

2018

ANNUAL REPORT



* EDITORIAL

Executive Team: Ana Navarrete, Andresa Porto e Janaina Homerin

It is with great pleasure that the Criminal Justice Network (in Portuguese, Rede de Justiça Criminal - RJC) publishes its first activity report!

Established in 2010, RJC has been dedicated to intense monitoring and incidence work in the process of drafting laws, based on the efforts of civil society organizations to promote social participation in the construction of Brazilian criminal policy. Legislative advocacy is, therefore, what motivated the creation of the Criminal Justice Network and what guides our actions throughout the eight years of its existence.

During this period, RJC contributed to the achievement of important results in favor of a fairer and more responsible criminal law. For us, respect for individuals dignity and for fundamental rights and freedoms is the unshakable premise of criminal law, guiding legislative production and administrative regulation in criminal enforcement matters.

In recent years, RJC has been expanding its advocacy activity beyond the direct impact on the legislative process, based on the understanding that communication and mobilization are essential to strengthen citizen participation in political decision-making. Thus, between 2017 and 2018, we launched two major campaigns aimed at raising awareness and increasing information among the general public on the subject of criminal justice.

Addressing seriously the prison issue means going beyond the statistics. Behind the staggering amount of imprisoned people, evidenced by the phenomenon of overcrowding, there are stories that bring to light the reality of life in prison. It is necessary to know this reality, without which the logic that underpins the criminal law is no more than an epistemological exercise. Observing what is meant by the fulfilling of a custodial sentence in a Brazilian prison unit, it is clear that we are far from promoting justice. On the contrary, the reality of the prison system threatens the achievement of the ideal of justice that moves us, violating rights and feeding the

gears of violence that prevent the process of resocialization of the prisoner and reparation of the victim and society.

In order to support member organizations in the challenge of broadening the public debate, since May, we started to count on a communication advisory service, taking the communication to a priority level of action of the collective with broad potential of democratization and diversification of interlocutors.

The work of communication and advocacy are, therefore, tools to accomplish the participation of the society in the political decision-making. In this sense, RJC's actions are added to the effort to qualify the public debate and the political construction, in which several actors play in the defense of social interests.

What characterizes RJC is its plurality. The meeting of organizations and people with distinct and complementary trajectories, driven by common engagement, that believe in the power of articulation and collective construction to develop in the elaboration of a fairer criminal and security justice policies, humanized and effective. This articulation of forces between partners is the transformative engine of civil society, with the goal of preventing setbacks that impact the lives of all. We recognize, value and thank the collaboration of institutional partners, experts, researchers, collaborators and many other individuals and groups that, in different ways, have contributed to the activities of the Criminal Justice Network.

Challenges remain, ranging from forthcoming legislative innovations to confronting the structural causes that historically shape the selectivity of the penal system and the option for mass incarceration. It is necessary to advance in the questioning of the prevalence of the prison sentence and to promote more responsibility with the public authorities, in the conception as well as in the execution and the evaluation of the criminal policy. This is the commitment of the Criminal Justice Network.

* ABOUT CRIMINAL JUSTICE NETWORK



Created in 2010, the Criminal Justice Network (RJC) is a collective made up of eight Brazilian civil society organizations, with the objective of contributing to the qualification of the public debate and, based on empirical research and official data, on the political decision-making to make the criminal justice system more humanized and consistent with the fundamental rights and freedoms guaranteed to all human beings.

