



## Crime and punishment: who to punish and what for?

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According to the research conducted by the Ministry of Justice (2017), Brazil occupies the position of country with the third largest prison population in the world. The survey reports that the prison population increased about 700% from the 1990s to the current one, with more than 720,000 prisoners (more than 40% of these without a final sentence). The main crimes responsible for prison are drug trafficking (28%), theft and robbery (crimes against property, which added up to 37%), and it is possible to verify the criminal selectivity in the choice of incarceration crimes. However, new laws are emerging daily, imposing more severe penalties, even if the prison system lives, according to the Supreme Court (ADPF 347), what is called the "State of Unconstitutional Things". In early 2020, the coronavirus pandemic brought new issues to Brazil regarding crime and selectivity. The objective is to analyze if the dilemmas experienced in the criminal and prison context, such as the invisibility of women and transsexuals, among others, arise from the state control and its policy of over incarceration, and if there are measures capable of modifying this scenario. Furthermore, the aim is to verify whether the coronavirus pandemic has resulted in the state abandonment of the prison population, as well as whether it has led to an increasing in crime and whether the measures announced for its containment (if any) are compatible with the rights and guarantees constitutionally guaranteed to the accused and imprisoned. This project will use documentary analysis, namely, information extracted from public databases, historical data and legislation, and literature review on the subject. The monitoring of the data intends to reveal if the state control, as it has been carried out, contributes to the criminalization of poverty, to hyper incarceration and to penal selectivity, ignoring the "State of Unconstitutional Things" existing in the prison system. It is also hoped to find out if the coronavirus pandemic, which is devastating the world, has increased crime in the country and, if so, if the possible measures created to contain it ensure the rights of the accused or if emergency or symbolic criminal law is stamped out.

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