called attention to the fact that the new republic has failed on the issues of public safety and prison policy because it was not able to respond to problems. He noted that the problem is no longer the diagnosis, but the construction and implementation of a governance agenda to tackle damages. He stated that the redesign of the federative pact should happen now. He also argued that fear is the main cause of hate, and this fear is very much alive in the actual national scenario. Finally, he mentioned that this situation should be faced.

Gabriel Sampaio thanked the lab for the invitation and stated that this kind of initiative, involving academia, society and managers, is more and more important. He pointed out that the actual punitivist model for public safety and penal policy was conceived based on racism over a period of 500 years. He said that Lula and now Fernando Haddad have proposals and possibilities to implement this policy, but it will only be feasible through the wide mobilization of forces and social sectors around this agenda.

Guaracy Mingardi thanked the group for the invitation, stated that the reason proposals are not included in **Ciro Gomes'** government plan is that the candidate wants to know and approve every point of his program through a discussion advanced by lots of people. He argued that, in the actual context, the former prisoner's return to society should be considered, and this is included in **Ciro Gomes'** government plan. He concluded by asking how such measures could be implemented, since everyone present participated in **PT's** government for the construction of these policies, and the actual plans are 90% equal to the plans that have been well-debated and well-constructed long ago, but never put into practice.

Finally, **Felipe Athayde Lins de Melo** thanked the speakers and the audience for their presence and closed the debate at approximately 12:05 p.m.

Experience Report: The Imprisonment and Development of Public Policies

The table Experience Report: The Imprisonment and Development of Public Policies started at 2:20 p.m. on September 20, 2018, with the following speaker:

- **Adriano de Camargo** – social educator, specialist on chemical dependency at UNIFESP; coordinator of policies for people living on the streets for 10 years. Author of the book “Pedagogy of Commitment” and co-author of the book “Drugs and Public Policies”. Advisor at São Paulo’s regional governance secretariat. He is a former prisoner.

The mediator, **Semayra Gomes**, has a B.A. in psychology at the Federal University of Rondonia, was chief of cabinet of the Rondonia’s secretariat of justice between 2014 and 2018. Today she works for the municipal government of Porto Velho monitoring the implementation of the first state patronage in the municipality.

Semayra Gomes greeted participants, especially **Luiz**, who was responsible for Acuda project in Porto Velho, and highlighted the importance of his actions. He thanked the group for the invitation to mediate the table and passed the floor to **Adriano**.

Adriano de Camargo greeted the participants and started telling the story of his life. He said that his father was a drug abuser, and that as a child he entered the world of drugs, soon became addicted and started robbing, and then went to jail. In the prison system, he began to be more and more involved in crime. At one point, he applied to be a monitor, and became an assistant professor. On one occasion when he was making a presentation, a professor offered to help him finish his studies when he left prison. **Adriano** accepted his offer and was able to finish his studies. He said that he became a collaborator of FUNAPE, and was able to graduate, but that after leaving FUNAPE and returning to São Paulo, he had a severe relapse with drugs and therefore returned to the streets. After treatment with alternative medicines, he was able to rehabilitate himself and, from then on, began to study the issue of drug abuse.

A video was then presented showing the project initiated by **Adriano** in the city of São Paulo. The project takes in and finances the withdrawal of people from the streets and drug abuse. The video was produced by TV Bandeirantes in 2014.

Adriano continued his story saying that after the video, his work received more recognition, which made him receive support from the municipal government. As a result, the service improved. He was then invited work as an advisor to the municipal government of São Paulo, where he monitors projects for São Paulo’s former prisoners. He composed a group that took action inside the prisons, but was annoyed by the fact that the projects did not continue once the prisoners are released and return to social living. Therefore, he decided to quit the group. He mentioned that 50% of the current prisoners and 70% of the “Cracolândia” users are former

prisoners. He said that the initiatives of São Paulo's municipal government do not reach users. He said that there is a lack of dialogue between the organizations themselves, as well as a lack of dissemination of services available. He mentioned he tried to dialogue with the Secretariat of Prison Administration, but that did not go forward. He suggested that the State should restructure some actions to listen to former prisoners so that the actions can be built based on their needs. He suggested that the judiciary power should reconsider the fine as a means of penalty, because it is very difficult for former prisoners to get work and, having no work, they cannot pay the fine. This, therefore, results in the suspension of their political rights and the removal of the right to vote, which, in turn, makes it impossible to have a CPF and work permit. In turn, this makes it more and more difficult to find a job. He defended that the attention to former prisoners and the issue of drug abuse are social needs since the prison does not solve the drug dependence issue nor the social questions. He argued that, in addition to studies, it is necessary to conceive actions for former prisoners. He thanked **Felipe Athayde** for his support, mentioning the importance of trust and support in the process of returning to life in freedom. And he called on those present to act and rescue these people.

Semayra Gomes thanked the speaker and noted the importance of helping people deprived of liberty, also commenting that we could all eventually be taken to jail. She mentioned that prison is, most of all, a political decision. She highlighted essential values for human existence such as empathy, solidarity, and love. The, the mediator opened the floor to the participants.

Valdecy, from Feira de Santana-BA, asked what the methodological model would be that would allow the qualification of the actual policies used in prison.

