

Media Narratives of the Brazilian Criminal Justice System

Research Findings and Preliminary
Recommendations

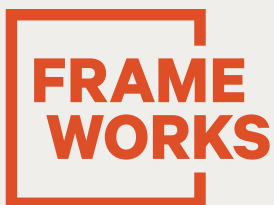
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Introduction

The criminal justice system (CJS) has been at the center of Brazilian political debate for a number of years. Crime, justice, and prison are keywords employed by both politicians and the media to describe what goes right and what goes wrong in the country, raising popular support not only for different kinds of laws but for broad political projects that go far beyond the scope of the CJS. These keywords are, with increasing frequency and success, instrumentalized to garner support for punitive narratives and policies around crime and public safety. Through those narratives and policies, such as mass incarceration and violent policing, the punitivism that arose from Brazil's founding inequalities is replicated and maintained.

This media analysis, which includes traditional media (printed newspapers) as well as social media communication strategies (specifically extreme right-wing profiles on Twitter), is part of a project led by the FrameWorks Institute in partnership with Porticus Latin America and the Oak Foundation, with the goal of communicating about the reform of the CJS in Brazil. The project focuses on *changing narratives* to counter punitive projects that: fuel mass incarceration; sustain inequities in access to and treatment in the justice system experienced by historically oppressed people of color, specifically Black people in Brazil; and attack the fundamental guarantees and due legal process enshrined in the 1988 Federal Constitution.

We need a new narrative about crime and the CJS that offers alternatives to punitivism to address insecurity and violence in the country. Such a narrative needs to help people understand how reforms to the CJS can help hold people accountable more efficiently, prevent abuses by authorities, address inequities, and give people access to their fundamental rights. It also needs to help build people's trust in a CJS that works for them and increases their sense of security without doing so at the expense of the country's most oppressed populations.

This research on media narratives includes an analysis of Twitter users to add another dimension of public discourse to traditional media narratives. We analyzed Twitter data to focus on the self-proclaimed "conservative," better known as far-right, discourse—considering that to be part of what forms Brazilian public discourse—along with that of more traditional media, such as newspapers and online news outlets. We compare these media narratives with how stakeholders and advocates in the sector want to communicate about reform of the CJS and how the public currently thinks about issues related to crime, public safety, human rights, and related topics.¹

Through an analysis of Twitter accounts, it's possible to build a perspective on the far-right discourse that, despite not being dominant in traditional media, has significant political impact. Twitter is one of the platforms the far right uses to amplify its discourse. The importance that these actors give to criminal justice themes was fertile ground for our analysis, which also seeks to provide tools to understand the “conservative” logic and confront its discourse.

In the next section, we provide a brief overview of the report's focus and the methods used for the media and Twitter analyses. We then present the main findings of these analyses and offer some preliminary recommendations for how advocates and communicators can engage with the media to start building an alternative narrative around criminal justice reform.

Focus of the Analysis

This research was developed to answer the following questions:

- How does the media—traditional media, such as newspapers, and social media (Twitter)—talk about issues related to the CJS?
- What themes, points of view, and explanations for CJS-related issues do the media adopt?
- How do these forms of communication relate to the understanding that stakeholders, advocates, and the public have about issues concerning crime, police, security, prison, courts of law, and judges?

Media analysis aims to compare the frames that the media is using on a topic to patterns of public thought. In this project, we have expanded our focus slightly and are also concerned with the ways in which the reform sector appears in the media—that is, how communications by stakeholders and advocates in the sector are currently filtered and circulated by the media. A detailed description of the methods used to undertake this analysis is available in Appendix 1. The preliminary recommendations presented below outline how the sector can engage with the media to address and overcome problematic punitive discourse. Specific framing recommendations will be tested and recommended in the next phase of this project.

Traditional Media Analysis Findings

FINDING #1

The media echoes authorities' points of view on crime and prison.

Articles talking about crime look like a police station press release, adopting the point of view of police officers and using legal jargon. Most of the articles start by mentioning the police agency that served as the source of the news, then cover the fact that an operation was successfully launched or that warrants were successfully served. In fact, investigations are solely cited to display successful police action:

The Military Police Press Office informs that on Friday night (30/09), military police officers from the 3rd military police battalion (Méier) were called about a car in which armed criminals would be carrying out robberies in the vicinity of the Norte Shopping, in the neighborhood of Cachambi, in the North Zone of Rio. *According to the unit's command*, the vehicle was found driving in the vicinity of Morro do Urubu, in Piedade. During an approach attempt on Rua Ana Quintão, the vehicle tried to run over one of the officers of the garrison team and the criminals fired shots that hit the vehicle. The military responded and there was a confrontation. After the exchange of fire, a man was arrested and shot by the police. The criminal was taken to Hospital Municipal Salgado Filho, in Méier, and the incident was registered at the 23rd police station (Méier). No police officer was injured during the action.²

The repetition of the same pattern of “press release journalism” about crime is also evident in reporting about prison conditions and “resocialization” (e.g., providing school and work for people in prison). This is true both for the reporting of actions related to the structure of prisons, usually described as “improvements,” and for the actions of state government that are ostensibly aimed at resocialization. There is little investigative work on the part of journalists in this reporting, which limits the existence of alternative points of view to the official information, or even simple verification of whether what is said by the authorities is true or relevant.

When articles point out failures or criticisms, as in the case of police violence, or articles publicize reports or resolutions from organizations such as Human Rights Watch, Amnesty International, the Inter-American Court of Human Rights, and the National Justice Council, the reporting tends to follow the same pattern as that of reporting on crime: reproducing the discourse as it was transmitted by the organizations without providing space for additional commentary or alternative points of view.

When journalism is based on police information, it relies on very preliminary and inconclusive information. As stakeholders and advocates in the reform sector point out, the biggest bottlenecks of the Brazilian CJS are found in the investigation phase. The high rate of unsolved crimes in Brazil is largely due to the failure to identify suspects during the investigation of a crime. This is especially true for violent crimes. Because journalists are not routinely doing their own investigation and verification of what official sources tell them, stakeholders and advocates in the reform sector often play the role of investigators and offer the findings from their investigations to journalists. The challenge here is that the news media currently separates the sector's investigations from what official sources are saying. When the authorities cite their successes, this becomes one story; when organizations from the reform sector voice their criticisms, this becomes another. The idea that there is a relationship between these two stories rarely appears in the news media.

FINDING #2

Punitivism frequently appears in the media yet is rarely explained, and it is misused as a synonym for punishment.

“Punitivism” frequently appears in the media, especially in editorials, yet it is rarely explained. In opinion pieces, the concept of punitivism is usually equated with punishment. Columnists typically don't provide an explanation of what punitivism means—that is, a process of using mass incarceration and criminalization to control the population in lieu of providing social welfare policies.³

The concept of punitivism is not the same as punishment, which can refer to a variety of ways to deal with crime and public safety. However, in the news media these distinctions are lost:

This discussion, according to him, tries to get away from the tendency of punitivism. [That is], trying to solve all situations by arresting people.⁴

Conflating punitivism with punishment is unproductive. The lack of a clear and shared definition of punitivism in the media creates confusion for the public. Referring to a concept without explaining it can have two implications in public thinking: In the best case, it does not expand public understanding or support of systemic solutions to address punitive policies. In the worst case, it can contribute to misunderstanding or co-optation of systemic solutions by those who wish to further entrench the Brazilian CJS in punitive approaches. In this way, by not explaining the concept, there is an opportunity for the “other side” (i.e., the far right) to advocate for even more punitive policies that lead to more mass incarceration and violence while failing to address the root causes of crime—namely, structural racism, inequality, and poverty.