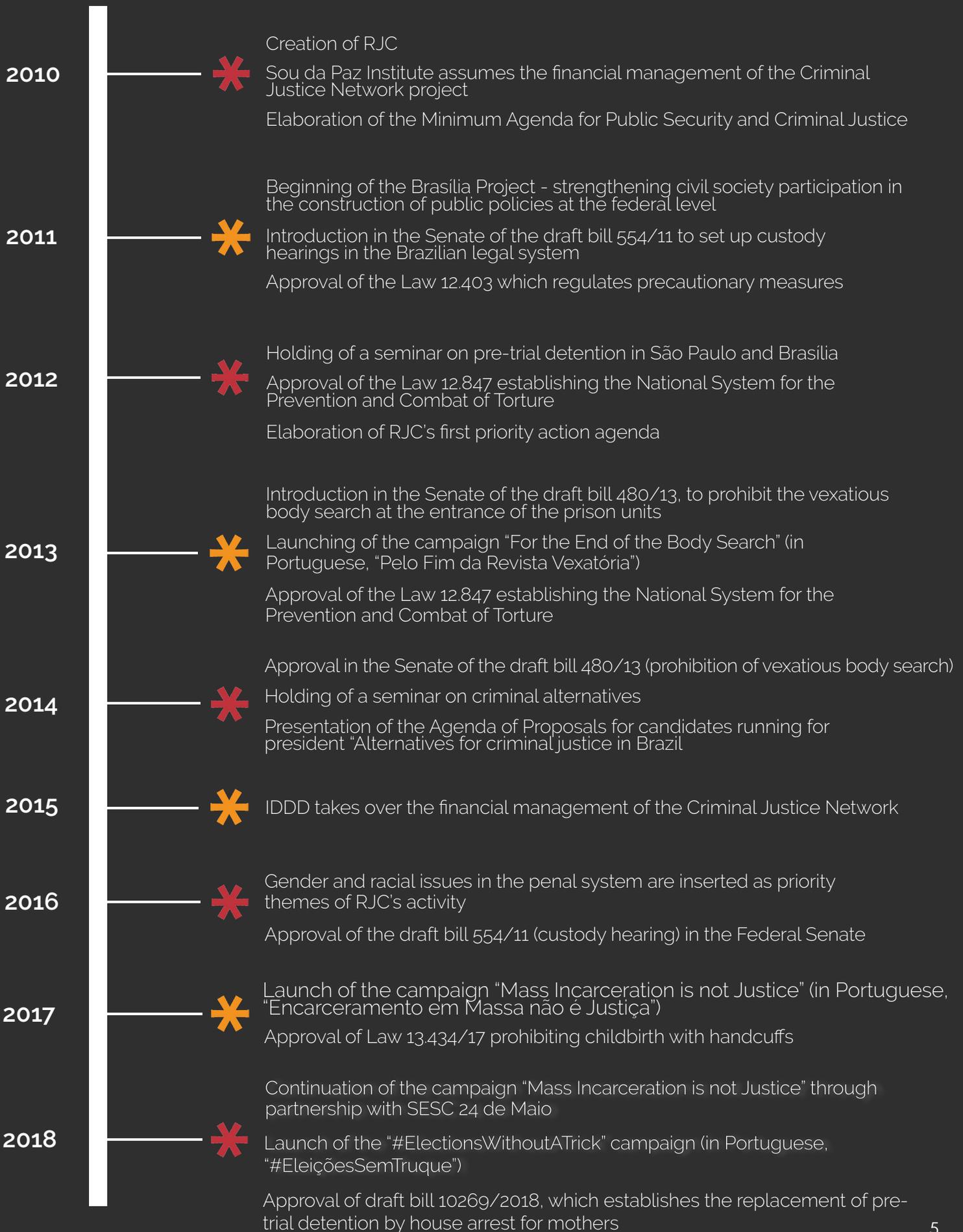
Today, the Network is composed of the following organizations: the Center for Security and Citizenship Studies (in Portuguese, Centro de Estudos em Segurança e Cidadania - CESeC); Conectas Human Rights; the Office of Legal Advice to Popular Organizations (in Portuguese, Gabinete de Assessoria Jurídica às Organizações Populares - GAJOP); the Institute for Defense of the Right to Defense (in Portuguese, Instituto de Defesa do Direito de Defesa - IDDD); the Institute of Human Rights Defenders (in Portuguese, Instituto de Defensores de Direitos Humanos - DDH); the Sou da Paz Institute; the Land, Work and Citizenship Institute (in Portuguese, Instituto Terra, Trabalho e Cidadania - ITTC) and Global Justice.

