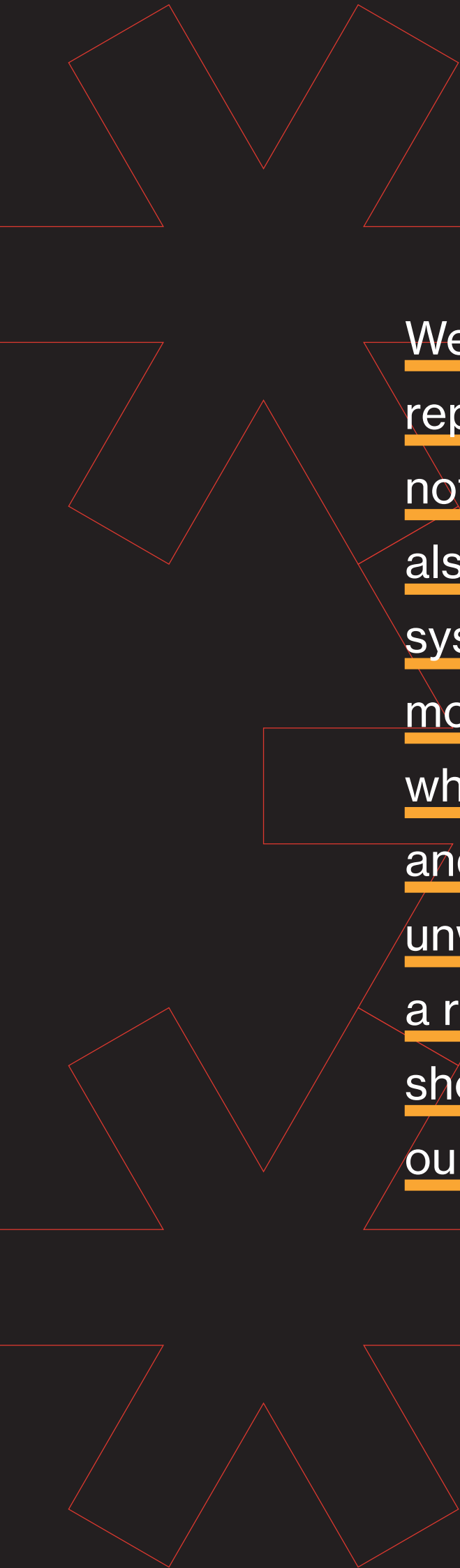


CRIMINAL

JUSTICE

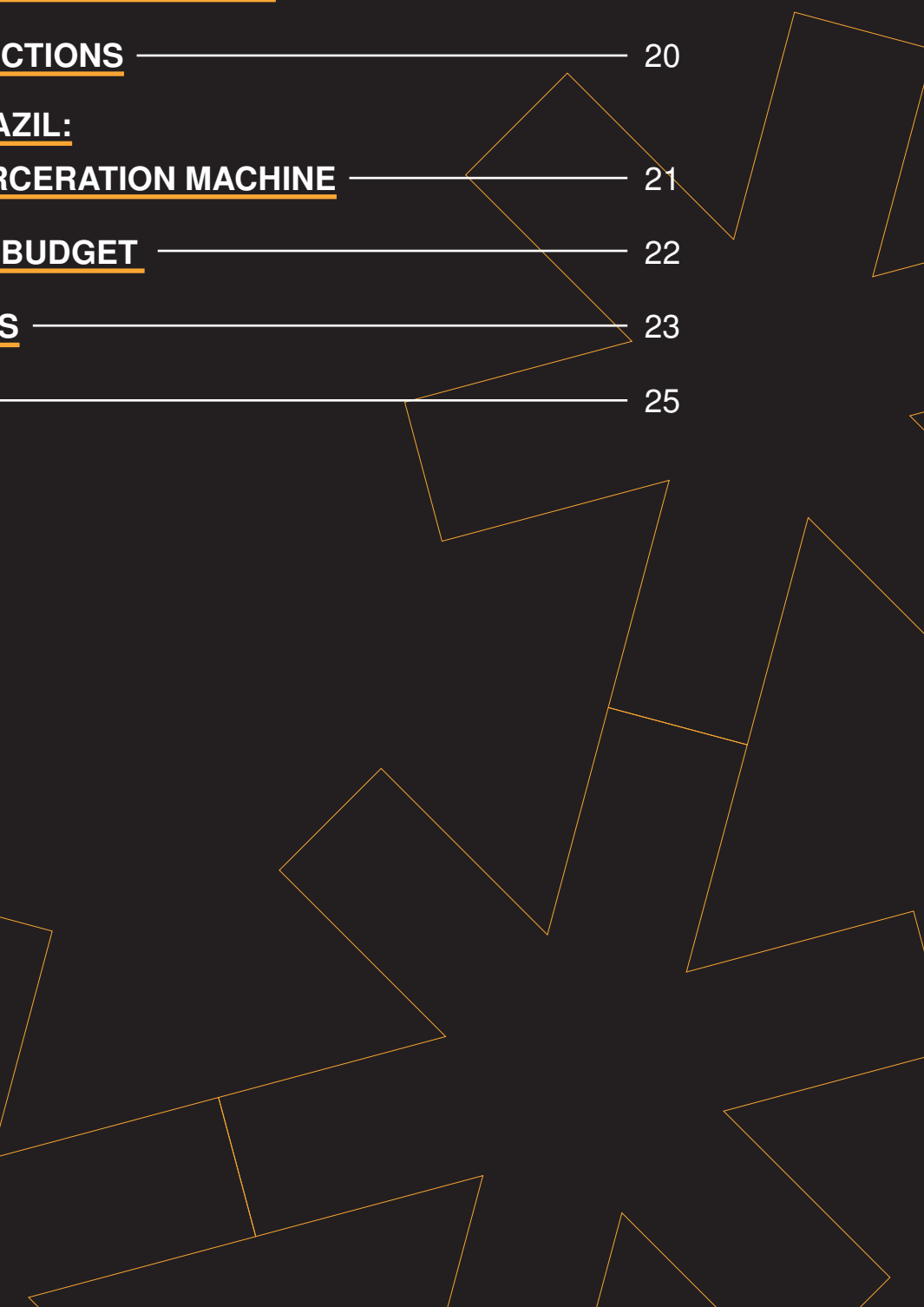
NETWORK



We hope that through this
report we can give visibility
not only to our actions, but
also to the reality of a justice
system that fails the lives of
more than 800,000 people
who are under their custody
and that transforms the
unworthy and exclusion into
a rule of measure for what
should never be tolerated in
our societies.

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PRISON GETS SICK

TWO THOUSAND AND TWENTY-ONE MARKED the one-year anniversary of the pandemic. On one hand, the year was marked by the emergence of the new variants of Covid-19 and by the still intense proliferation of deaths around the world, especially in Brazil. On the other hand, the creation of new vaccines could bring some relief and hope for a future with greater, if not absolute, health control. However, when it comes to detention systems, it is difficult to translate any sense of optimism into practice.

We already knew that the prisons we know are a reproduction machine of inequality, violence and unhealthy living conditions. What we could not yet envision was the size of the negative impacts that an unknown pandemic situation could cause in highly precarious spaces, where management and conditions are often hermetic and where the failure to respect basic rights is the rule.

Since 2020, the Criminal Justice Network (RJC) has fought tirelessly to prevent and combat the misfortunes brought about by the current crisis. There have been countless public notes, advocacy actions, accusations and demands from public authorities. Day after day, we were facing the effort to confront the unreliable official data and ensure that the setbacks brought by the pandemic were reversed in the face of fears that it would be perennial.

Despite the challenges, RJC remained resilient. We launched important researches on Covid-19, in prisons and its effects on custody hearings. The platform “Left to Die” (In Portuguese, “Deixados para Morrer”) and the dossier “Mistake in the system: the dismantling of custody hearings” (in Portuguese: “Erro no sistema: o desmonte das audiências de custódia”) are examples of this. In addition, the Network continued its plans of some years ago to move its headquarters to one of its organizations in the Northeast – Gajop – in order to expand its strategies and dialogues with old and new partners.