FINDING #3

The way the news media treats discussions of impunity is similar to how the far right frames the issue.

In the news media, the concept of “impunity” is linked to political corruption or electoral crimes. While experts and stakeholders define impunity as a low rate of crime resolution, this understanding was observed only once in the news media sample. Media reports typically discuss impunity as the result of political collusion and mismanagement rather than the absence of adequate means of investigation. No solutions for reducing impunity were cited in the sample we analyzed.

Similarly, we found in our Twitter analysis that the far right describes the justice system as biased and lenient toward the political class, especially leftist politicians. In this way, there is a common pattern between how the mainstream media and far-right discourse talk about impunity in the Brazilian CJS.

In particular, a debate in the media about parliamentary immunity and whether it amounts to impunity coincided with how the far right talks about impunity. The debate was based on the idea that powerful criminals are privileged in prosecution. Interpretations of “powerful criminals” are nevertheless restricted to politicians:

The House of Representatives, through the debate of constitutional amendment 03/20, now in the Special Commission to be created, should not give society the feeling that we work for impunity. (...) Immunity, when regulated and done correctly, is a tool for the exercise of the public mandate with pride, free of abuses and pressures from other powers. It is understood as a necessary prerogative granted for the strengthening and independence of the Legislative Branch. It is necessary to make it clear that this protection is at the service of the institution, not of the representative; therefore, it cannot be used as a personal shield. (...) It is necessary to regulate that opinion is free, but that the threat to the Democratic State of Law is not. All the issues raised here must be widely debated with the population so that transgressions of the legislative function do not tarnish the operation of Congress and result in impunity and discredit before society.⁵

There is a focus in the news media on stories about politicians and laws related to political parties, parliamentary immunity, and corruption crimes (e.g., references to the *Lava Jato*, or Car Wash, operation and to former and now current president Luiz Ignacio Lula da Silva’s trial) that seem to encourage suspicion of politicians, particularly leftist ones. In these stories, the justice system appears as being lenient to leftist politicians and political crimes.

Besides the focus on political crimes and corruption charges, shocking cases that are considered to be “unpunished” are commonly mentioned in the sample—most of the time meaning not that the case was not judged but that the punishment seemed to be “light” or insufficient.

In these stories, there is little interest or focus on discussing solutions that could improve the quality and quantity of investigations into more crimes, especially homicides, which the stakeholders we spoke to identified as necessary solutions to address high rates of unsolved crimes in Brazil. The media rarely discusses proposals and solutions for improving investigation and solution rates for violent crimes.

In sum, the fact that “impunity” appears in the media as a failure of courts and judges to sufficiently condemn and punish political crime or sensationalized individual cases plays a role in the commonly held public view that high crime rates are a result of “lax laws” that should be strengthened to punish (mainly leftist) politicians. The media does not build understanding of the ways in which impunity for violent crimes like homicide is the result of a lack of infrastructure in the CJS.

FINDING #4

Crimes of racism are often mentioned but always as a result of individual or interpersonal prejudice.

Stories in the news media often focus on racial offense crimes,⁶ yet most of the news related to these cases focuses on interpersonal offenses, reiterating an individualistic concept of racism.⁷

To *O Globo*, the 23-year-old said that she was a little far from the offending woman when the commotion started. She then approached and realized that the woman was unaccompanied. After a few attempts to get her to leave, Lara said that she was finally removed from the car. “I heard when the two girls started to accuse her that this was racism. Then she said, ‘Yes, I am a racist,’ very naturally,” said Lara. “Then I went there and started the whole scandal, the subway stopped, the security guard came in and asked her to leave and she didn’t. Then he stood in front of her and asked her to leave. Then he stood in front of her and the subway started to move. Then I said that she shouldn’t stay in the subway. What kind of country is this? That she could say she is a racist and still travel on the subway? She should leave—that’s what I continued to shout.”⁸

These stories make visible the racism that exists in Brazilian society, but from a perspective that tends to focus on the racist behavior of individuals rather than systems or structures as a whole. For example, when we searched the sample using the keywords “police + racism,” we were originally expecting to find articles that dealt with police brutality and the racism of the police as an institution. Instead, what appeared were articles that stress the idea that the police can solve crimes of racism between individuals. The subtext in these stories is that denouncing and arresting individual racists, rather than changing structurally racist institutions such as the CJS itself, is the main solution to racism in Brazilian society.

The stories about racial offenses are the only ones in the sample in which the deleterious effects of arrests or investigations on the accused (e.g., the effects on whites accused of racism, like job loss or even declined mental health) are pointed out and discussed in detail. By focusing on the effects of people who hold the most power in a systemically racist society, these angles only serve to reinforce racist thinking and may contribute to silencing future victims of racism.

FINDING #5

Structural racism is only mentioned, never explained.

Mentions of structural racism are found with some frequency, but *explanations* are rare and insufficient. The newspapers only briefly bring up systemic inequities, saying “it affects everyone” or “it is present in the institutions” without further explanation (particularly about how structural racism is still present and continues to affect people).

Structural racism was the subject of debates countrywide after a video recorded in Leblon went viral. The images show a white couple, Mariana Spinelli and Tomás Oliveira, approaching Matheus Ribeiro, a black man. The young man was riding an electric bike identical to the couple’s, which had just been stolen. The couple denied that the approach had been made because of the color of Matheus’s skin, and, months later, the courts closed the investigation into whether there had been racism. The Civil Police concluded the investigation about the theft and indicted another young man, Igor Martins Pinheiro, 22 years old. He was identified from security camera images.⁹

Compared to the regular mentions of crimes of racial offense, the discussion of structural racism is very underdeveloped in the media, especially in its connections to the CJS. As was discussed in the case of punitivism, not defining or explaining structural racism means at best that the public does not understand exactly what it means, and at worst leaves open a space for the conservatives to fill in the gap in bad faith.

FINDING #6

An individualistic and sensationalist view on crime is common in the media, which seeks to shock the public.

Stories about the CJS in the media commonly take an individualistic view on crime and use a sensationalist tone (e.g., stories with headlines such as “Remember the crimes that shook Rio de Janeiro in 2021”). In the stories in our sample written from the point of view of the police, the focus is on describing the details of the crimes or the pursuit/operation/arrest. As mentioned above, the media tends to privilege the authorities’ points of view about crime and criminal justice. Stories about these topics are, for example, merely reproductions of press releases from the Military or the Federal Police without further journalistic investigation. Some reports tend to mention crime statistics but without discussing the larger context or providing a detailed explanation of these statistics.

In most of the sample where the keyword “crime” was identified, context was rarely provided about the causes of crime. For example, in a news story about a robbery committed against a bus driver, several missing elements could have framed the problem as a social problem with possible political solutions, avoiding perspectives that create moral panic, such as: Is this the first case of this kind? Is this type

of violence common? What kinds of violence do bus drivers commonly suffer? What are the biggest problems statistically with public transportation, bus safety, drivers, passengers, etc.? Instead, the article focuses on details of the individual crime itself and the feeling of insecurity among bus drivers.