The joint action of the member organizations allows the exchange of experiences, collaboration between entities with different specialties and the mutual impulse towards shared goals.

As a result of this action, the Criminal Justice Network defines, each year, a priority action agenda, which involves direct incidence, through monitoring of draft bills and policies in the field of criminal justice and development of advocacy work with the public authorities and civil society. In addition, it seeks to mobilize public opinion and other political actors through strategic communication in order to effectively influence the construction of the criminal policy and promote positive changes in the Brazilian justice system.

* TIMELINE

2010 - 2018



* ADVOCACY AND COMMUNICATION: IMPACTS OF A JOINT ACTION

The Criminal Justice Network follows up the work of managers and parliamentarians, as well as propositions related to criminal justice, providing content, studies and research. Being a network of civil society organizations specialized in the subject, its methodology also includes the production of propositional agendas, as well as the construction of proposals for legislative amendment and monitoring of those already in progress in the field of criminal justice.

The main themes and projects followed in 2018 were:

GENDER IN THE CRIMINAL SYSTEM

Senate draft bill 43/2018 (aims to amend the Early Childhood Legal Framework to provide for the rights of children whose mothers and fathers are under custodial sentences)

Why follow up? Gender is one of the priority themes of the Network, as it is a key issue to discuss the mass incarceration in Brazil, since the number of women imprisoned in the country has grown more than 500% in the last 16 years. Today, more than 40,000 women are in prison, but there is not yet, for example, data about an extremely present issue in female imprisonment: maternity. There are a number of researches, international recommendations and even laws that determine the needed attention to the vulnerability of pregnant women and mothers in prison in order to release them from prison. Only in November of 2018 the Law 13.769 was enacted, which establishes the substitution of detention by house arrest of pregnant women, mothers or guardians of children or people with disabilities.

ADOLESCENTS

Senate draft bill 19/2018 - Current Law 13.675 (on the implementation of the Unified System of Public Security - SUSP)

Proposal for Constitutional Amendment 115/2015 (reduction of the age of criminal responsibility)

Draft bill 7197/2002 (increase in length of detention)

Why follow up? RJC worked together with other civil society organizations and class entities, alongside the Federal Senate and the Presidency of the Republic, calling for the suppression of the National System of Socio-Educational Service (in Portuguese, Sistema Nacional de Atendimento Socioeducativo - SINASE) of the Unified System of Public Security (in Portuguese, Sistema Único de Segurança Pública - SUSP). In addition, the RJC is against the reducing of the age of criminal responsibility and any other project that aims to increase punishment for adolescents in conflict with the law.

CRIMINALIZATION OF SOCIAL MOVEMENTS

Draft bills that amend the Anti-Terrorism Act (No. 13.260/2016) and those related to the right to protest

Why follow up? There are more than 50 draft bills that address the right to carry out street protests, ranging from imposing some type of restriction or criminalizing political demonstrations to those seeking to establish conditions for the exercise of this right. Since 2017, the Network, in partnership with Artigo 19, maintains a page that brings together all the draft bills with clear and direct language. Access: projetosdeleiprotestos.org/

VEXATIOUS SEARCH

Draft bill 7764/2014 (provides on personal search and prohibits vexatious search in prisons)

Draft bill 3832/2015 (provides on the personal search and prohibits the personal search in the SINASE detention units)

Why follow up? The intimate and personal search to which relatives of prisoners and adolescents in compliance with measures of detention in the National System of Socio-Educational Service (SINASE) are subjects in visiting days is called vexatious search by its features. Although it is already recognized as a violation of rights by some state laws, such as by the states of Rio de Janeiro and São Paulo, for example, the approval of bills 7764/2014 and 3832/2015 is necessary for the vexatious search be abolished throughout the national territory. The Network's action on this issue is a priority, including the development of a great national campaign called "For the End of the Vexatious Search" (fimdarevistavexatoria.org.br)

CUSTODY HEARING

Draft bill 6620/2016 attached to the draft bill 8045/2010 (Reform of the Code of Criminal Procedure)

Draft bill 7908/2017 (on the implementation of custody hearing in the socio-educational system)

Why follow up? The custody hearing is the first meeting of the person arrested with the competent judge to investigate the legality of the arrest, which shall occur within 24 hours. The Network believes that this is an essential mechanism for safeguarding rights, preventing torture and combating pre-trial detention.