We have expanded our agenda to incorporate the so-called “gateways” to the criminal justice system in a more mature way. To this purpose, Network launched a new website, with the collective’s work axis revised. We did training on drug

Our contribution as a collective is part of the mission to combat mass incarceration, with anti-racism as a central and non-negotiable premise

policy and launched a work agenda and goals to be achieved. Finally, with the hybrid return of some committees in Congress, our advocacy could gradually return to its participation in the daily life of the Legislature, resuming face-to-face dialogue with advisors, offices and parliamentarians.

Without the hard work of its member organizations and the support of the partners and collaborators, the difficulties would certainly have been greater and the achievements far too fleeting. Our contribution as a collective is part of the mission to combat mass incarceration, with anti-racism as a central and non-negotiable premise. We hope that through this report, we can give visibility not only to our actions, but also to the reality of a justice system that fails with the lives of more than 800 thousand people, who are in its custody, and transforms indignity and exclusion into a measuring rule for what should never be tolerated in our societies.

ENJOY YOUR READING!

CRIMINAL JUSTICE ON THE SECOND YEAR OF THE PANDEMIC

THE NETWORK ON THE PANDEMIC

SINCE 2020, CRIMINAL JUSTICE NETWORK has acted on several fronts to combat the spread of Covid-19 in spaces of deprivations of liberty and the intensification of measures that would make living conditions in these places even more precarious. Such actions ranged from banning the use of containers in prisons and complaints to international organizations, to fighting the possible side effects brought about by the virtualization of the justice system as a whole and, in particular, custody hearings.

LEFT TO DIE

As a result of all this effort and the collective struggle with several partners, RJC launched in 2021, the platform [Left to Die](#). On it, data and testimonials are compiled regarding the impact of the disease on prison and juvenile systems and violations to prisoners' basic rights.



**We can't live in
a country where people
are being left to die of
Covid-19 in prisons**

THE OFICIAL DATA FALLACY

One of the consequences of the pandemic was the complete lack of news about people deprived of freedom and underreporting cases. Faced the lack of transparency of the official numbers, we also made a partnership with Infovirus – Prisons and Pandemic and ISER – Institute for Studies of Religion. Based on the experience, life and decarceration, reports from family members of prisoners and former inmates of the prison system, we develop three research projects:

**Covid in prison:
pandemic and
the struggle for
justice in Brazil
(2020 to 2021)**

**Keeping an eye
on the DEPEN
dashboard:
analysis of state
information on
Covid-19 in prisons
(2020 to 2021)**

**Politics of
death: records
and reports on
Covid-19 in
the Brazilian
prison system
(2021 to 2021)**

RESISTANCE AND MOBILIZATION

**GET TO KNOW THE REALITY
OF THE FOUR BRAZILIAN STATES
WHERE THE CRIMINAL JUSTICE
NETWORK IS ACTIVE**

Covid-19 brought, in addition to the deepening of violations in prison, the lack of information and underreporting of deaths. The organizations of RJC also contributed with the production of data, producing four regional reports on the dimension of the pandemic in a more local perspective.

The reports draws an overview of the relationship between the pandemic, prisons, and their specificities in the four Brazilian states where the Criminal Justice Network is active: Bahia, Pernambuco, Rio de Janeiro and São Paulo. Through investigate reports with data from each state, editorials texts written by member organizations and texts and interviews with authors and guest organizations, the reports intend to document realities, provide comparative parameters and subsidize local articulations to confront the barbarism in prison, which is open to those who dare to take a closer look.