Articles about specific crimes lack a structural perspective and tend to focus on the individual traits of the accused:

The delegate is accused of leading a gang. In 2021, a Public Prosecutor's Office investigation concluded that Civil Police Superintendent Maurício Demétrio Afonso Alves headed a gang to extort authorities and businessmen. Prosecutors accuse the police chief, for example, of trying to set up two fake operations, one of them against then Rio mayoral candidate Eduardo Paes, with the intention of influencing the outcome of the elections. In the other, drugs were to be placed in a car used by the Civil Police Internal Affairs Office that had opened an investigation against him. In addition, he is accused of creating dossiers with sensitive data. The MP's investigation also points out that Demétrio was leading a life of luxury incompatible with his earnings as a delegate, and that he even paid US\$9,900 to private detectives to keep an eye on his mistress in Miami in the United States.¹⁰

The usual media approach reinforces naturalizing and stigmatizing views about crime—that people break the law because they are “bad” or have a “bad temperament.” Portraying crime in individualistic ways fails to identify crime as socially constructed—that is, the result of structural inequalities. These individualistic stories also reinforce simplistic ideas about the solutions to address crime and violence—solutions that are grounded in punitive approaches to make “bad people” “pay” for their crimes. The media fails to put forward a discussion of the structural and social dimensions as drivers of crime or a discussion of political solutions beyond incarceration.

FINDING #7

The media portrays people accused of crimes in an unequal way, based on their class and race/color.

While white-collar criminals are given silly nicknames in the media (e.g., the Brazilian Escobar, the Bitcoin Pharaoh, or the Pentagon [for the Prevent Senior board]¹¹), those responsible for robberies and violent crimes are described simply as “thugs”:

Thugs who committed multiple robberies near the Norte Shopping, in Cachambi, exchanged fire with the police on Friday night. According to the Military Police, one suspect was shot and arrested. One of the stolen cars was recovered. (...) The thugs were spotted near Morro do Urubu, in Piedade. At Ana Quintão Street, the vehicle in which the suspects were driving tried to run over one of the police officers. The occupants of the car opened fire on the officers, who fired back.¹²

The “Bitcoin Pharaoh”: The Lake District became the center of a major investigation by authorities, such as the Federal Prosecutor’s Office and Civil Police, involving crypto companies. The main target of the investigators was former waiter Gładson Acácio dos Santos, 38, owner of GAS Consulting. In September, the group was indicted by the Federal Police for crimes against the national financial system, money laundering, and reckless or fraudulent management. But it is not only of financial crimes that the former pastor of the Universal Church of the Kingdom of God is accused. The “Bitcoin Pharaoh” conversations on WhatsApp, shared by the Federal Court with state authorities, indicate that Gładson allegedly plotted the murder of trader and blogger Wesley Pessano Alcântara, shot dead on August 4, at age 19, in São Pedro.¹⁵



The classism and racism of these portrayals stands out. In these stories, the media establishes that the “bad guys” are people who come from the periphery, live on lower incomes, and are predominantly Black or people of color. Meanwhile, those who are predominately white and responsible for large, upper-class financial schemes that potentially have more victims are portrayed as epic heroes.

Far-Right Twitter Findings

FINDING #1

Police officers are represented as underdogs.

Far-right Twitter profiles in our sample emphasize how police officers face increasingly well-armed drug dealers who use high-tech war instruments and urban guerrilla tactics. Besides being tactically cornered, police officers are seen as being targeted by judges and the courts of law, which have ruled warlike police operations in peripheral communities as illegal during the pandemic; by legislation and legislators who refuse to accept the “exclusion of illegality”;¹⁴ and by leftist governments and progressive movements. In this view, police officers are overwhelmed by the pressure of the job and the unequal “war” with drug traffickers to which they are subjected. The far right claims that any sort of violent acts committed by the police are justified; they are never exaggerated or disproportionate.






Profile	Tweet
Eduardo Bolsonaro  @BolsonaroSP	When members of the Public Safety Commission went to CORE-RJ, the Chief Superintendent, Fabrício Oliveira, said that in the Jacarezinho favela alone there are an estimated 500 armed thugs and in Rio 50,000. Think about that when thugs die in confrontation w/ police. Photos: RPG and bombs seized there. https://t.co/i5HmgQomKw
Leandro Ruschel  @Leandroruschel	Narcotraffickers have anti-aircraft batteries and the ammunition of an entire BOPE battalion ran out in two hours fighting the criminals, but the editorial militant wants to convince us that honest citizens don't need a gun to protect their families.

The idea that police officers are “cornered” and weaker than “criminality” appeared with some frequency in our qualitative interviews with the public. However, in the public's way of thinking, socioeconomic dimensions are the main sources of the police's “weakness” or underdog status—that is, they are seen as underfunded and without the adequate resources to combat criminal elements. For the far right, it is not the working conditions that make police underdogs; the problem is the left, the nongovernmental organizations and other institutions that want to reform the CJS. This sector is said to “idolize” thugs and to frame policemen as villains.

FINDING #2

There is a far-right prototype of the hero cop.

Far-right profiles on Twitter commonly congratulate police or military officers for successful operations, using videos or pictures of commemorations and homages to officials and soldiers. Police officers are typically described as people—always men—who give up their own lives to protect citizens and act sacrificially, amounting to “real-life heroes.” They are described as always acting correctly and altruistically for the sake of others’ lives.

Profile	Tweet
   General Girão Monteiro @GeneralGirao	My salute and respect to the glorious Military Police of Rio Grande do Norte. I had the privilege of being the Secretary of Public Security of the State and work shoulder to shoulder with true warriors. Hail soldier Luiz Gonzaga! Hail @pmrnoficial!   https://t.co/30AkMeSbYN
#Entrelobos	Brazilian police officers are true heroes! Bravely, they sacrifice their lives to defend us from the savagery of crime even though the @STF_official completely reverses values by protecting thugs in every way and criminalizing those who abide by the law!
Jorge Adrilles @AdrillesRJorge	We should treat policemen the way they deserve, as heroes. “Victims of society” deserve zero tolerance. For security vote Adrilles 1414 federal deputy #adrilles1414 #depfederal #saopaulo

The narrative of the hero cop in far-right discourse has three main implications: First, by focusing on the symbolic dimensions of heroism, the narrative obscures the high levels of suicide, death, and low salaries of police officers, as police jobs are in fact materially devalued. The image of the sacrificial, protective hero thus becomes a symbolic compensation, or trap, for working-class men who typically enlist in the corps.

The second implication is that, by talking about policework as solely involving men who are offering their own lives for the protection of the collective, of society, the narrative makes it impossible to talk about other, less sanctified police activities that should be constrained or controlled. This form of valorization works as a justification for police abuses—the demands for control of police activity are seen as ranging from “ingratitude” or “lack of recognition” to the “hate” of the police that is associated with leftist criticism.



The third implication is that, by appearing as supporters of heroes and protectors, the far right positions itself as “protectors of the protectors.” This position has tremendous advantages: Associated with the logic of protecting the protector, far-right politicians can defend political positions that interest them (i.e., those from which they profit and gather power). They can also position themselves as the “real

experts” in security because they are close to those “in action” without the inconvenience of actually putting their own lives at risk. And by association, questioning these far-right politicians remains the same as questioning these sacrificial heroes.

FINDING #3

Personal character and traits are perceived as the main cause of crimes.

Far-right profiles on Twitter resort to eugenic theories and even refer to phrenology, a classist and racist science from the 19th century that claimed it was possible to determine if individuals were inclined to “deviant behavior” by classifying them by their physical appearance. In this view, a person’s character is thought of as predetermined and orients their life path. Far-right discourse on Twitter talks about two main types of people: on the one side, the “law-abiding” person, who is not “inclined to commit crimes”; on the other, the “thug.”

Profile	Tweet
Eduardo Bolsonaro  @BolsonaroSP	The concern is always with the follower of the law, always with the one who is not inclined to commit crimes. Thugs, on the other hand ... It’s no surprise that criminality is still high in Brazil. https://t.co/Ex3abJNC0t
Cris Brasil  @crisbrasilreal	Lombrosian ¹⁵ subject = born criminal. https://t.co/LfSsTqKkjl

The idea of a “criminal nature” also appears to be prevalent among the public (as the forthcoming strategic brief detailing the descriptive research of this project will describe in more detail). However, among the general public there is also a prevalent mindset that people behave in defiance of the law due to lack of opportunity and need, and that people’s paths in life are affected by the racism of society. Framing strategies will need to be developed to counteract the idea of biologically “deviant” people and bring to the fore the more systemic thinking about the structural drivers of crime that exists in public thinking.