CRIMINAL POLITICAL RESPONSIBILITY

Draft bill 4373/2016 (establishes the need for prior analysis of the social and budgetary impact of legislative proposals that deal with the creation of new types of penalties, increased sentence or that make the enforcement of punishment more rigorous)

Why follow up? It is essential that the Brazilian State implements a more rational criminal public policy that watches over the responsible use of resources and also the social impacts in the field of security and justice. Based on this premise, RJC understands that its role is to include the topic in the debate, between the three Branches of Power of the Republic and in civil society. The draft bill 4373 opens a door to the growth of this discussion in the legislative power and serves as the basis for a growth with more public participation.

DRUGS

Draft bill of the Chamber of Deputies 37/13 (increases penalties and address the compulsory detention)

Commission of Jurists to prepare a draft update of the Narcotics Act and National System of Public Policy on Drugs

Why follow up? The drug policy adopted by Brazil is one of the main things responsible for the mass incarceration, besides being constantly instrumentalized for the criminalization of people who use drugs. RJC supports the regulation of the cultivation, transportation and use of all drugs.

ON THE RADAR

Senate draft bill 580/2015 - Aims to establish the obligation of the arrested person to compensate the State for expenses with their custody

Draft bill 7885/2014 - Loss of position or function in case of torture practiced by a member of a public security body

Draft bill 7223/06 - Maximum security penitentiary system

* INSTITUTIONAL COMMUNICATION

Over the years, the Network has expanded its range of activities, increasing its visibility and acting in more themes.

Its contribution has been increasingly recognized by actors in the criminal justice system. However, besides the monitoring and direct action in the construction of a fairer criminal policy, the Network considers that political participation is essential for society as a whole to engage to ensure that its rights are guaranteed.

Therefore, in view of its growing influence in the public debate on criminal justice, the Network has sought in the last year to approach other civil society organizations, particularly outside the region of São Paulo and Rio de Janeiro, driven by the idea that the diversification of voices reinforces the consolidation of democracy in Brazil.

The Network believes that the qualification and political participation of civil society is crucial for strengthening the institutions and democratic processes established by the Constitution.

That way, strengthening our communication materials and mobilizing civil society has the precisely intend to leverage the legislative debate, broadening social participation and bringing technical inputs to it.

Since the arrival of the communication professional to the team, activities were developed to qualify the public debate, such as the systematization of a communication plan based on the history of actions already developed by RJC, and the creation of the institutional profile on Facebook, which already has more than 400 likes on the page.

+9000

accesses to institutional website

+13000

accesses to the website of the campaign "Mass Imprisonment is not Justice"

400

likes on Facebook



In 2018, 17 documents were produced or signed by RJC. The presence in the media was mainly due to the two campaigns. There were 28 insertions in the media, with special emphasis on publications of articles in the journal Le Monde Diplomatique and for the coverage of vehicles such as Ponte Jornalismo and CBN radio.

In addition to clipping, the campaigns have enable important partnerships, such as the establishment of a column in the portal Justificando and collaboration with Quebrando o Tabu Facebook page, which has yielded more than 1,800 shares and more than 180,000 views on Facebook.

28

Media Insertions

25

Web

01

TV

02

Radio

* PUBLIC STATEMENTS

The Criminal Justice Network took a public stand regarding three events that directly impacted the core of the political and democratic action of Brazilian society. In chronological order, they were:

March/2018

The murder of Marielle Franco and Anderson Pedro Gomes

In the statement, RJC expressed its solidarity with the families and friends of both victims and was part of the chorus of the broad democratic yearning for a rigorous and responsible investigation, within the limits of the law, that guarantees the proper accountability of all those involved. Federal intervention can not serve as a smoke-screen for the elucidation of a crime that has serious characteristics of execution.