THE RESPONSIBLES

The Criminal Justice Network has made an important survey of judicial decisions that show how the Brazilian Judiciary was complicit in the extermination of hundreds of people who were under the guardianship of the State. Brazilian judges hindered and even prevented the application of one of the only measures to contain the Covid-19 contagion in prisons, the National Justice Council's Recommendation 62/2020. That is, in addition to the disastrous performance of the federal government in managing the pandemic, the judiciary closed its eyes to the disastrous situation of the prison and juvenile system through a genocidal, racist and punitive policy, resulting in countless deaths that could have been avoided.

The first death by Covid-19 in the Rio de Janeiro prison system could have been avoided if the habeas corpus of a 73-year-old man imprisoned in the Cândido Mendes Penal Institute had not been denied by the Court of Justice, despite the existence of CNJ Recommendation 62, which suggests the adoption of preventive measures against the spread of the disease in prisons.

— ADVOCACY AND THREATS — TO DEMOCRACY

A RETROSPECTIVE OF THE WORK DONE by RJC in 2021 reveals the already known intersection between criminal justice and democracy. The issues that most demanded our advocacy action relate to social participation and the defense of minimum guarantees that ensure the right to claim, protest and prevent the practice of torture by agents of the state.

The virtuality of the legislative process made the meetings darker to the eyes of civil society. RJC remained engaged with the Parliamentary Mixed Front in Defense of Democracy and Human Rights with Popular Participation and signed the “Manifest for Transparency and Guarantee of Social Participation in the deliberations of the National Congress during the COVID-19 pandemic” (in Portuguese, “Manifesto por Transparência e Garantia de Participação Social nas deliberações do Congresso Nacional durante a pandemia da COVID-19”) that was delivered to the president of the House of Representatives, Arthur Lira, with requests for effectiveness of social participation, predictability of the voting agenda and transparency of decision-making processes.

The defense of democratic space also included the participation in several meetings with parliamentarians, organizations, and social movements during the debates about the repeal of the National Security Law, and the inclusion in the legislation of Crimes Against the Democratic State of Law (draft bill 2108/2021). It was a sensitive matter, that happened in the context of attacks on democracy and closing the Legislative to social participation.

The pressure from civil society was decisive in moderating the discussions and ensuring that the new law had no gaps for the closing of civic space.



VETOS TO THE ANTI-CRIME PACKAGE

Photo of the mobilization of social movements against the Anti-Crime Package in 2019. Criminal Justice Network Archive

The Criminal Justice Network has always had intense activity around the so-called Anti-crime Package, sanctioned in 2019. In March 2021, the House of Representatives overturned the presidential vetoes to the law, which had been on the agenda for over a year. In the Senate, Senator Izalci Lucas (PSDB/DF) asked to remove the veto on custody hearings by videoconference from the agenda and Senator Flávio Arns (Podemos/PR) filed another bill providing for the use of video conferences during the pandemic period.

RJC has dialogued intensely with senators and leaders focusing on the veto on the in-person custody hearings. As of the closing of this report, Senator Izalci's draft bill had not been considered by the plenary session and Senator Flávio Arns' draft bill had not been considered by the House Committee on Constitution, Citizenship and Justice (CCJ).



NATIONAL MECHANISM FOR THE PREVENTION AND COMBAT OF TORTURE

Throughout the year, we worked relentlessly for the approval of the Legislative Decree Projects (PDLs) that stopped the presidential decree that determined the voluntary remuneration of experts of the MNPCT. We held meetings with the President and members of the Commission of Labor, Administration and Public Service (CTASP) and discussed the construction of a campaign in defense of the MNPCT and the National System for the Prevention and Combat of Torture.



REPEAL OF THE NATIONAL SECURITY LAW

Criminal Justice Network participates in public hearings on LSN

The National Security Law (LSN), an authoritarian remnant of the military dictatorship, is incompatible with democracy and has been used to intimidate voices critical of the government of Jair Bolsonaro. Through a collective mobilization, RJC focused on the debate about the repeal of the LSN. We acted firmly against the project due to the lack of dialogue and participation of civil society and, at the same time, sought to contribute to harm reduction.