Adriano de Camargo answered that the first thing to do is to listen to former prisoners, who were the targets of these policies. The reformulation of policies should be their demand. He mentioned that he participates in a program in which he listens to former prisoners as a strategy to create bonding. He highlighted that emotional and personal issues that are, most of the time, the reason for leaving home. Such issues are not tackled by the State because there is no interest in listening to the prisoners.

Débora Zampier, from LabGEPEN, reminded the group that during the presidential debate, a plan for former prisoners was mentioned, so she asked **Adriano's** opinion as to whether a national plan for former prisoners would be important.

Adriano de Camargo answered that yes, it would be very important to have a national plan for former prisoners because every initiative debating former prisoners is valid and necessary. And, maybe, the plan could contribute to the implementation of more sustainable, continuing and interdisciplinary actions.

Elder Ferreira asked what **Adriano** thought about the idea of former prisoners being attended by universal systems (CRAS, CREAS, etc.). He also asked his opinion on the establishment of a law obligating companies with public contracts to hire former prisoners.

Adriano de Camargo agreed with both initiatives, but he understands that they should be monitored and audited to insure they are actually being implemented, since similar initiatives exist that are being ignored and nothing is being done. Regarding universal systems, he agrees, but believes dialogue between organizations is needed.

André Luzzi mentioned that a municipal agenda regarding former prisoners was approved in São Paulo. He stressed the importance of the dialogue and pact among federative entities and said he wanted to know if there were similar initiatives in different cities and states.

Adriano de Camargo said he knew about São Paulo's agenda, and he is, actually, a great fan of such initiative and of the people who conducted it. However, he said that the agenda was not welcomed by managers, so some obstacles must be overcome.

Luiz Antônio Bogo Chies greeted the speaker and asked to have access to his work's methodology, as well as invited him to visit Pelotas and present it.

Adriano de Camargo accepted the invitation to go to Pelotas to explain his actions and methods, elaborating on its main points: creating bonds, focusing on empathy, and avoiding a purely professional bond. He said he used football as a tool, but any other bonding activity could work. He said ask and be open for one's demands, and offer state proposals and actions that could fit to the individual's need, such as social assistance, justice, etc. In addition, he said to respond promptly. Do not leave things to do later. As soon as possible take the actions as discussed and monitor. Part of Vygotski's conception of proximal development said that there are things you can do in the first moment to help someone, and then move to autonomy, such as accompanying people to public organizations, etc. Then, he left his e-mail: adriano.camargo@smpr.prefeitura.sp.gov.br for further contacts.

Semayra Gomes commented on the issue of public services and equipment that should have worked prior to arrest as well as during prison and post-imprisonment. She thanked the speaker and concluded the table at approximately 3:00 p.m.

Meeting between the **Direito Achado na Rua** Group and LabGEPEN

Mediator: Valdirene Daufemback | **Reporter:** Douglas de Medeiros

Report:

At nine o' clock on September 19, 2018, at FACE's meeting room, the meeting began between the mediator, **Valdirene Daufemback**, and the judge of law, **João Marcos Buch**, representing LabGEPEN, and the participants **Eduardo Xavier Lemos**, specialist in penal sciences and professor at IESB, **Alexandre Bernardino Costa** and **José Geraldo de Souza, Jr.**, Ph.D. in law at UnBand, and professors representing **Direito Achado na Rua's** group.

Right after presentations, the mediator stressed the lab's intention to connect to different UnB research groups to conduct projects. She mentioned that **Direito Achado na Rua** has a theoretical work that feeds LabGEPEN's perspectives, and that **João Marcos Buch** had published a book with such inspiration.

João Marcos Buch got to know the work of **Direito Achado na Rua** through Eduardo Lira, at the University of Blumenau. He told that he works as a penal judge in Santa Catarina and that when he started working in this field, he realized that area's problems and the need to create some protagonism spaces for inmates, so that he/she could be heard, express his/her feelings, such as by utilizing conversation circles. He mentioned that they even report about their conversation circles and that that is something innovative. Little by little, actions are gaining strength and are being continued through empirical work. He highlighted the importance of reading projects, in which inmates have access to books and to creative writing, seeking resignification through reading. He presented two books (the first one was written by inmates) launched in the University of Joinville talking about prison: "Do prisons work?" and "Prisoners and Judges".

José Geraldo de Souza Junior then made some brief comments regarding UnB's extension courses, mentioning the project "Traces and Letters from Paper Prison", created by professor Debora Diniz and by graduate and post-graduate students at UnB, with the support of the public ministry and the Special Tutorial Program (PET). He explained about the **Direito Achado na Rua** project, which was very well-accepted and is in its second edition, called "Demands of Rio Grande do Sul's Judges – A Juridical Introduction to the Labor Market". Two other editions about the right to health were then launched, in partnership with Fiocruz. He mentioned that, in general, all editions have a visual production and that the first edition won a film festival.

The project was also extended to other themes and they have been struggling, for 30 years, to recover and recognize "the streets" as a place to create and exercise rights. The program was extended, and caused important political people to become uncomfortable.

João Marcos Buch added that the project is a revolutionary act. He mentioned that it was given a security mandate for conceding semi-open detention to inmates in closed detention.

The National Council for Justice published his profile, hindering the development of other progressive actions that are not connected to the stereotyped institutional model. .