October/2018

Threats against democratic participation (1st round of elections)

For the Network, transparency and social participation are essential foundations for the consolidation of Brazilian democracy, which mark the action of any rule of law, a paradigm assumed by Brazil since the promulgation of the Federal Constitution of 1988.



October/2018

The victory of the candidate of the Social Liberal Party (PSL) to the Presidency of the Republic, Jair Bolsonaro

In the statement, the Criminal Justice Network renewed the determination and intensification of its efforts to face the serious threats to the realization of fundamental rights and guarantees.



* EVENTS

In total, the Criminal Justice Network participated in 17 events in 2018, which took place in several states of Brazil.

In April, Janaína Homerin, executive secretary of RJC, participated in the 10th GIFE Congress - Brazil, Democracy and Sustainable Development, (GIFE is the Portuguese acronym for Group of Institutes, Foundations and Enterprises). The event, held annually, aims to discuss about the contributions of private social investment to the formation of new agendas and convergences in the country



10th GIFE Congress

In August 2018, the Network was invited to participate in a public hearing convened by the Commission of Human Rights and Minorities of the Chamber of Deputies to discuss the prospects of combating mass incarceration. The Network was represented by Raissa Belintani, ITTC researcher, the only woman at the audience table.



Créditos: Câmara dos Deputados

The main focus of the discussion was the lack of accuracy of the official information on imprisonment in Brazil. As a result, Raissa Belintani and Janaína Homerin, executive secretary of the Network, prepared an article for the journal *Le Monde Diplomatique* to share this concern with a larger audience, and also connect with the “#ElectionsWithoutATrick” campaign.

Public Hearing in the Chamber of Deputies

EVENTS ✖

In October, in partnership with SESC Santana, Amparar, Gerando Falcões, ITTC and Responsa Institute, RJC supported the holding of the seminar “ReIntegrating, with Equity of Race and Gender” (in Portuguese, “ReIntegrar, com Equidade de Raça e Gênero”), held in São Paulo and organized by the Center of Studies on Labor Relations and Inequalities (in Portuguese, Centro de Estudos das Relações de Trabalho e Desigualdades - CEERT).

The goal of the meeting was to promote discussions about the employability of people who have served their sentences in the prison system from an intersectional perspective, with insights of gender and race, and to disseminate practices of civil society organizations in this subject.

The poster is for a seminar titled "ReIntegrar, com equidade de raça e gênero" (ReIntegrating, with equity of race and gender). It is scheduled for October 25th, from 13:00 to 17:00 hours, at SESC Santana in São Paulo. The topic is a discussion on challenges in the world of work for people who have served their sentence in the prison system. The event is limited to a certain number of seats. The poster features a photo of Xênia França, who will be performing a show. The organizing institution is CEERT, and it has support from SESC, ITTC, Gerando Falcões, and Responsa. The website www.ceert.org.br is provided for registration.

“ReIntegrating, with equity of race and gender”



Créditos:

In November, RJC was represented by IDDD advocacy advisor Nathalie Frago in a public hearing on the Senate draft bill 272/16 (amending the Anti-Terrorism Act) in the Commission of Constitution and Justice of the Federal Senate. This debate was extremely important in order to bring light to a subject that is both relevant and dangerous, which is the typification of terrorism.

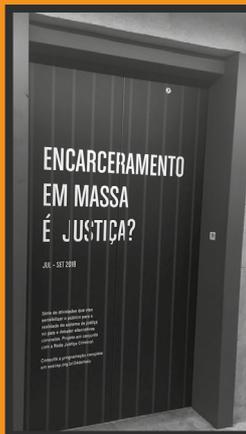
Public Hearing Anti-Terrorism Act

* CAMPAIGNS

Mass Incarceration is not Justice



Créditos: Conselho Nacional de Justiça



The campaign “Mass Incarceration is not Justice” was launched in 2017, being the result of a partnership between the Criminal Justice Network with the advertising agency J. Walter Thompson Brazil and the OAK Foundation. The goal of the campaign is to give more visibility to the culture of mass incarceration, which has been ruling for decades in Brazil. Through a virtual reality equipment, the person is projected inside a typical Brazilian cell, overcrowded, where people compete for space to survive. The purpose of the experiment is to lead the approach to the subject of incarceration. The video “Visceral Reality” (in Portuguese, “Realidade

Visceral”), aims at giving visibility to life in prison, offering the opportunity to disseminate the testimony of people who have experienced these conditions.