FINDING #4

The far right instrumentalizes women’s rights issues.

Women’s rights appear only in connection with the defense of two agendas: getting rid of gun control laws and increasing penalties for rapists.

Profile

Tweet

Eduardo Bolsonaro 
@BolsonaroSP

Women want weapons to defend themselves, to play sports, and for leisure. A woman’s place is wherever she wants, isn’t it. And the left is not wasting its time waiting. In 2023 we will be even bigger. #ShotFair2022 <https://t.co/OVjLxlclJ7>

This far-right discourse talks about “types of people” who are more or less inclined to commit crime. The subtext is that there is a “certain kind of person” who rapes and that we should stop them with harsh laws and guns. These punitive and violent solutions to the problem of domestic and sexual violence ignore the fundamental dynamics of the issue—that people who commit these types of crimes typically know their victims and have control or power over them; they are typically not unknown “strangers” who are naturally “evil.”

While the far right portrays themselves as the “true protectors” of women (similar to how they position themselves as the “protectors” of hero police officers), this discourse easily feeds classist, racist, and sexist stereotypes, as well as dynamics about crime and domestic and sexual violence, without the far right having to appear as openly racist, classist, or sexist.

FINDING #5

The far right’s focus on individual character as the cause of crime leads them to support extremely punitive solutions.

Far-right profiles on Twitter talk about the problem of public safety in Brazil as fundamentally being about having “lax” laws that do not punish criminals enough, which encourages *bandidagem* (criminality). Punishment appears as the only way to avoid antisocial behavior such as robbery, homicide, and rape. In this way, far-right discourse adopts an economic theory of crime¹⁶ in which the criminal is seen as a rational actor who calculates the chances of succeeding and getting away with criminal acts. It also adopts a Hobbesian understanding of crime in which criminals are understood as always being on the prowl and only the fear of punishment can discourage them. As a result, any sort of lenience is seen as giving criminals a chance to “take advantage” of the system. Far-right profiles talk about how not even low-level, nonviolent crimes should go unaccounted for or be less severely punished, as this would encourage violent crime. They criticize the *saidinhas*¹⁷ and pardons, which are understood as providing opportunity to criminals and decreasing the price of committing crime.

Profile	Tweet
Roberto Motta @rmotta2	<i>Saidinha</i> is an offense to the victims. It is a “benefit” unknown in most democracies. In these countries, a couple that throws a child out of a window doesn’t get a “date” or “progress” to a “semi-open” regime.
Família Direita Brasil @BrasilFight	My history of fighting for tougher laws for coward murderers, rapists, and other violent crimes speaks in my name and shows whose side I have always been on. As long as I live, it will be the victims, not their tormentors, who will count on my eternal solidarity.
Brasil Paralelo @brasilparalelo	Essa economia se paga? Qual seria seu custo social (material e moral)? A experiência histórica já não demonstrou que, ao deixarmos de punir exemplarmente crimes menores, eles tendem a escalar em gravidade? ¹⁸
Rodrigo Constantino @Rconstantino	The murderous monster escaped the death penalty, which requires unanimity in Florida, but got life without parole. Learn, Brazil, to have more severe laws against ASSASSINS!

Although the general public holds the belief that Brazilian criminal laws are too lax, there is an existing public mindset that recognizes the socioeconomic drivers of crime. Deepening and expanding this mindset would be tantamount to countering the conservative offensive regarding criminal justice reform. The far-right Twitter profiles we sampled seem to understand this, as they are very concentrated on attacking the idea of “crimes committed due to desperate need.”

It may be fruitful to further explore the idea that Brazil’s CJS “punishes a lot but punishes badly” (as will be done in the forthcoming strategic brief) by showing that there are people in jail for possession of an insignificant quantity of drugs, while most of the murder cases in the country go unsolved.

FINDING #6:

The far right portrays courts of law as indifferent to “real crime.”

The far right claims that democracy is at risk in Brazil, despite the fact that far-right activists attempted to overthrow the democratically elected government of Lula in January 2023. To the far right, courts of law, specifically the Supreme Court and Justices Edson Fachin and Alexandre de Moraes, are seen as being guilty of putting democracy at risk. Far-right tweets expose an essentializing and binary view on crime. In this view, there are only two types of “real crimes”: those against property (theft, robbery, kidnapping, armed robbery) and those against life and bodily integrity (rape, bodily harm, homicide). Trafficking is

also considered a serious (“real”) crime. Far-right Twitter profiles accuse the Supreme Court and other courts and judges of ignoring these “real crimes.” They claim these actors are more concerned about protecting the left and persecuting conservatives by creating new and “fake” crimes, such as hate crimes (which they maintain persecute conservatives by impinging on their free speech).

Profile	Tweet
Rodrigo Constantino @Rconstantino	How can we accept an authoritarian regime, which persecutes people who publicly express their opinions? How can we accept a totalitarian regime that violates privacy, intimacy, that persecutes people who express opinions in private groups?
Roberto Motta @rmotta2	The country that failed to punish the killers of Tim Lopes, João Helio and Isabela Nardoni has just created the crime of posting pictures on WhatsApp.

FINDING #7

In the far right’s world, conservatives want to fight crime; the left *is* crime.




In the far-right world on Twitter, the chaos in public security is the result of two elements. The first is the fact that the police are the underdogs in crime’s war against society. The second is the left’s proximity to criminality.

The far right describes left or progressive people and movements as criminal; this goes beyond the idea of leftist parties as corrupt or leftist movements as “defending criminals” (meaning defending individual freedoms and basic human rights for incarcerated people). The left is portrayed as being part of trafficking, kidnapping, and murderous networks.

As a result of these two elements—an unequal war in which police officers are disadvantaged and the threat of a criminal left that will “release” criminals on the streets (protecting rapists, kidnappers, and murderers instead of “the good citizen”)—there is only one possible answer: guns.

Because a majority of the Brazilian public does not support the relaxation of gun control laws, one major argument in favor of guns is repeated often by the far right as a panacea for all security problems. The argument is that there are always two types of weapons (as there are two types of people): good weapons and bad weapons, legal weapons and illegal weapons, weapons for criminals and weapons for good citizens. Thus, the far right tries to discredit those who oppose the “right to self-defense” (how lax gun laws are described) by association. They claim that those who oppose guns are also those who defend abortion, are “soft on crime,” want to let criminals out of prison, and want more taxes—essentially, framing the left as those who support everything that, in the far right’s view, would lead to public insecurity and chaos.

In the same binary and simplistic way that the far right frames most issues, they argue that, if the left is made of thugs and that's why it "likes thugs," it cannot be in favor of workers (the binary opposite of thugs). In this view, right-wing politicians are the only ones who defend workers, not because they propose anything that improves workers' conditions but because they are against thugs—meaning they are tough on crime, against *saidinhas*, and are in favor of more lax gun laws.