José Geraldo de Souza, Jr. talked about the distance course, greeting **Roberto Almeida Filho**, who idealized the project. He said that this initiative was being continued, and dialogues were conducted on the individual and collective levels, such as with Judges for Democracy. He mentioned judge João Batista Herkenhoff (Espírito Santo) who, guided by his religious beliefs, also moved inmates to semi-open penalties. He highlighted the importance of associations such as schools. Colegio Galois, for instance, has been organizing debates for a long time, with non-orthodox forms of thinking. He mentioned that, in order to foster the debate, he also visited the Indigenous Peoples Memorial with professor Raquel, promoting the exchange of knowledge between judges and members of traditional communities.

The meeting was finished at 10:45 a.m.

Meeting between research groups and LabGEPEN

Mediator: Fernanda Natasha Bravo Cruz | **Reporter:** Juliana Gomes Queiroz

Report:

The meeting started at 10:25 a.m. on September 19, 2018, with the presentation of the mediator, **Fernanda Natasha Bravo Cruz**, professor at the Department of Public Policy Management, who explained that the goal of this meeting would be the sharing of knowledge and the presentation of LabGEPEN, and, consequently the exploration of collaboration opportunities with different research groups from other states, aiming to study and collaborate on penal policies. Then, she asked participants to introduce themselves.

Ellen Daiane Cintra represented the research group on public policy, history, and education for racial and gender relations, GEPPHERG/NEAB; the Afro-Brazilian study center – NEAB-- was represented by professor and coordinator, **Renísia C. Garcia Filice**, and, **Renata Portella Dornelles**, M.A. and Ph.D. in law at the University of Brasília, represented the Candango de Criminologia group – GCCRIM.

LabGEPEN was represented by professors **Maria Palma Wolff**, **Marco Antônio da Rocha**, and **Suzann Flávia Cordeiro de Lima**, who also works as a coordinator of the research center for special projects, NUPES, at the Federal University of Alagoas. **Adriana Azevedo**, social worker, mentioned she was there just as a listener.

At the first part of the meeting, **Fernanda Natasha Bravo Cruz** made a small introduction about LabGEPEN, its goals, and visions. She explained that LabGEPEN is a network of researchers and professionals from all over the country, and is linked to the Department of Public Policies Management at the University of Brasília. It was inaugurated in 2017 and its mission regards the articulation of knowledge and inclusion in the field of criminal policies, based on human rights and the democratic rule of law. Its vision is to overcome the centrality of the prison as a privileged strategy of criminal responsibility. LabGEPEN works through initiatives for dialoguing with political management and spaces for dialogue about penal policies such as events, extension courses, scientific productions, and elaboration of texts for the non-academic public.

According to **Ellen Daiane Cintra**, GEPPHERG works with four thematic axes: 1. History of Africa and Afro-Brazilian Culture, which aims to promote actions and content for the laws that determine the teaching of African history and Afro-Brazilian culture, teaching the history and culture of indigenous peoples at various levels of education; 2. Public Policies, Management and Education: Intersectionality of Race, Class and Gender, which seeks to study public policies and management, focusing on the reflection on education and public policies in race and gender. The work of this line focuses on valuing diversity, investigation and debate on educational issues related to race and gender in Brazil; 3. Quilombos: territories, education, and intellectual sovereignty, bringing agendas such as university education by members of traditional communities, quilombolas, riverside populations, and indigenous and other peoples, which brings

challenges such as intellectual autonomy; and 4. Territories, Memories and Stories of the Federal District, focusing on geographic, socio-political, and historical issues related to race, social class, gender, and sexuality issues of each DF region.

Marco Antônio da Rocha talked about LabGEPEN's transversality and transnationality capacities, since it has researchers and collaborators in every Brazilian region.

Maria Paula Wolff said that they believe the prison issue should be debated as a system that needs to be coordinated through management tools.

Fernanda Natasha Bravo Cruz stated that LabGEPEN follows three lines of research: the first one is engagement in discussions of penal policy practices, issues of violence, inequalities, and the question of penal policy on the basis of living; the second line of research regards management, governance, indicators, methodologies, careers, intelligence systems and what are schools of penal policies; the third line of thought works with intersectorality, thinking about interfaces between public and private policies with diverse and dense contents, and trying to reorient thoughts about penal policies.

Maria Paula Wolff explained that the definition of lines is complex, as these axes are themes that approach wider and more determinant issues such as racial, gender, and diversity issues, involving different fields of study. The comprehension of prison as an isolated, autonomous institution, or only as a measure to enforce arrest warrants, should be avoided. Penal policies encompass other fields, such as social policies and issues involving health-- mental health--among others. The great challenge is to look at this issue in a way that makes possible the connections between penal policies and social policies, as previously mentioned. It is strategic LabGEPEN that work towards the establishment of interfaces between research fields and penal policies.

Suzann Flavia Cordeiro de Lima exposed the importance of civil construction in the prison space, once architectural projects improve the idea of safety and benefit the prison system. However, she stressed that it is difficult to achieve such goals, because political interests are placed above social interests. One of the axes of Suzann's work is the mapping of areas where prison units are built, often observing the expansion of communities and elite condos at areas surrounding prisons, in order to bring about the closure of prison units. The construction and maintenance of prison facilities often take place according to political and private interests.

Ellen Daiane spoke about issues of racial and gender discrimination, and about her experience as a teacher in public schools in the Federal District. She talked about the role of the school in the construction of the citizen, and about how the failure of schools today is reflected in the prison system. She said the school is part of the child education system. According to the teacher, the school fosters the prison system of the future, because when it fails with its duty of education, that is to say, the failure of the current school system, such failure foments acts of violence and discrimination, which becomes an unbroken cycle. The problem of current public policies is that they only have a discourse of resocialization; not much is concretely done so that the resocialization of prison inmates is made possible.