In some actions, the video is watched inside a facility that simulates a prison cell. Those who participate in the experience are invited to sign a petition in support of four measures to reverse the current Brazilian criminal policy, which places the prison sentence as the State’s main response to cases of committing a crime - or the suspect of it.

1

Custody hearing must be part of the law

2

Releasing those who have served their sentences

3

End the overcrowded prisons

4

Ensuring the rights of women in prison

The year of 2018 was marked by the diversification of the campaign. In March, an action that featured the video followed by a debate on the theme was on the agenda of the World Social Forum, which would be held in Salvador, Bahia. However, due to the brutal murder of Marielle Franco and Anderson Gomes, which occurred on the day before, the event was canceled. This episode exposed the violence that haunts human rights activists, leading to the release of a public statement from the Criminal Justice Network.

In May, the Communications Office of the Open Society Foundation invited the Network to present the campaign at the Drug Policy Museum, in Mexico City. The Museum is a center of art and culture that brings together artistic expressions from around the world to talk about how drug policies impact and shape the society.



Another action that created a great impact for the dissemination of the campaign was the Network's unprecedented partnership with SESC 24 de Maio. Under the name "Is Mass Incarceration Justice?" (in Portuguese, "Encarceramento em Massa é Justiça?"), the campaign was part of SESC's events schedule from July to September and featured a number of activities beyond the virtual reality experience, such as debates, called ConverSaraus, concerts, dance and theater shows.

This SESC unit, being located in the center of São Paulo, reaches a plural audience, often directly affected by the criminal justice system, allowing a more direct interaction with the public and an even richer exchange of knowledge. During this three-month period

of exhibition, about 2,000 people participated in at least one activity, and more than 1,500 signatures were collected for the petition, and the partnership ended with the possibility of extension to other SESC units.

2000

people visited the exhibition at SESC 24 de Maio

1500

people signed the petition at the time

In November, RJC was invited to present the campaign in the training course of the Magistracy School of the Federal Regional Court of the 3rd Region on female imprisonment. The presentation, followed by the exhibition of the virtual reality, was held for newly elected federal judges.

In December 2018, the Criminal Justice Network was invited by the National Justice Council (in Portuguese, Conselho Nacional de Justiça - CNJ) to display the campaign and the video "Visceral Reality" at the XII National Meeting of Judiciary Power, in Foz do Iguaçu, in the State of Paraná. The intervention was carried out in partnership with Emerson Martins Ferreira, creator of the project Reflections of Freedom (in Portuguese, Reflexões da Liberdade), protagonist of the video of the campaign. On that occasion, the President of the Federal Supreme Court, José Antônio Dias Toffoli, went through the experience and extended the invitation to the other 400 participants of the event.



Créditos: Conselho Nacional de Justiça

* CAMPAIGNS

Elections Without a Trick



Seeking to take advantage of the electoral period to discuss human rights issues and qualify the public debate on security, an issue of great concern to Brazilian voters during the electoral period, the Network launched the “Elections Without a Trick” campaign in July. The campaign aimed to provide information in order to identify unfounded electoral proposals on public security and criminal justice.

The motto of the “Elections Without a Trick” campaign, therefore, arose from the large number of unrealistic proposals based mainly on common sense rather than empirical information, and which often only reinforce a conservative speech that increasingly claims prisons and punishment, being that none of this has reduced the levels of violence in all these years.

The campaign’s call to action encouraged people to analyze and question the proposals of their candidates for the state government, the Presidency of the Republic and state and federal legislative positions, and people could send questions such as “What data and studies base your proposals?” or “Why is there lack of information on the country’s prison situation?”.

