

BRAZIL

Statement

The Female Prisoners of the State of Sao Paulo

From the incarcerated women in the State of Sao Paulo

When the Secretariat of Security assumed responsibility for the prison system, we, as incarcerated women, voiced our concerns about possible abuses. We never anticipated, however, such a brutal massacre.

The blood that was spilt will not be in vain. There is great national and international attention being paid to these facts. This gives us hope that measures will be taken.

The Juridic Situation

The Justice System takes a long time to judge cases. This results in the terrible problem of over population within the prisons. It is not rare to see people serving more time than that which would have been served if they had been tried.

Disrespect for Women's Rights

Any women who give birth in prison are separated from their children right after birth. They are denied the right to breast feed, granted by law, and denied the right to bond with their own children.

The most perilous consequence of this policy is that many children born to incarcerated women are given up for adoption without the mother's permission. The system simply takes advantage of their "in limbo" status and legal abandonment.

Rehabilitation

We believe that helping professionals should have daily contact with female inmates inside the pavilion. Just think: some of them never even entered the premises, never assess the women, accompanied their behaviour, don't know about their progress at work, maintain no relations with any workers in the pavilions, whether at work or at school, and are never there to witness the daily lives of female prisoners.

Their duties are to prepare reports based on tests which last from 10 to 20 minutes; tests which determine whether the prisoner is ready or not to be rehabilitated for re-entry into society

Requests

- * We want rehabilitative work, which enhances our self-esteem and self-worth, and which gives us marketable skills.
- * We want the benefit of sentence remittance, our right by law, to be respected, and want the system to define the criteria for keeping count of days worked/days to be deducted from the sentence. The latter varies from prison to prison.
- * We also want a higher salary which permits us to help our families. We no longer want piece wages, now calculated in an unjust manner.

20 Conditions Requested by the Women at San Paulo

- 1 The right to breast feed our children.

- 2 A daycare inside the prisons, so that we may be with our children during important developmental phases.
- 3 A separate and adequate visiting situation where we can see children younger than 8 years of age.
- 4 Special visiting days such as Mother's Day, Children's Day, Christmas and birthdays...
- 5 Intimate visits, * a right men already possess.
- 6 Visits with our husbands and our incarcerated partners. This right is already respected in other states in Brazil.
- 7 Increase visiting hours to the minimum of 6 hours, * as in male prisons.
- 8 The right to work in forensics (judiciary), to have access to information regarding our processes, * such as happens in male penitentiaries.
- 9 Allowing the newspaper "Diario Oficial" so that we may read it, * as happens in male penitentiaries.
- 10 Regular access to telephones, as in prisons in Curitiba and Rio de Janeiro.
- 11 The permission to have a television in one's cell, a right in most penitentiaries, including the female one in Tatuape.
- 12 Regarding WORK, under the responsibility of FUNAP; that opportunities be expanded so that there is work for all prisoners; that other types of work be instituted which have a rehabilitative function and which do not depend on payment for work done. The prisons of Tremembe and the office of FUNAP satisfy this criteria and we suggest that this model be followed in other penitentiaries.
- 13 That steps be taken to regulate and guarantee sentence remittance for working female prisoners, and that it be updated every six months minimum. We also believe that the law should be reformulated to protect workers in the prison schools who are obliged to work on Saturdays, Sundays and holidays, who are also not entitled to reductions in their sentences.
- 14 That measures be taken to resolve the issue of HEALTH in female prisons. "HEALTH", in the Capital's female penitentiary has been closed down for unsanitary reasons, there are no hospitals for female prisoners in many cases, nor cars available for transportation. The lack of hospital facilities is a serious problem for sick inmates and for those who are not ill, for the latter are obliged to live with contagious diseases.
- 15 We demand the right to routine medical check-ups, to preventative medicine and to beds in the recently inaugurated hospital in the male penitentiary.
- 16 Help for female AIDS sufferers (medical, psychological and humanitarian).
- 17 A larger number of lawyers.

18 The right to progressive serving of sentences for first time offenders.

19 Clemency and concession of conditional parole for female AIDS sufferers who are in the final stages of the illness. There needs to be developed a mechanism to facilitate this recourse in a short amount of time, as there are many women who die in prison without having acquired freedom.

20 That an inquiry into the adoption of female inmates' children be opened.

Conclusion

We believe that the democratic process starting in this country should also apply to prisons; we are citizens and want to participate.

We would like permission to start a Female Prisoners' Commission to mediate with officials.

We believe that the democratic process is an effective tool in the prevention of such painful occurrences as those in the House of Detention. The experiences of the Prisoners Commission in Porto Alegre is a positive example showing how problems can be worked out together.

Sao Paulo, November 11th, 1992