Suzann Flavia Cordeiro de Lima reminded that the architecture of DF's schools is very similar to the architecture of prisons, and that the discipline control inside the prison system is very much similar to the one imposed at schools.

Maria Palma added that the research of issues related to prison systems and public safety should be disseminated, in order to allow collaboration with other research groups, to share findings and data, and to foster knowledge.

Renata Portella Dorneles stressed that the inclusion of the penal system in the public management field is already an advancement to be celebrated. Those working inside the public safety system have trouble recognizing that this is a public policy issue and that it requires planning and management tools.

Maria Palma shared her experience working in the management and direction of a judiciary mental illness facility in Rio Grande do Sul. She mentioned that she entered there aiming to improve the facility's management and decrease incidences inside the environment. However, advancements in the field are only noted when the penal system is debated in the field of public policies.

Renata Dorneles highlighted the importance of this meeting to debate research lines related to the field, and also in sharing the existence of a theoretical axis focusing on the improvement of policies regarding the community.

Fernanda Natasha Bravo Cruz mentioned the expansion of the public policies field and the need to understand the difference between the conceptions of public administration and the management of public policies.

Marco Antônio da Rocha mentioned that the complexities affecting society are reflected more openly within the prison system, and that prison is a portrait of Brazilian society. The challenge present in improving the prison system is to start thinking of it as a public policy management system, and not just as a punitive system. But how does one think of a prison system in terms of a public policy, if there is not the same thinking on the part of the State, political elite, or society? The representation of prisoners is necessary. They need to be heard in order to enact improvement in the system.

Suzann Flavia Cordeiro de Lima mentioned that penal culture is focused on punishment, and this model is always followed. The juridical speech in Brazil is created by rich white men, propagating a macho, racist and unequal vision.

Renata Portella mentioned the importance of this seminar and also the need to "leave the bubble" and reach those who are not engaged in the field as well as the general society.

Suzann Flavia Cordeiro de Lima mentioned that within European prisons, the integration and participation of inmates in the society is provided. Cities were built around prison units and

prisoners worked there. It is a form to build, in the prisoner, a logic of citizenship and humanization. Brazil needs to stop thinking of prisons as only a punitive system.

Maria Palma stressed that the difficulty in transforming the prison system in public policy is due to the lack of interest from the political class, as previously stated.

Fernanda Natasha Bravo Cruz mentioned that the prison system is a system of racial division. Penal policies should be present on electoral agendas. It is necessary to induce the political class to think and seriously debate this issue within the scope of public policies.

Marco Antônio da Rocha highlighted how poor government plans were in every Brazilian state, stressing that if there are no effective proposals even in fields such as education and health, it is even more difficult to imagine serious debates occurring regarding the prison system, which is a system where part of the scum of society is placed”.

Fernanda Natasha Bravo Cruz closed the meeting at 11:40 a.m., mentioning the importance of conducting debates that include the whole of society. She noted that research groups present very aligned avenues of thought and research, a reason why she believes future partnerships for the development of actions and research can be made possible. It is essential, therefore, to start treating penal policies as public policies.

Presentation of Partnerships to Cooperation in Penal Policy

At 6:00 p.m. on September 20, 2018, the Presentation of Partnerships to Cooperation in Penal Policy started, with the following speakers:

1. **Maria Eduarda Tannure Pianto** – Deputy director of FACE – UnB, representing the University of Brasilia;
2. **Valdirene Daufemback** – Psychologist, Ph.D. in law at UnB, specialist at the National Mechanism to Prevent and Fight Against Torture, former ombudswoman and director of penal policy at the National Penal Department, and councilor at the National Council for Penal and Criminal Policies, representing LabGEPEN;
3. **Moema Dutra Freire** – Program Officer of the United Nations Development Program (UNDP);
4. **Nívio do Nascimento** – Coordinator of the Rule of Law Unit in the United Nations Office on Drugs and Crimes – UNODC;
5. **Davi de Melo** – Manager of projects of the United Nations Office for Project Services – UNOPS.

Maria Eduarda Tannure Pianto greeted participants and informed them that she was representing the University of Brasilia, and that at this moment they are disseminating a Memo of Understanding between UnB/LabGEPEN and the United Nations, aiming to induce and implement common actions in the field of public policies management.

Valdirene Daufemback affirmed that there is a common interest among the institutions represented. In LabGEPEN's organization, a great relevance in the work with the partnerships was perceived. The Laboratory's greatest asset is a wide and diversified network of professionals. Its short trajectory already has a history, including the support of UN organizations in actions already developed. Since the initial process of the lab's development, common interests and projects have been debated, some which are still to be made official, but in which the partners already vocalize and anticipate a mutual interest in research work, monitoring of public policies, and training and education actions, among others. The Laboratory is already placed in the international scenario through these contacts, and its participants feel happy to be able to link to such serious organizations, ones that will maximize the performance of LabGEPEN. She concluded her speech by thanking the willing for partnership.

Moema Dutra Freire thanked the university, the lab, and especially **Valdirene**. She mentioned that the UN's office is delighted to sign the MoU and reaffirmed the interest in continuing the partnership. To UNDP, it is important to think of challenges and focus more and more on international replication, because just as other UN organizations, UNDP focuses on South-to-South cooperation, allowing the developments in this field to be spread internationally. She highlighted that the result of this partnership is interesting and that LabGEPEN can count on UNDP to advance even more in the agenda.