Profile	Tweet
Ricardo Salles 2250 @rsallesmma	Fachin's decision to restrict the possession and carrying of firearms will have no effect on criminals, drug dealers, kidnappers, robbers, cell phone thieves, etc. These will continue to exercise their "citizenship" fully.
Família Direita Brasil @BrasilFight	BOLSONARO: "It's not me, but organized crime itself that shows that it sees the PT as an ally by complaining about my government, which has broken records in drug seizures and imposing losses to drug <i>factions</i> who admit missing dialogues with the PT. Deal with the PCC!"
   General Girão Monteiro @GeneralGirao	When the time comes to decide the future of your country, remember: Lula will make Brazil filled with thugs and society, a victim of crime. In 2018, we decided what was the Brazil that we didn't want. The time for yet another decision is coming. <i>A hora da onça beber água.</i> ¹⁹ #ptnevermore
Jorge Adrilles @AdrillesRJorge	The assassination attempt against Tarcisio makes it clear: One political side of the country, which demonizes the police and wants to liberate drugs, has free transit in areas dominated by crime. The other side, which supports the police and wants to destroy drug trafficking, is met with bullets. Choose your side.
Pastor Marco Feliciano @marcofeliciano	Whoever is against @jairbolsonaro should not complain about PT government, where they will release drugs/persecute churches/legalize abortion/leave thugs behind, arrest police officers/punish the military/censor the press/decriminalize stealing/relativize private property, and AGAINST THE FAMILY!

This discourse has two characteristics: the use of fear and the clear cause-effect link. The message here is pragmatic and less about right and wrong than it is believed to be. A certain conception of crime is at the heart of the argument: Crime is a function of character; it can only be prevented with incarceration and "good" weapons. Anyone who opposes this understanding is a criminal, and their political positions are an attack on those who try to fight "real crime."

One important implication that emerges from these results is that self-proclaimed “conservatives” on Twitter seem to understand that people recognize the structural causes of crime and that this thinking threatens their mindsets around crime and punitivism. Far-right Brazilian Twitter seems to be mounting an attack on these structural understandings—seeking, for example, to directly deny the idea of “theft by necessity.” This concern makes sense because an essential part of the discourse from the right is based on “natural” explanations for crime. On this point progressives have an advantage since the right bears the brunt of trying to convince the public to “forget” the structural understandings they already have, as well as the very widespread insight that better public services in general are an effective way to prevent crime.

Preliminary Recommendations

The following initial recommendations can help create new ways of talking and thinking about the CJS and how it should be reformed. These recommendations are meant for communicators and advocates working on criminal justice reform and communicating with the general public or the media. It is important to note that these recommendations are preliminary. In the next phases of the project, we will design and test framing strategies that can be used in a more specific and strategic way to address the challenges and seize opportunities to communicate about these issues.

RECOMMENDATION #1

In your communications with the media, offer an alternative point of view on the CJS, giving examples of how the system is not working and how it can be improved.

This can help overcome the current media approach that repeats the official point of view about crime and doesn't look for or provide alternative viewpoints. When communicating with the media, giving specific examples of how the system doesn't work and how it can be improved can help the public understand what the CJS's problems currently are as well as the systemic solutions that can help resolve those problems. Previous FrameWorks research shows that providing examples and explanations, as well as offering structural solutions, helps combat apathy and fatalism, which are two common ways that the public views crime and safety.

RECOMMENDATION #2

Provide explanations of what punitivism is and how it is different from punishment.

When talking about the punitivism that is inherent in the current CJS, give a detailed explanation of what punitivism means and how the concept differs from “punishment.” Talk about how punitivism is a social and structural dynamic of solving social conflicts through incarceration; of replacing or substituting social welfare policies with mass incarceration. On the other hand, punishment is about discouraging unsocial behaviors with the goal of guaranteeing people’s rights and ability to live full lives. Punishment for crimes can happen through various mechanisms and does not have to involve prison. Making the differences between these two concepts clear can help build support for reforms to the CJS that are not punitive but rather focused on building a society that is safe and guarantees the rights of everyone equally.

RECOMMENDATION #3

Talk about structural racism—give examples of how it works and how it should be addressed in the CJS.

Explain concepts like structural racism by giving concrete examples in the CJS. For example, tie in the historical and structural contexts surrounding current inequities in the CJS, such as the disproportionate rates at which young Black men living on low incomes are incarcerated for low-level drug offenses. While the public is aware of some structural drivers of crime, their understanding is often thin, and the media is not currently offering more detailed explanations. At the same time, offer structural solutions about how to address structural racism in the system. Talking about solutions can help avoid the fatalism about crime and public safety that is present in public thinking.

RECOMMENDATION #4

Link human interest stories to structural dynamics.

Always talk about structural dynamics when you are telling a story about an individual. Tell the story of the individual in context and connect structural solutions to those stories to avoid fatalism. This recommendation can help avoid the all-too-common sensationalism of individuals’ stories. It also helps to create understanding of how problems are social and can thus be solved by organized political action.

Conclusion

Both the more traditional media and the newer social media shape opinion, functioning as echo chambers for certain messages while silencing others. Understanding the ways in which the media communicates about issues of punitivism, impunity, justice, security, prisons, police, and racism can help us reorient our messages in ways that change political and popular narratives about these issues.

To confront the dominant media narratives about the CJS, the public must be offered alternatives and the information gaps they currently have must be filled. Both mainstream media and far-right social media reinforce problematic ideas about police, prison, crime, and justice. They reproduce the views of official authorities; fail to explain or deliberately obfuscate concepts such as structural racism; confuse fundamental concepts such as punitivism, punishment, and impunity; and reinforce the idea that the cause of crime comes from individuals rather than structural causes. Furthermore, they do not offer structural solutions, leaving the public to draw their own conclusions and generating fatalism about how problems with the CJS can be dealt with.

The initial recommendations presented in this brief are meant to be the first step to offer some alternatives on how to talk about the problems with the CJS and suggest solutions to make the CJS more equitable and just for everyone in Brazilian society. These recommendations provide a starting point so that, together, communicators and advocates can engage in a more constructive discourse about the CJS to build support for the goals of CJS reform—holding people more efficiently accountable, preventing abuses by authorities, redressing inequities, and creating a system that provides access to every Brazilian's fundamental rights and guarantees.



About FrameWorks

The FrameWorks Institute is a nonprofit think tank that advances the mission-driven sector's capacity to frame the public discourse about social and scientific issues. The organization's signature approach, Strategic Frame Analysis[®], offers empirical guidance on what to say, how to say it, and what to leave unsaid. FrameWorks designs, conducts, and publishes multi-method, multidisciplinary framing research to prepare experts and advocates to expand their constituencies, to build public will, and to further public understanding. To make sure this research drives social change, FrameWorks supports partners in reframing, through strategic consultation, campaign design, FrameChecks[®], toolkits, online courses, and in-depth learning engagements known as FrameLabs. In 2015, FrameWorks was named one of nine organizations worldwide to receive the MacArthur Award for Creative and Effective Institutions.

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Appendix I: Methods

The descriptive research for this project is composed of three stages that seek to draw an extensive portrayal of Brazilian perspectives on criminal justice. The first stage was conducted in 2020, with 15 in-depth interviews with stakeholders in the criminal justice system (CJS) reform sector on topics related to the issues of crime, police, prison, and justice. The second stage focused on identifying public mindsets about these same issues. This involved 30 semi-structured interviews conducted in May 2022 and a descriptive survey involving thousands of participants that was fielded in February 2023. A detailed description of the stakeholders' view (the field story) and public mindsets on these issues will be available in a forthcoming strategic brief.

The third stage, which we present in this report, takes up the same themes and tries to complete the picture by analyzing how the themes of punitivism, impunity, crime, police violence, racism, and imprisonment are portrayed in the media—both traditional media and social media, such as Twitter.

Methods

Media Analysis

The media analysis was done with the help of LexisNexis software. LexisNexis is a news monitoring software that provides access to a vast database of articles in different languages.