Questions could be sent via the campaign’s digital platform, where it was also possible to access the complete document, which served as a guide to identify unrealistic proposals of candidates and provided information based on official research and data. In total, more than 1,300 questions were sent, in addition of more than 50 press kits that were distributed to newsrooms in São Paulo and other regions of Brazil.

The innovation in the methodological approach was to include known fallacies of electoral speech and common sense phrases on packaging of consumer items such as soap and moisturizing cream in order to get people's attention at first glance and make room for the questioning about such statements, as opposed to public data consolidated by the Network.

The first action aimed at the general public focused on the spontaneous reactions of the population and was recorded in the video that presents the campaign on the online platform. In the video, titled "#ElectionsWithoutATrick - Voting in a State Policy for Criminal Justice" (in Portuguese, "#EleiçõesSemTruque - Votando em uma política de Estado para justiça criminal"), people hailed the initiative to take the debate to the streets. They also expressed the opinion that the abusive use of prison sentence is not a good policy because, in addition to not fixing the violence problem, it serves only to continue imprisoning people of the same profile: poor and black people. To reduce violence, actions in the areas of education, leisure and culture are more relevant.



In addition to the launch events, the Network organized an open discussion and broadcast it live to the public of the social networks in the bookstore Taperá Taperá. Attended the discussion Janaína Homerin, representing the Network; Nathália Oliveira, of the Brazilian Platform for Drug Policy; Bruno Langeani, from the Sou da Paz Institute, and Edna Jatobá, from GAJOP.



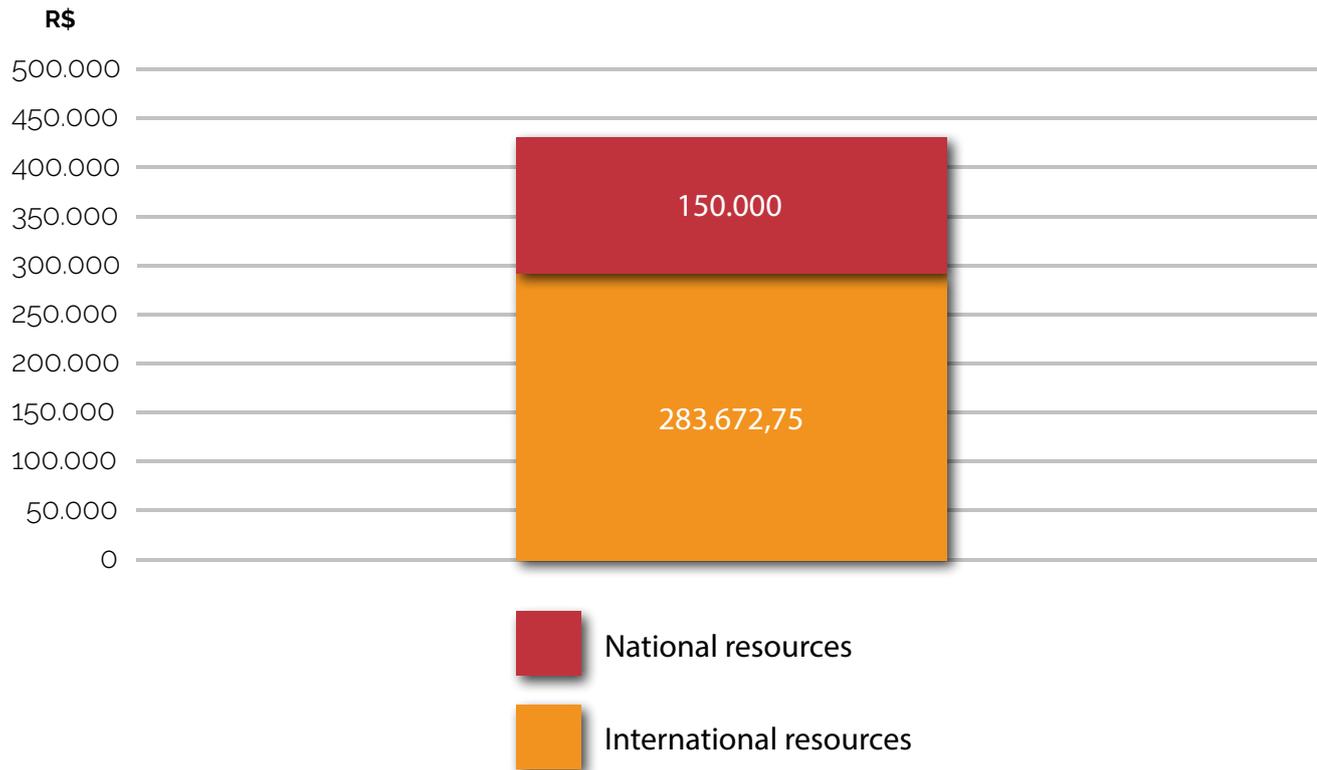
After the launch of the campaign, the Network started to be invited to take the discussions to other spaces. In August, RJC was invited by the QuatroV program to present the campaign. Ana Navarrete, Network Communication Advisor, and Maria Clara D'Ávila, ITTC member, were involved. In the same month, at the invitation of GAJOP, the Network attended the First Public Security Conference of Pernambuco. Through the approach with the Pact for Democracy, participated in the Festivote in August, and Virada Política, in September. In the same month, it also organized the debate "Media, Elections and Public Security", in partnership with the Brazilian Collective of Social Communication Intervozes (in Portuguese, Coletivo Brasil de Comunicação Social - Intervozes), which took place at the Maré Museum in Rio de Janeiro.