Nívio do Nascimento thanked **Valdirene** and the colleagues united there. As a specialized agency, he mentioned that UNODC would like to work even more on the prison issue; however, as everyone knows, it is the public policy with fewer resources and funds. This situation can be changed if civil society and research centers are empowered to bring the prison system agenda to the public opinion and to the government. He mentioned the actions conducted by Sou da Paz that are converging with LabGEPEN, reminding the group that international organizations do not survive without NGOs. He stated that technical cooperation has changed a lot in the 1990s, and said that this meeting with UNOPS, UNODC, and UNDP can collaborate on the development of projects, and he stressed his will to continue to work together.

Davi de Melo thanked LabGEPEN for the invitation and possibility to exchange ideas, experiences, and proposals related to the management of penal policies. The common concern with human rights and the opportunity to see in LabGEPEN a center able to translate the importance of penal policy is a common thread between the participants. Society tends to forget, when the situation is related to crime and punishment, that it is dealing with human beings, and that the opportunity to debate and rethink treatment options is UNOPS' motivation. The partnership with colleagues from UNDP and UNODC is very appropriate.

The table was closed at 6:20 p.m.

General Meeting for LabGEPEN Planning

At 8:50 on September 20, 2018, the General Meeting for LabGEPEN's Planning was started.

Valdirene Daufemback presented the agenda of the planning meeting, which included sharing goals, exchange of information, and agreement of actions in order to create synergy among associates and participants.

Fernanda Natasha Bravo Cruz made a brief presentation of LabGEPEN's mission and vision and read the Foundation Charter so it could be debated and validated by participants.

Then, **Felipe Athayde Lins de Melo** highlighted that the charter was written by different people during a long process beginning at the lab's foundation. He stated that the charter represents the broadness and heterogeneity of the group, and that principles should be stated, and public visibility should be built. The charter's goal, according to him, is to assure the group's identity, delimiting principles, and protecting diversity.

Valdirene Daufemback mentioned that the charter tried to encompass the basic premises of LabGEPEN's actions, to inform people from outside. She asked participants to take a careful look at the lab's lines of action, its strategic axes, and products proposed, and inform their interest to adhere to the lab, summing up efforts to increment and disseminate activities, also considering the regionalization along the national territory.

Andreia Beatriz da Silva dos Santos, physician, from Rio Grande do Sul, but working in Bahia, highlighted the importance of this moment, in which the meeting of people sharing the same position generates energy and motivation. She expressed some annoyance and divergences. According to her, the debate on race should be central, but noticed that, in the charter, the issue of class comes first. She suggested exposing and giving centrality to the issue of race. She also questioned how to involve more people and expand the debate, taking as the base the ideas and the discussions.

João Tomas, public defender and professor at UFAM, greeted everyone and mentioned that he is willing to be part of the group, representing the northern region.

Valdirene Daufemback agreed to give more centrality to the racial issue, and stated that the idea is to debate, adjust, and validate the final text in the general meeting. Periodically, or annually, LabGEPEN can always re-evaluate and update the charter, from the ideal and trajectories. Regarding participation, the entry of new associates, and the dissemination of the lab, **Valdirene** informed the group that she was going to present the planning and expose the themes.

Fernanda Natasha Bravo Cruz highlighted once again how happy she was to be there and thanked everyone.

Valdirene Daufemback started the presentation of LabGEPEN planning. She presented the history of the laboratory, beginning with its launch to the presentation of the current international seminar, through the beginning of the extension course, which is composed of a very hybrid and diverse group, and including the various meetings and elaborations of documents and notes. Then, she presented the proposal for LabGEPEN's inclusion, highlighting the international and national partners with whom they already relate and/or intend to relate, including UNDP, UNODC, UNOPS, the International Committee of the Red Cross (ICRC), the APT / SIRA, and the three instances of government, besides Brazilian universities and those of other countries. She also presented the profiles of the members who compose the laboratory, highlighting their experience, and the states in which they work. She presented the lab's internal structure, highlighting the forms of action, currently encompassing three forms of participation, as well as coordination, namely: associates, partners, or relating community. The coordination is currently composed by **Valdirene** (general articulation); **Magda** and **Franco** (institutional articulation with UnB); **Fernanda**, **Palma** and **Izabella** (academic articulation); **Felipe** and **Talles** (general projects); **Victor**, **Pollyana**, **Joana**, **João Vitor** (international relations); and **Tatiana** and **Débora** (communication and information management). She stressed that the idea is to establish a two-year deadline for the coordination mandate. She highlighted the fact that this is a place of welcoming, waiting for members to commit themselves spontaneously. She also presented the framework of LabGEPEN, highlighting the uniqueness of the laboratory and the processes, which should be undertaken to achieve the objectives. In addition to the objectives, it also includes the intended products, such as several periodical publications: bi-annual publication of a catalog of penal policy management; and an annual publication of a diagram of the penal policy network including a map of people and groups that work with penal policies, containing academic, professional and civil society axes). She presented a schedule for LabGEPEN's actions, organized by projects. Then **Valdirene** opened the floor to the public to express with which of the products each member would like to get involved.