RJC also participated in an act organized by civil society represented by [Edna Jatobá](#) (Gajop) and in a public hearing at the House of Representatives, represented by [Wagner Moreira](#) (Ideas).

VEXATIOUS BODY SEARCH

The intimate search, a practice that is already prohibited or restricted by law in several Brazilian states, is back on the agenda of the Supreme Federal Court (STF). The Court will return to judge, in June 2021, a request from the Public Prosecutor's Office of Rio Grande do Sul (ARE 959,620) to assess whether the search disrespects the constitutional principles of human dignity and whether evidence collected through the procedure should be considered illegal.

RJC, together with Ibccrim, IDDD, Conectas, ITCC and the Public Defender's Office of São Paulo sent a new memorandum to all ministers and a technical opinion prepared due to the requisition of RJC with data collected

by LAI (Access to Information Law) in 2020 regarding the year 2019. We also carried out several communication actions, the theme was highlighted in UOL's website, and we filed a new LAI request to verify data brought by Minister Alexandre de Moraes in the first phase of the trial and that diverged from those published by the National Penitentiary Department (Depen). However, the information was considered confidential. Together with the organizations that are Amici in the trial, we made requests for hearings with the ministers who have not voted yet. As of the closing of this report, we had not received a reply.

COMBAT TO CRIMINALIZATION OF SOCIAL MOVEMENTS

For the first time since he presided over the House of Parliaments, Arthur Lira received civil society



NEW CRIMINAL PROCEDURE CODE

In 2021, the House Special Commission analyzing the new Criminal Procedure Code (CPP) was diluted, and a Working Group was installed. RJC requested meetings with members of the Working Group (GT) and prepared an opinion with priorities and proposed amendments.

The persecution and criminalization of social movements and dissident voices have grown at high speed in Brazil in recent years. **As if the abusive use of existing criminal laws were not enough, Congress decided to resume (without social participation) and vote hastily the project (draft bill 1595) that reforms the Anti-Terrorism Law of 2016.** RJC has been working relentlessly to block this and other proposals that limit and criminalize actions of various social actors. A meeting was held with the President of the House, Arthur Lira, in addition to several conversations with offices and parliamentarians to influence the issue. As of the closing of this report, none of the bills had been approved.

CREATION OF THE SENATE COMMITTEE ON PUBLIC SECURITY

RJC intervened, trying to block the Legislative Decree Project (PDL) that created the Senate Public Safety Commission. We published a public note with considerations about the proposal, emphasizing that the new collegiate did not have final jurisdiction, that is, that it did not exclude other committees from the analysis of projects on matters relevant to criminal law, criminal procedure and penitentiary law.

RJC's note had repercussions and was [quoted](#) in the plenary by Senator Jean Paul Prates (PT/RJ). In the end, the commission was approved and will not exclude the competence of others.

CRIMINAL JUSTICE NETWORK'S PRIORITY LETTER

Aiming to initiate dialogue with more parliamentarians from the House and Senate, RJC built a letter of priorities indicating concern about legislative proposals that promote mass incarceration of the population, uncontrolled weapons, the exclusion of illegality, terrorism and vigilantism. We also indicate the need to guarantee the participation of civil society in the legislative process carried out by digital means. The letter was sent to all parliamentarians. In parallel, we also listed the priority projects that we will monitor in the CCJ of the House.

VIRTUALIZING JUSTICE

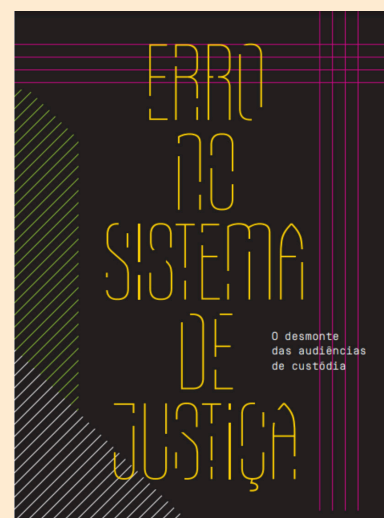
If you were accused of a crime, how would you like to talk to the judge?