The Lusophone media available in the LexisNexis database and selected as the source of our corpus are: Agência Estado, Globo Rural, Valor News, Tribuna do Sertão, *Jornal do Guara*, Brasil em Folhas, *Veja, Veja Sao Paulo, Veja Rio*, Valor International, *Superinteressante*, Globo, *Folha de S.Paulo, Extra, Correio*, and Agência Brasil. We analyzed 150 articles from these sources that were published between October 14, 2020, and December 31, 2022.

The analysis was done in four steps: (1) definition of keywords to be searched, which are controlled for pertinence; (2) search and selection of the articles; (3) coding of the texts with the help of MAXQDA software; and (4) analysis of the material.

For the five identified themes of the project (security, crime, police, justice, and prison), we chose combinations of keywords to guide searches in LexisNexis based on a criterion of relevance. The use of combinations allowed us to align the results with the research objectives. Keywords, if not combined, generate results disconnected from the themes of punitivism and CJS reform. For example, when searching only the word “justice,” many results related to electoral justice appear, which does not interest us at this moment.

We therefore have 10 keyword and keyword combinations, which are listed below. After each LexisNexis search, we chose the first article from the first 15 pages of results.

Keywords: “punitivism” (initial search result = 65 results); “public security” (initial search result = 10,000+ results); “police + racism” (initial search result = 141 results); “crime + cause” (initial search result = 329 results); “police + investigation” (initial search result = 4,921 results); “judge” + “sentence” (initial search result = 4,936 results); “justice” + “impunity” (initial search result = 3,576 results); “prison” + “sentence” (initial search result = 1,791 results); “prison” + “education” (initial search result = 268 results); and “police violence” + “protection” (initial search result = 185 results).

Twitter Analysis

With the help of MAXQDA software, tweets were collected weekly. Three groups of profiles were defined among influencers, politicians, journalists, etc. Each of the researchers followed one of these groups for four months, as specified below.

The data was collected from June 14, 2022, to October 21, 2022, totaling 63,409 tweets. We divided the sample into three groups: far-right influencers²⁰ (21,074 tweets); members of the public security caucus (*bancada da bala* in Portuguese) in Congress and one hashtag: #minhacoréobrasil/minhacoreobrasil/minhacoeobrasil²¹ (13,720 tweets); and journalists, right-wing media, businessmen, religious leaders, and two hashtags: #entrelobos and #Brasilparalelo²² (28,615 tweets).

In view of the number of tweets collected, criteria were developed for selecting the material. All the collected material was read by the researchers, and samples were generated for each of the three groups of accounts. To do so, we searched the material for key radicals that would allow us to identify which tweets dealt with the themes correlated to the project: “pris” for prison and prisoners; “arm” for weapon(s), armament, armed; “crim-” for crime, criminality, criminals; “polic/police” for police, policemen, policing; “segur” for security, public security, national security; and “justice.”

The sample was reviewed by the team to avoid terms that are not of interest to the project. For example, the “justice” sample excluded all tweets that related to electoral justice as well as tweets that talked about “security of electronic ballot boxes”—recurring themes in these profiles. In the end, the following samples were obtained: far-right influencers: 1,018 tweets; members of the public security caucus (*bancada da bala* in Portuguese) and the hashtag #minhacoréobrasil/minhacoreobrasil/minhacoeobrasil: 735 tweets; journalists, right-wing media, businessmen, religious leaders, and two hashtags: #entrelobos and #Brasilparalelo: 2,337 tweets.

Appendix II: Extended List of Citations

FINDING #1

The media echoes authorities' points of view on crime and prison.

RIO - “We neutralized a possible tragedy.” This is how Police Officer Dario Taciano de Freitas, from the Special Police Department for Repression of Cyber Crimes (DRCC), of the Civil Police of the Federal District, defined the importance of the arrest, on Tuesday (29), of a 20-year-old man, living in Asa Sul, in Brasilia, who was planning to carry out a massacre at a school. The name of the operation—Anaphora—refers to a figure of speech used by writers through the repetition of one or more words at the beginning of verses, sentences, or periods. Employed in poetry and music, the “anaphora” increases the expressiveness of the message, emphasizing the meaning of terms repeated consecutively.

“Young admirer of Nazism is arrested for planning school massacre in DF; Operation was conducted on Tuesday (29) by the Civil Police after investigation that had support from the U.S.; suspect had pedophile material,” Globo, March 29, 2022

The judge of the 1st Court of Criminal Executions of the Court of Law of Rio Grande do Sul (TJRS) Sonáli da Cruz Zluha determined that each day of sentence served by inmates in custody at the Presídio Central de Porto Alegre, one of the largest penitentiaries in the country, should be counted double. The decision considers the “overcrowding” of the penitentiary and the “degrading and inhuman” conditions to which the prisoners are subjected. The decision does not apply to inmates convicted or accused of crimes against life, physical integrity, or sexual offenses. Zluha’s decision follows jurisprudence from the Inter-American Court of Human Rights, which in November 2018 determined that each day of sentence served at the Plácido de Sá Carvalho Penal Institute, one of the units of the Gericinó Complex, in Bangu, Rio de Janeiro, should be double-counted for all prisoners. At the time, the IACHR understood that there was a failure to comply with commitments made by the government to reduce overcrowding in the unit and regain control of the galleries that had been taken over by prisoners.

“Prisoners in overcrowded Porto Alegre prison will have sentence counted double,” Tribuna do Sertão, November 23, 2021

In early July, the government of Rio Grande do Sul signed a plan to encourage prison labor and signed a partnership with a shoe company to expand the number of vacancies for former inmates of the prison system. With the aim of encouraging the hiring of this population, whose main barrier is prejudice, the new Bidding Law authorizes the invitations for the contracting of services to require that a minimum percentage of the contractor’s workforce comes from or leaves the prison system.

“Inmates and the capitalism of ‘stakeholders,’” O Estado de S.Paulo, August 20, 2022

The Public Defender's Office of the State of Bahia prepared a document with recommendations for measures to reduce police lethality. The material, delivered to the governor and to the State Secretary of Public Security, contains a series of proposals, such as the use of body cameras by the Military Police; greater transparency in security data; a service channel for cases of missing persons after police approach; the repeal of the "Baralho do crime"; and the immediate communication to the internal affairs services (of the Security Secretariat and of the Police) about the opening of police inquiries to investigate malicious homicide. The objective of these and other actions is to accelerate and optimize prevention policies and to increase supervision and control of police activity.

"Controlling police is an urgent task," Correio (Correio24horas.com.br), April 19, 2022

FINDING #2

Punitivism frequently appears in the media yet is rarely explained, and it is misused as a synonym for punishment.

Even so, it is amazing that so many intellectuals do not know that criticizing a law is different from breaking a law, and that they run away from the ideas uttered by attaching themselves to those who uttered them. In other words, they moralize and criminalize debate instead of fostering it through reason. Some say that "Nazism cannot be discussed" because it is monstrous. I agree. Too bad the debate was not about the immorality of Nazism—a platitude, let's face it—but about freedom of speech.

"Punitivism masquerading as criticism," Folha de S.Paulo, February 14, 2022

For Dudu Ribeiro, co-founder of the Black Initiative for a New Drug Policy and coordinator of the Safety Observatories Network in Bahia, "one of the big questions when the subject is public security is the quality and transparency in the production of data. Historically we have seen a public security response based on incentives for punitivism and bravado, and still very distant from the production of data".

"Balance points: 131 shootings and 108 people shot in July in Salvador and RMS," Correio (Correio24horas.com.br), August 8, 2022

The limit of punitivism is that, as a system, racism will continue to operate structurally, even though the feeling of justice will relieve us of the anger of the moment. The racist woman posted bail and is free. Justice, by setting the racist free, sends a message of collusion. One can commit the crime of racism, pay a token fee, and be on the street to commit another act. The law needs to be updated and complemented.