Luiz Antônio Bogo Chies, from the Catholic University of Pelotas, suggested excluding the term "social deviances" from the charter. Regarding planning, he stated that there are two academic lines, one is the research group at UnB, and the other is a network action, and both are complementary, but should also be parallel. He asked LabGEPEN to stress the network action, and suggested that the production of content could also be made through network research. Regarding the products, he is willing to contribute to the magazine's development, and suggested that it would be bi-annual.

Maria Helena Orreda, president of FECCOMPAR – Federation of Community Councils of Parana, greeted LabGEPEN's organizers and officially asked to establish a partnership with LabGEPEN. She informed the group that there are 155 community councils in the state of Paraná, and mentioned that its members are being trained. So, she thinks that through LabGEPEN, strategies of education and training can be maximized. She suggested that the records and annals of the seminar, as well as other products developed by LabGEPEN, could be disseminated at the Federation's platform: www.feccompar.com.br

Suzann Flavia Cordeiro de Lima, professor at Federal University of Alagoas – UFAL, suggested to compose two groups of editors to take turns on the development of editions. He also suggested the elaboration of a call for researchers. dialogando com a proposta do Luiz Antônio Bogo Chies, sugeriu compor dois grupos de editores/avaliadores, para que possam revezar a elaboração das edições. Em relação à filiação ao grupo de pesquisa, sugeriu um edital para pesquisadores.

Izabella Pimenta reminded the group of the existence of the National Institute for Science and Technology (INCT), and proposed that the lab constitute itself as a national institute.

Laura Boeira, director of the NGO Instituto Veredas, which works with the translation of knowledge to favor public policies related to scientific evidences, proposed an union between a certain point in the catalog and the elaboration of the diagram of public policies network, stating that the difference between them is still not clear to her.

André Luzzi talked about solidary economy, culture, and food security, expressing his will to somehow include these themes in the debate. He suggested the idea of inviting former prisoners and inmates' families to compose the group and proposed a reflection about how to reach the affected and leave the university walls.

Christiane Russomano, from Rio Grande do Sul, is part of a research group in PUC/RS. She greeted everyone and expressed her interest in all the products and agreed with Luzzi's speech, in the sense that there are two lines of action: a more academic one and a more practical one. She mentioned many penal policy initiatives all over the country, including parliamentary and research groups. She asked if a network will be created and if LabGEPEN will be the protagonist.

Rosangela, who works at DF's secretariat of public safety, greeted everyone and suggested the use of the expression "de-incarceration policies" instead of "strategies for disincarceration", as well as making contact with social movements already working in this field.

Sister Petra, from Prison Pastoral, invited the lab to sign an agenda to de-incarceration, along with 50 other entities. She commented that she no longer believes in prison because it doesn't solve the issue of violence. She therefore invited the lab to assume a more explicit position in the de-incarceration agenda. She also mentioned a study launched 15 years prior concerning the anti-prison struggle.

Marco Antônio, social worker from Londrina, Paraná, presented himself as a professor and public ministry's employee. He thanked and greeted the organization and expressed his will to participate in the elaboration of the penal policies magazine and on the diagram of the penal policies network, informing, however, that he cannot coordinate the work.

Bruno, professor at the Federal University of Pelotas, thanked the group for the invitation and greeted LabGEPEN, expressing his interest in becoming a member of LabGEPEN. He is also willing to contribute to the magazine.

Valdirene Daufemback, in response to Christiane Russomano, stressed that other forms of intervention are foreseen, such as the formulation and implementation of public policies and advocacy, in addition to permanent products. She explained the reason for separating the issue of identification of practices (contained in the catalog). She also explained the magazine proposal, especially the issue of periodicity, as well as the fact that the diagram also mapped people. She informed the group that there are former prisoners and prisoners' family members in LabGEPEN, and that she also wishes to expand this participation. Then she registered the members who will participate in each product.

Felipe Athayde Lins de Melo stated that the communication strategies are e-mail lists and webinars.

Then, **Debora Zampier** presented the three lines of communication that are being used: one with stakeholders; one among members; and the one with partners and the general public. She presented tools, such as social media, stating that YouTube will be the means in which videos will be disseminated, and that the website labgepen.org will be the main form of communication. She concluded by informing the group that she is planning to organize the website so that people can register as members, and asked everyone to periodically use it.

Finally, **Valdirene Daufemback** noted the intentions of Prison's Pastoral and FECCOMPAR to join the lab, and asked everyone to move to the rooms where the thematic panels would be conducted to continue the Seminar.

Notes

A. Articulation Group:

1. General Articulation – **Valdirene Daufemback**;
2. Institutional Articulation UnB – **Magda de Lima Lúcio** and **Franco de Matos**;
3. International Articulation – **Pollyana Alves**, **Joana Carvalho Costa** and **João Vitor Loureiro**;
4. Academic Articulation – **Fernanda Natasha Bravo Cruz**, **Maria Palma Wolff** and **Izabella Pimenta**;
5. Projects – **Felipe Athayde Lins de Melo** and **Talles Andrade de Souza**;
6. Management of Information and Communication – **Tatiana Whately de Moura** and **Débora Zampier**.

B. Products:

1. **Catalog of Penal Policies Management de Gestão das Políticas Penais** – Biannual publication containing penal policies' indicators, separated by state, that could develop to international comparisons, with findings, proposals, and practices related to penal policies management, strategies to promote alternatives to imprisonment, etc.;

2. **Magazine of Penal Policies** – Annual publication with scientific articles based on three lines of research, that contribute to deepen the field;
3. **Diagram of Penal Policies Network** – Annual publication with maps of people and groups working with penal policies, separated along academic, professional, and civil society axes.