Since the beginning of the pandemic, legal operators, civil society, family members and experts have been dealing with a phenomenon of intense concern: the virtualization of justice and, in particular, custody hearings. Although the use of remote work has affected the system as a whole, from the performance of more daily activities to the replacement of face-to-face visits by family members. However, the use of technology, although welcome and necessary in this period, proved to be quite limited when it comes to essential services. This is the case in custody hearings. Despite attempts by the CNJ to regulate virtual custody hearings, which are questionable in themselves and incompatible with the reality of Brazilian courts, holding them through computer screens hurts the very purpose of the instrument: the verification of torture and mistreatment resulting from police violence.

To combat the virtualization of custody hearings and its sequels, RJC worked hard throughout the year.

We carried out an important mobilization, with the production of a video on the subject and a series of internal meetings focused on the vetoes of the Anti-crime Package. We also held a meeting on the subject with the sub-rapporteur for the issue of custody hearings in the Special Commission that analyzes the new Criminal Procedure Code (CPP). Deputy Captain Alberto Neto (Republicans/AM), who was very reactive to the implementation of custody hearings, in addition to participating in a public hearing on the subject at the Inter-American Commission on Human Rights (CIDH).

RJC was involved in the trial of ADI 6841, filed by AMB with the STF, questioning the constitutionality of paragraph 1, article 3-B of the CPP (i.e., the prohibition of custody hearing by video). After a favorable opinion from the reporting justice, minister Nunes Marques, the trial was hastily scheduled for an extraordinary session of the virtual plenary session from June 30 to July 1. Together with Justice Beyond Prison (in Portuguese, "Justiça Além do Cárcere"), we mobilized to file an Amicus brief.

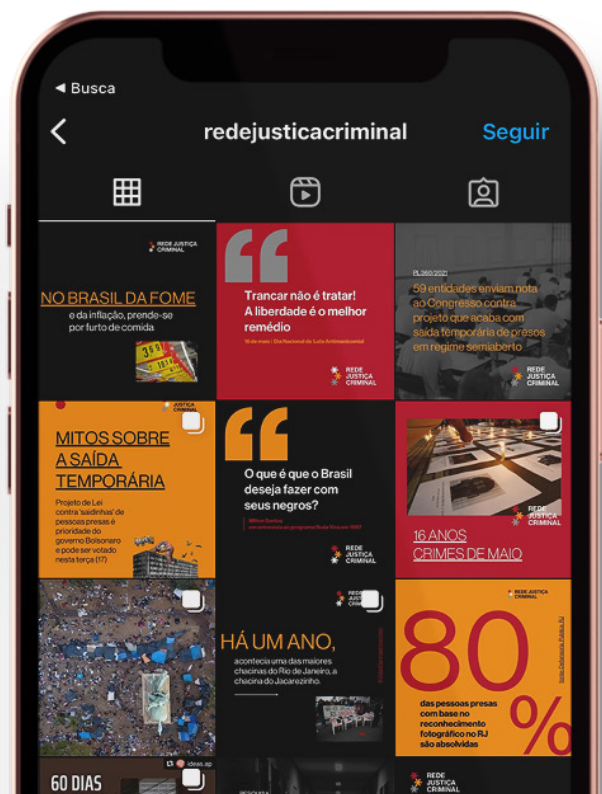


Finally, we launched the dossier "Mistake in the system: the dismantling of custody hearings". In order to map irregularities in the functioning of remote hearings and try to quantify the budgetary impact of the virtualization of justice for the public coffers, RJC searched for contracts in bidding and purchase portals of the Courts of Justice and state governments of eight states (Amazonas, Bahia, Pernambuco, Maranhão, Mato Grosso, Rio de Janeiro, Rio Grande do Norte, São Paulo and Santa Catarina), as well as reports from defenders, family members and actors in the justice system. The dossier is yet another portrait of how precarious custody hearings were during the pandemic, and whose negative effects are still difficult to accurate as a whole.