"Giovanna Ewbank and Bruno Gagliasso," Folha de S.Paulo, February 8, 2022

And the "punitivism" we need now, after the crimes of the pandemic, is another. I doubt that it will be well represented in the 2022 presidential campaign. I doubt even more that it will be by the former justice minister of the guilty party.

"Is it worth discussing Moro president at this point?" Folha de S.Paulo, November 14, 2021

FINDING #3

The way the news media treats discussions of impunity is similar to how the far right frames the issue.

The figure of the guarantees judge [juiz de garantias] (...) would be necessary to guarantee the impartiality of the judge who declares the sentence, who would be free of biases acquired during the investigation phase. The measure is opposed by the main magistrates' associations in the country—the Brazilian Magistrates' Association (AMB) and the Association of Federal Judges of Brazil (Ajufe)—under the arguments that the creation of the judge of guarantees will generate problems in the progress of cases and in the effectiveness of justice, as well as result in higher expenses in a tight fiscal scenario. The new figure, however, was celebrated by defenders and lawyers, who see in the measure a civilizing advance in the guarantee of fundamental rights against abuses by the State itself.

“More than a year after injunctions, STF debates judge of guarantees,” Agência Brasil, October 25, 2021

“Last week, magistrates and experts heard by the panel complained about loopholes in the current legislation that allow impunity, such as, for example, the fact that racial slurs are not equated to the crime of racism. Debaters call for changes in criminal law to make the fight against racism more effective.”

“Working group resumes debate on racism in legislation,” Jornal Brasil em Folhas, April 13, 2021

BRASILIA - The president of Congress, Rodrigo Pacheco (PSD-MG), decided to take a stand after President Jair Bolsonaro affronted the Supreme Court (STF) with the issuance of a decree pardoning the conviction of Congressman Daniel Silveira (PTB-RJ) imposed by the Court. In an interview with *Globo*, Pacheco said that the measure adopted by Bolsonaro is constitutional and it is up to the STF to accept it, but he considers that the president's act “generates a feeling of impunity and weakens the criminal justice system in the country.”

“Bolsonaro's pardon of Daniel Silveira ‘gives a feeling of impunity and weakens the Justice system,’ Pacheco, President of the Senate, says in an interview with Globo; however, that the measure adopted by the president is constitutional and it is up to the STF to accept it,” Globo, April 22, 2022

FINDING #4

Crimes of racism are often mentioned but always as a result of individual or interpersonal prejudice.

The employee of a burger joint Parnaíba, on the coast of Piauí, held a police report on Thursday after a customer spoke by message that did not want her to prepare his snack because she was Black and lesbian. In screenshots posted on social networks by the victim, Joelma Figueiredo, 23, the author of the offenses assumed to be “prejudiced and racist” and said the company should not hire “this kind of people to work.”

“She is Black and lesbian, understand my side’: employee makes police complaint after suffering racism and homophobia customer in Piauí; In prints posted on social networks by the victim Joelma Figueiredo, 23 years, the author of the offenses assumed to be ‘prejudiced and racist,’ and said the company should not hire ‘this kind of people to work.’ The author of the offenses has not yet been located,” Globo (Brazil), March 17, 2022

“After false accusation of theft in Leblon, young man is investigated for buying stolen bike,” Folha de S.Paulo, June 19, 2021

“Black commissaire is barred in store and police investigate crime of racism in Fortaleza; Police conducted search and seizure of images of the establishment after judicial authorization; employee of the site would have prevented the victim from entering for ‘security issues,” Globo, September 20, 2021

“Young woman who said she was terrified of ‘dark people’ is indicted for racism,” Folha de S.Paulo, October 7, 2022

FINDING #5

“Structural racism” is only mentioned, never explained.

Structural racism was the subject of debates throughout the country after a video recorded in Leblon went viral. The images show white couple Mariana Spinelli and Tomás Oliveira approaching Matheus Ribeiro, a black man. The young man was riding an electric bike identical to the couple’s, which had just been stolen. The couple denied that the approach had been made because of the color of Matheus’s skin, and, months later, the courts closed the investigation into whether there had been racism. The Civil Police concluded the investigation about the theft and indicted another young man, Igor Martins Pinheiro, 22 years old. He was identified from security camera images.

“Recall the crimes that shook Rio de Janeiro in 2021; Henry case, racism in Leblon, death of MC Kevin and the arrest of the ‘Pharaoh of Bitcoins’; had great repercussion this year,” Globo, December 28, 2021

To Estadão, the Attorney General says that policies must take into account who the victims are and that structural racism needs to be faced in the country.

“Country still experiences significant structural racism,” O Estado de S.Paulo, June 8, 2021

FINDING #6

An individualistic and sensationalist view on crime is common in the media, which seeks to shock the public.

“Religious Intolerance: cases increased 11.7% in one year; African religions are the most frequent targets of attacks,” Globo, April 16, 2022

The numbers show a 23.2% increase in the total number of robberies from April 2021 to April 2020. There were 9,721 occurrences against 7,893 in the previous year. On the other hand, when the first four months of the year are analyzed, there was a drop: There were 42,686 robbery occurrences between January and April 2021, against 50,222 in the first four months of 2020, a 15% reduction.

In Copacabana, where there was the highest percentage increase in robberies—440%—between April 2020 and April 2021, the president of the Residents Association, Horácio Magalhães, highlights the easing of commercial activities as cause for the statistic, because of the increase in circulation of people on the streets.

The biggest increase in the state among robbery modalities was in buses: 105.1%. But in absolute numbers, pedestrian robbery is the most prominent: About one in three robbery incidents in April are of this type. The growth in pedestrian robbery was 30.6%, in a comparison between April this year and the same month in 2020. Looking at the regions of the state, all had an increase in the total number of robberies recorded. The biggest growth occurred in the countryside, where the cases went from 467 in April 2020 to 623 in the same month this year, an increase of 33.4%.

“Robberies in Rio up 23% in April compared to same period in 2020; Since the pandemic began, this was the first rise compared to the same month a year earlier,” Globo, July 7, 2021

Little Henry Borel had several marks of violence all over his body. A forensic report indicated that the child died after receiving a strong blow to the liver. The blow would have been provoked by the former councilman Jairo Souza Santos Júnior, aka Jairinho, who was dating the teacher Monique Medeiros da Costa e Silva at the time.

On June 22, Matheus Correia Viana and Nathalia Guzzardi Marques, both 30, were found dead in the bathroom of an apartment in Leblon, in the South Zone, from continuous inhalation of carbon monoxide. The chemical asphyxiation was caused by a leak in a gas heater located in the bathroom. Tests showed that the carbon monoxide concentration was 50 times higher than the maximum expected value.

“Recall the crimes that shook Rio de Janeiro in 2021; Henry case, racism in Leblon, MC Kevin’s death and the arrest of the ‘Pharaoh of Bitcoins’; had great repercussion this year,” Globo, December 28, 2021

FINDING #7

The media portrays people accused of crimes in an unequal way, based on their class and race/color.

Investigations indicate that Willian chose to attack Gabriel in a random manner. Also, in a statement to the homicide police, the thug said he did not know the engineer and had no motive to kill him.

“According to investigations by the Capital Homicide Police (DHC), Willian Ferraz do Carmo, 26, struck Gabriel da Silva Leite, 34, at least 20 times,” Globo, March 20, 2022

In the list of accused are the owners of the health insurance company, brothers Fernando and Eduardo Parrillo, the former executive director Pedro Benedito Batista Júnior, and six other members of the Pentagon, the name given to the company's top management.