C. LabGEPEN and groups composed during the meeting’s strategies for communication:

- Website (Main form of communication);
- Mailing (members and journalists);
- Social media (*Facebook, Twitter, YouTube, Flickr and Instagram – @labgepen*);
- *WhatsApp*;
- Webinars

D. Composition of initial work groups (the members that were not present are going to be consulted)

Catalog of Public Policies Management	Magazine of Penal Policies	Diagram of Penal Policies Network
1. Marco	1. Chias	1. Marco
2. Débora	2. Marco	2. Laura
3. Rafael	3. Fernanda	3. Cristiane
4. Laura	4. Suzann	4. Bruno
5. Franco	5. Luis	5. Semayara
6. Andrea	6. Palma	6. Andréa Mércia
7. Rosangela	7. Andréa	
8. Cristiane	8. Maurício	
	9. Luis Guilherme	
	10. Bruno	

LabGEPEN’s Foundation Charter is included below, containing the alterations that were debated and validated among participants of the general meeting for planning.

Foundation Charter – Penal Policies’ Management Lab Carta de Fundamentos – Laboratório de Gestão de Políticas Penais

The Penal Policies’ Management Lab (LabGEPEN), linked to the Department of Public Policies Management at the University of Brasilia (UnB), is a transdisciplinary environment that aims to focus on the production and dissemination of knowledge, academic and professional training, university extension, communication, collective construction of policies and operationalization of proposals that can contribute to the review, delimitation and structuring of penal policy in the country.

What are the principals guiding its actions?

First, the understanding that imprisonment, a hegemonic strategy of “punishment for social deviations”, is incapable of accomplishing the proposed goals, be it the alleged protection of society against criminals, the alleged responsabilization and/or recovery of convicted people, or, in greater contradiction, the promise of reducing violence.

Therefore, LabGEPEN is based on the understanding that **conflicts and violence should, when possible, be solved in spheres that go beyond the criminal justice system, especially involving community experiences and/or dejudicialization of conflict resolution.** With this proposal, LabGEPEN seeks to minimize the evils caused by the criminal justice system, due to its own logic of operation, or the specific contours that it assumed in the Brazilian experience, such as, for instance, the inability to attend to and provide an effective response to the victims’ needs, the impossibility of an effective (self) accountability of the perpetrator, and the criminogenic character of the prison, which, instead of helping to break the cycle of conflicts and violence which justified the criminal intervention, ends up deepening it.

We start, therefore, from the criminological and sociological critique, consolidated in theoretical and empirical researches, especially since the 1960s, which point to the selectivity and real functions performed by the penal system, especially in the reinforcement of racial and class inequalities by the criminal justice and other punitive agencies. In addition to specific approaches of studies aimed at understanding the North American and European reality, we seek to prioritize the accumulated knowledge about Latin American and Brazilian experiences, considering the specificities of violence and the punitive practices of our own context.

We recognize that **there is no pragmatic perspective, within the short- and medium-term horizon, to overcome the centrality occupied in our society by the penal law. Therefore, we guide ourselves to the encouragement of practices of penal accountability that are alternatives to imprisonment,** which, included in the penal system scope, seek to advance progressively in the space occupied today by the prison, at the same time that they are strategies that privilege autonomy, dignity and liberty of subjects. The alternatives to imprisonment and restorative justice are especially relevant, in that regard, when developed within or without the judiciary environment.

Nevertheless, the existing data¹ leave no doubt that the central response in the penal field continues to be imprisonment. In Brazil the prison population grew by 707% between 1990 and 2016, reaching, in June 2016, the mark of 726,712 persons deprived of liberty, with a prisoner rate of 352.6 prisoners per 100,000 inhabitants.

With a prison contingent growing exponentially, conditions of imprisonment deteriorate more each day. The occupation rate of the units reached the mark of two people arrested per vacancy; the percentage of prisoners who study or work is still very low, 12% and 15% of the prison population, respectively.

Given this scenario, LabGEPEN seeks to focus on the values and practices that guide the prison policy currently conducted. As a rule, what has been observed in prisons are state practices that, by action or omission, impose deep suffering and violation of the dignity of people in custody. The practices that prevail in the prison system come from knowledge imported from other fields, such as public safety, without the recognition of a proper field of knowledge that can guide actions within the scope of the penal policy.

From that point, one can notice, from a repressive discourse oriented to the “contention no matter what” of inmates, the mobilization of a supposed dichotomy between “safety” and “rights”. According to this “doctrine”, which is highly widespread in the country’s prison management, guaranteeing the order and stability of prison units would only be possible due to deprivation of rights, with the immobilization and extreme contention of the persons in custody.

This implies, among other elements, in the excessive, disproportionate and often criminal use of “less lethal” guns, the restriction of prisoners’ movement, and prisoners with reduced access to services and rights, enclosed in cells 22, 23 or 24 hours a day² and, in general, in the adoption of techniques of neutralization and silencing, such as the use of medications to sedate prisoners, or the impossibility of contact with the outside world. Rights assured by the Constitution, in law and in international commitments assumed by Brazil, are denominated and operationalized within prisons as “privileges,” and their access is conditional on obedience to extralegal rules of conduct imposed by the administration of the prisons or, different groups (criminal or not) that, from the interior of the prisons, assume the functions of management and control of their environments.