COMMUNICATION—

TO ENSURE THAT OUR NARRATIVES DO NOT GO UN-NOTICED, we dedicated our energy to rethinking the visual identity of the Criminal Justice Network.

After more than 10 years of operation, the coalition's website was redesigned, an institutional video was developed that recounts the history and achievements of the Network, in addition to the new design for digital materials and institutionalization of new interna' and external communication products, such as the newsletter and activities reports.



JUSTICE IN COMICS

ALONG WITH PARTNERS, AND SUPPORTERS NETWORK'S COLLECTIVE ORGANIZATIONS, we put out into the world communications in several languages to spread our message. One of them was the series “**Justice in Comics**”, in which we illustrated five themes in a comic book format:



- **Searched**, with data and reports on vexatious body searches.
- **License to Kill**, used as background material for advocacy against the exclusion of illegality
- “**What(who) is prison for?**”, an informational material on racism and criminal justice
- **Mistake in the justice system**, illustrated the main findings of our research of the same name, on the risks of the virtualization of justice and the custody hearing.
- **Left to Die**, a compilation on the impacts of Covid-19 on prisons.

In addition to the production of the material, a partnership was established with the portal *Catraca Livre* and *Mídia Ninja*, which have, just on Instagram, over 5 million followers. In partnership with the National Network of Anti-Prohibitionist Feminists (RENFA) and the Association of Friends and Family of People in Prison (AMPARAR), one of the comics (*What[who] is prison for?*) became a zine and circulated in prisons and among family members of people deprived of their liberty in Belo Horizonte (MG).



REPERCUSSION

- The Criminal Justice Network was mentioned in some of the main press vehicles in the country, such as *Folha de São Paulo*, *Uol Notícias*, *Época Magazine*, *TV Cultura*, *Nexo*, among others.
- Over 200,000 people were reached directly by our publications on social media.
- Our new newsletter has an average open rate of 39%.
- The Criminal Justice Network website has received 13,018 access.

NETWORK CHANGES AND NEXT STEPS

RJC is now in Recife!

AS OF AUGUST 2021, the Criminal Justice Network began to focus on the definitive move of its executive headquarters to the Office of Legal Advice to Popular Organizations – Gajop. The change is also part of the member organizations' political-strategic reading of the need to diversify the voices and organizations represented in the criminal justice field beyond Rio-São Paulos axis.

Between August and September, the change was more administrative and bureaucratic, transferring the employment ties of the IDDD executive team to Gajop, buying new equipment, setting up the room and moving the service providers to new RJC headquarters.

In parallel, we were also able to participate in some activities promoted by Gajop and with the engagement of some members of the Network, already within the perspective of prospecting new partners in the region and giving flow to new agendas.



Executive Secretariat staff participate in act for justice for the murder of Jhonny Lucindo

In its first week in Pernambuco, RJC's Executive Secretariat participated in an act calling for justice for the murder of Jhonny Lucindo, victim of police violence and

whose case is still under trial, at the Jaboatão dos Guararapes Courthouse. The act was attended by activists, militants, journalists and Jhonny's family. The executive team also participated in an internal training session to fight racism, promoted by the Bayo Project¹, with the theme Violence and Genocide of the Black Population, conducted by Beatriz Santos.

In September 2021, our advocacy advisor, Leonardo Santana, came to Recife to be introduced to the new headquarters and we did an immersion to discuss RJC's presence in the Northeast and outline possible strategies from there. The activity was also attended by the IDEAS team, a member organization of the Network. We discussed ways to make new partnerships, a possible expansion of RJC to the North, financial sustainability of the Network and the team and strategic aspects of the next planning of the Network, and the development of a more outlined agenda in the field of public safety.