“Civil Police inquiry exempts Prevent Senior from crimes against patients,” Folha de S.Paulo, April 19, 2022

“Police arrest SP man pointed to as the Brazilian Escobar,” Folha de S.Paulo, June 9, 2022

Endnotes

1. A strategic brief comparing what the sector wants to communicate about reform of the CJS with how the public is currently thinking about these issues is forthcoming as part of this project.
2. Bandits who conducted a dragnet near Shopping North exchanged fire with the military police; one suspect was wounded and arrested; case was sent to the 23rd DP (Méier) who will be responsible for the investigation. (2022, January 20). *O Globo*.
3. Wacquant, L. (2001). *As prisões da miséria*. Jorge Zahar.
4. Project foresees classes for judges and prosecutors to create empathy for victims. (2010, December 24). *Folha de S.Paulo*.
5. The fine line between immunity and impunity. (2021, March 11). *Tribuna do Sertão*.
6. In 2003, Brazilian Penal Code Law 2.848 on the crime of personal offense was amended to include a paragraph relating to “racial offenses.” It means that offending someone’s personal dignity based on “race or skin color” might be penalized with up to three years of jail time. The law and its implications were and, as we show, still are largely debated in the media.
7. As described by Silvio Almeida: “The individualistic conception may not admit the existence of ‘racism,’ but only of ‘prejudice,’ to emphasize the psychological nature of the phenomenon in detriment of its political nature. From this angle, there would be no racist societies or institutions, but racist individuals, acting alone or in groups. (...) In the end, when one limits the perspective on racism to behavioral aspects, one fails to consider the fact that the greatest misfortunes produced by racism were done under the shelter of legality and with the moral support of political and religious leaders, as well as those considered to be ‘good men.’” Almeida, S. (2019). *Structural Racism*. Pólen Produção Editorial LTDA.
8. Police indict for racism a passenger who insulted a woman in the BH subway: “Negros fedidos.” (2022, September 30). *O Globo*.
9. Remember the crimes that shook Rio de Janeiro in 2021. (2021, December 28). *O Globo*.
10. Remember the crimes that shook Rio de Janeiro in 2021. (2021, December 28). *O Globo*.
11. Prevent Senior is a health insurance company implicated in a major scandal during the COVID-19 pandemic for intentionally failing to provide treatment for its beneficiaries and allowing a number of senior citizens’ deaths in order to reduce the strain the pandemic had put on their medical infrastructure.
12. Bandits that were robbing near Norte Shopping exchange fire with the Military Police. (2022, October 1). *O Globo*.
13. Remember the crimes that shook Rio de Janeiro in 2021. (2021, December 28). *O Globo*.
14. *Excludente de ilicitude*, or “exclusion of illegality,” was one of Bolsonaro’s minister’s propositions—a bill that stated that any deaths that resulted from police action were “excluded from illegality.” The Brazilian left-wing opposition heavily criticized the bill for essentially legalizing the police’s existing and unofficial “license to kill.”
15. Casare Lombroso is an Italian doctor, reputed to be the “inventor” of phrenology.

16. Becker, G. S. (1968). Crime and punishment: An economic approach. *Journal of Political Economy*, 76, 169–217.
17. *Saidinha* is the popular name of one of the features of the *progressão de pena* in Brazilian penal law—offenders considered “less offensive” are eligible to receive less restrictive time if they meet a series of “good behavior” measures, such as taking university courses or finding jobs. They can eventually be allowed to spend their days outside and go back to facilities for the evening, or be granted weekends and holidays with their family. This is seen as a reintegration feature that would prevent desocialization from being closed off from family and work. *Progressão de pena* might be similar to a parole measure. *Saidinha* relates more specifically to the official holiday (such as Christmas) liberation that offenders eligible for the *progressão de pena* are allowed.
18. The final sentence in the tweet says: “Didn’t history show that if we fail to punish minor crime, they tend to progressively escalate in gravity?”
19. *A hora da onça beber água* (“It is time for the jaguar to drink water”) is a Brazilian idiomatic expression that refers to a dangerous time that requires quick decision-making.
20. André Porciuncula, @andreporci (370,794 followers); Brasil Sem Medo, @JornalBSM (410,151); Alessandro Loiola MD, @AlessandroLoio2 (194,966); Paulo Figueiredo Filho, @realpfigueiredo (698,610); Leandro Ruschel, @leandrorusche (858,305); Josias Teófilo, @josiasteofilo (110,020); Família Direita Brasil, @BrazilFight (323,413); Brasil Paralelo, @brasilparalelo (495,956); 7 Minutos - Canal #FechadoCom, @os7minutos (2,223); Danilo Gentili, @DaniloGentili (17.3 million); Roger Moreira, @roxmo (1.3 million); Kim D. Paim, @kimpaim (904,796); Filipe Barros, @filipebarrost (689,291); Chris Tonietto, @ToniettoChris (90,370); Guilherme Fiuza, @GFiuza_Oficial (1.4 million); Monark, @monark (1.3 million); TeAtualizei @taoquei1 (1.4 million).
21. Movimento Brasil Livre, @MBLivre (524,000 followers); Carlos Bolsonaro, @CarlosBolsonaro (3.3 million); Osmar Terra, @OsmarTerra (552,200); Carla Zambelli, @CarlaZambelli38 (currently excluded from Twitter); Carlos Jordy, @carlosjordy (1 million); Ricardo Salles, @rsallesmma (1.4 million); Abraham Weintraub, @AbrahamWeint (1 million); Cris Brasil, @crisbrasilreal (71,700), Bia Kicis @Biakicis (1.9 million), Major Vitor Hugo @MajorVitorHugo (427,600); Damares Alves, @DamaresAlves (2.1 million); General Hamilton Mourão, @GeneralMourao (2.7 million); General Augusto Heleno, @gen_heleno (2.1 million); General Eduardo Villas Bôas, @gen_villasboas (1.2 million); Janaína Paschoal, @JanainaDoBrasil (1.1 million); Flávio Bolsonaro, @FlavioBolsonaro (2.8 million); Eduardo Bolsonaro, @BolsonaroSP, (2.4 million), Helio Lopes @depheliolopes (521,400), General Eliéser Girão @generalgirao (251,900); Capitão Guilherme Derrite, @capitoaderrite (278,700); Delegado Waldir Soares de Oliveira, @delegate_waldir (5,782).
22. Rodrigo Constantino, @Rconstantino (1.1 million followers); Luís Lacombe, @luislacombe (855,700); Augusto Nunes, @augustosnunes (1.5 million); Alexandre Garcia, @alexandregarcia (4.1 million); Jorge Adrilles, @AdrillesRJorge (683,000); Leandro Narloch, @lnarloch (102,800); William Waack, @painelwwcerto (13,000); Roberto Motta (Jovem Pan commentator), @rmotta2 (848,100); Oeste Magazine, @revistaoeste (1.1 million); Jornal Brasil Sem Medo, @JornalBSM (388,000); Conexão Política, @conexaopolitica (655,300); Gazeta do Povo, @gazetadopovo (574,400); Jornal da Cidade Online, @JornalDaCidadeO (607,600); Republic of Curitiba, @Republica_ctba (187,200); National Studies, @estudosn (26,500); Luciano Hang (Véio da Hanvan), @LucianoHangBr (699,800); Junior Durski (owner

of Grupo Madero), @juniordurski (no longer on Twitter); Flavio Rocha (Riachuelo), @flaviogr (28,200); Silas Malafaia, @PastorMalafaia (1.4 million); Pastor Marco Feliciano, @marcofeliciano (790,700); Magno Malta, @MagnoMalta (974,000).



Media Narratives of the Brazilian Criminal Justice System

Research Findings and Preliminary Recommendations

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