Producing knowledge and focusing on this scenario, based on university research and extension, is one of LabGEPEN’s central goals. The construction of knowledge and proposals with a view to articulating intersectoral policies and new management concepts, understanding them as the feasibility of values, knowledge and interactions, in a coordinated and effective way to focus on the core of prison practices, re-signifying the incipient field of criminal policies, is proposed. It is possible, in this way, to minimize the negative impact of the experience acquired

1 INFOPEN, 2016.

2 Visit reports from the National Mechanism to Prevent and Fight Against Torture, 2015 to 2018.

in prison on inmates, offering them as many instruments as possible to allow them to signify and exist during the period of deprivation of liberty, and to seek the reconstruction of their life trajectories, preferably not directed by the penal system. We also intend to act in the training and practice of managers and professionals of various penal policies, designing strategies to qualify their routines and working conditions, as well as to enable a deepening of this knowledge in the training provided by the academic environment itself.

Prison is, by its own nature, an institution aimed at punishment, suffering and segregation, and it is impossible to make it truly beneficial to all prisoners or society, as the “resocialization” or “reintegration” discourses claim. We act, therefore, in the search for the adoption of criminal policies that are capable of breaking with the centrality that it finds in society.

At the same time, LabGEPEN affirms the importance of a total **transformation in the prison management’s practices, allowing different sectors of public policies – education, health, work, social work, culture, and sports, among others – to “trespass” the prisons’ walls to produce new meaning, values, practices, and routines. These changes will only be possible with the action of society in the decision making and feasibility processes of penal policies and services, in the effective exercise of social participation.** This is also a need so that **institutional practices are permeated by the consequences of an intersectional view that recognizes** the superposition of social identities and systems related to oppression, domination, and discrimination, especially considering race and ethnicity, class, gender, generation, nationality, and faith, among others.

Recognizing that the use of the penal system as a strategy for social control is a world phenomenon and that the improvisation in the delimitation and action of penal policies is employed to strengthen practices of violation of human dignity and exception regimens, **LabGEPEN organizes itself from converging reflections, researches, proposals, and strategies with international partners.** Sharing common visions and projects, we hope to maximize efforts for the comprehension and inclusion of globally-recognized policies, allowing critical and propositive thought in the field.

This positioning is made feasible from a **transdisciplinary perspective**, in which all forms of knowledge are important and equally compose reality. Therefore, LabGEPEN welcomes all areas of knowledge and different segments, involving civil society, researchers, and professionals. LabGEPEN also understands that **the end and the beginning of its intervention is on the field of a public policy that needs to be sedimented to avoid being too fragile to the arbitrarities from authoritarianism and populism** to which it is susceptible due to the kind of social impact it provides; **from amateurism**, considering the level of improvisation that it was historically submitted to; **and to the prioritization of market interests to the detriment of its constitutional goal**, risk that comes from the number of resources involved.

Among the concepts that allow a reinterpretation and a new formulation of the field, two stand out in the constitution of LabGEPEN, namely, the penal policy and penal services.

To conceive a penal policy is to approach a public policy dedicated to thinking, constructing, and managing the instruments and services that account for criminal responsibility; that is to say, considering the activation of the state machine in the face of a criminal infraction and a judicial decision, starts actions to comply with the measure, given the characteristics of the situation and those involved. For this, it is necessary to have specialized penal services, which are structures that involve equipment, flows, and technical staff to monitor the penal alternatives, for the application of electronic monitoring, for deprivation of liberty in different regimens, and for attention to the former prisoner, besides instances of external control, correction and professional training. At the same time, it is important to encourage, among workers and scholars of penal policies, the disposition of dialoguing outside the field to promote strategies and tools for cross-cutting public actions that take into account the complex reality of penal policies.

The university, as a space for production and dissemination of knowledge and construction of a fairer and more equal society, should take a position in the defense of public policies based on human rights and democracy. When we especially conceive policies that can identify the deprivation of liberty, it is even more essential to problematize and face violations promoted or tolerated by the State. These are the founding values to the existence and action of UnB's Laboratory for Penal Policy Management.

Launching of the book **Beyond Prison: Reflections and Proposals for a Penal Policy in Brazil**

Besides the discussion tables, thematic panels, and other specific meetings, the First International Seminar for the Management of Public Policies counted with the launching of the book ***Beyond Prison: Reflections and Proposals for a Penal Policy in Brazil*** on the evening of September 19, 2018.

How does one understand the Brazilian prison tragedy and how to carry out a process of reconstruction of penal policies in the country? In fourteen articles by different authors and a propositional agenda, this publication, coordinated by Renato CP of Vitto and Valdirene Daufemback, intends to fill gaps in the production of themes related to the management of penal services, understood as the set of actions and structures regarding alternatives to imprisonment, electronic monitoring, deprivation of liberty, and care of former prisoners, that is, the entire field of penal policy not limited to imprisonment.

The authors combine academic knowledge and professional experience in order to address, in a simple but profound way, the dimensions of penal policies in Brazil, a discussion promoted by LabGEPEN, from the Department of Public Policies Management at the School of Administration, Accounting, Economy, and Management of Public Policies of the Public Policy Management Department of the Faculty of Administration, Accounting, Economics and Management of Public Policies of the University of Brasília (GPP / FACE / UnB).