The campaign had a prelaunch event on July 26 aimed at presenting it to civil society partners and reinforcing the interrelationship of the incarceration issue with related topics such as combating racism, the right to information, transparency and democratic participation, among others. The press release event took place on July 31. The events were attended by Raquel da Cruz Lima, consultant of the Network and the writer of the material, Janaína Homerin, executive secretary, and Ana Luiza Voltolini Uwai, a member of the ITTC communication team.

* TRANSPARENCY

The Criminal Justice Network values the transparency and seriousness of its work. For this reason, the amounts of funding received are available in this report. In 2018, Open Society Foundations was responsible for the international resources invested in The Network, while Brazilian Fund for Human Rights was responsible for the national resources. They were:



* MEMBERS AND PARTNERS

Center for Security and Citizenship Studies (CESeC)
Conectas Human Rights
Office of Legal Advice to Popular Organizations (GAJOP)
Institute of Human Rights Defenders (DDH)
Institute for Defense of the Right to Defense (IDDD)
Sou da Paz Institute
Land, Work and Citizenship Institute (ITTC)
Global Justice

Oak Foundation
Open Society Foundations
Betty e Jacob Lafer Institution
Brazil Fund for Human Rights (in Portuguese, Fundo Brasil de Direitos Humanos - FBDH)

Artigo 19
Tobacco Control Alliance (in Portuguese, Aliança de Controle do Tabagismo - ACT)
Center of Studies on Labor Relations and Inequalities (in Portuguese, Centro de Estudos das Relações de Trabalho e Desigualdades - CEERT)
Coding Rights
Factory of Brazilian Ideas (in Portuguese, Fábrica de Ideias Brasileiras - FIB)
Brazilian Forum on Public Security (in Portuguese, Fórum Brasileiro de Segurança Pública - FBSP)
Popular Forum on Public Security of Pernambuco (in Portuguese, Fórum Popular de Segurança Pública de Pernambuco)
Brazilian Institute of Criminal Sciences (in Portuguese, Instituto Brasileiro de Ciências Criminais - IBCCRIM)
Alana Institute
Intervozes
Veredas Institute
Justificando
Taperá Taperá Bookstore
Movimentos
Pacto pela Democracia
Brazilian Drug Policy Platform (in Portuguese, Plataforma Brasileira de Política de Drogas - PBPD)
Pulso Público
Quebrando o Tabu
Redes da Maré
Reflexões da Liberdade
SESC 24 de Maio
Taturana

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