In October 2021, we were in the training promoted by Gajop about **prison inspections**, which took place in Hotel Recife Praia. The event was attended by representatives of 33 organizations militant in the field of criminal justice and public security, including the North region, among which, 10 representatives of organizations of the National Agenda for Disarmament, new members elected to the National Committee for the Prevention and Combat of Torture and the National Mechanism for the Prevention and Combat of Torture, and partners of local organizations and movements that have activities focused on the prison and juvenile system of Pernambuco. The training was given by Bruno Renato (Ibccrim's advocacy advisor and former expert of the National Preventive Mechanism against Torture - MNPCT) and Gustavo Magnata (criminal lawyer and expert of the MNPCT) about fighting torture in places of deprivation of freedom.



In November 2021, RJC participated in a training workshop for popular lawyers on custody hearings in partnership with the Probono Institute, with about 20 participants, on the occasion of Gajop's 40th anniversary, and that also included the presence of our advocacy advisor to outline an overview of the legislative threats in the field of public security and police action for the participants. The activities presented so far were of fundamental importance, both in what refers to the presentation of the Network to the territory of the Northeast Region, and to the need to progressively subsidize the executive secretariat about the challenges and themes of the region, especially those that refer to Public Security.

NEW AXIS OF ACTION

THE RJC ALSO MADE AN IMPORTANT UPDATE of prime concern themes and work agenda in its strategic planning, finished in April 2021. This update mirrors expansion movements that the Network had already been making in recent years, such as with themes related to public safety, and innovations brought both by the entry of new members, and by centrality given to the fight against racism. In all, there are five axis of action:



The complete description of all axis and priority themes can be seen [here](#).

DRUGS POLICY IN BRAZIL: BLACK PEOPLE INCARCERATION

A FEW YEARS NOW, RJC has sought to work more proactively on the drugs issue because it understands that not focusing on the topic, means ignoring the main cause of incarceration in the country, especially of young black and poor people.

In order to improve the critical vision and the construction of a collective strategy, RJC held a cycle of internal training courses, with the following themes:

- Overview of drugs policy in the country: legislative, judicial and decriminalization models
- Harm reduction
- International experiences
- Intersectionality of genders and races
- Reparations



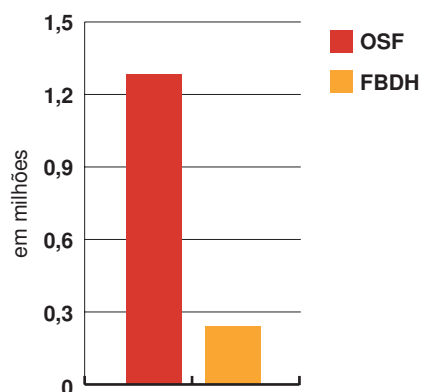
ITTC and CESeC, two of member organizations with the greatest expertise on drugs, were in charge of the process, helping with support materials and speakers to be invited. As part of an initial effort to include the issue of drugs in our work agenda, RJC also decided to focus more closely the draft bill 399/15, which deals with the feasibility of marketing medicines containing extracts, substrates or parts of the Cannabis plant in its formulation, in addition to the exploitation of hemp.

TRANSPARENCY— —AND BUDGET

SINCE 2018, the Criminal Justice Network has been publicly disclosing the amounts of funding received in the year and in commitment to transparency and the sharing of relevant information regarding the operation of the coalition.

Currently, the RJC has two funders: the Open Society Foundations, responsible for international resources, and the Brazil Fund for Human Rights, which will guarantee national resources until the end of 2022.

Financing the Criminal Justice Network



TOTAL VALUES OF OUR PROJECTS IN 2021	
	R\$
Open Society Foundations (OSF)	1,283,560.79
Brazil Fund for Human Rights (FBDH)	244,767.63

ACKNOWLEDGEMENTS

Despite the difficulties imposed by the year and the unpredictability from context, the Criminal Justice Network could count on several important partnerships and support along the way, which allowed us to expand dialogue channels and strengthen articulations that were essential for the accomplishment of our work.

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ANNUAL ACTIVITY
REPORT 2021



REDE
JUSTIÇA
CRIMINAL



Fundo
Brasil

OAK
FOUNDATION



OPEN SOCIETY
FOUNDATIONS