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RESOCIALIZING AND REINTEGRATING: CHALLENGES AND PROSPECTS FOR A FRESH START

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Abstract: The reflections addressed in this article are about resocializing and reintegrating people deprived of their liberty who need to return to social life, but who still encounter many barriers to entering the job market, since society, fearing their safety, ends up denying them the opportunity for a fresh start. The text analyzes the proposals for social reintegration from prison to life in society, checking which re-socializing opportunities prison currently offers to people deprived of their liberty. The methodology of this study is based on bibliographical research, drawing up a dialog with authors such as Foucault (1999), Lima (2012) and Mirabete (2006). The conclusion indicates that resocialization and reintegration policies need to go beyond penal institutions, since society is still very resistant to welcoming an ex-convict into the job market, and that partnerships between the state and companies are extremely important, as is the work of NGOs, which welcome and direct people who have left prisons and want a fresh start.

Keywords: Resocialize. Reintegrate. Job market

INTRODUCTION

Based on the concept of man's ability to reinvent himself, this makes him unique and transformative, which is reflected in his way of life. When we reflect on history, we see how values and customs change as human thinking changes, and this is embedded in our daily lives, because we come from a generation that believed that "when it thundered it was because God was angry", as our parents taught us. This empirical understanding has also influenced the way we repress man's violent attitudes, from the punishments of antiquity, torture and death sentences, to the proposals to resocialize and reintegrate people deprived of their liberty.

Faced with the possibility of studying and working in prison, people deprived of their liberty not only have the chance to redeem their sentence by working, but they also receive professional training, which is a way of restoring human dignity, providing them with the knowledge they need to enter the job market and interact socially. According to Albegaria (1996, p. 139):

...] resocialization is one of the fundamental rights of the prisoner and is linked to the welfare state, which [...] strives to ensure the material well-being of all individuals, to help them physically, economically and socially. The offender, as an individual in a difficult situation and as a citizen, has the right to be reintegrated into society. This conception has the merit of requesting and demanding the cooperation of all specialists in human sciences for an eminently human mission that can contribute to the well-being of humanity.

The author highlights the importance of resocialization work as a mediator to reintegrate the convict into society, since the penal system is no longer just a place of deprivation of liberty, but an institution with concrete proposals to enable a fresh start for those who for some reason have followed this dangerous world of drugs and/or violence. In this way, the main focus of resocializing and reintegrating policies is to transform people's thinking and attitudes, so that they can be reintegrated into society in a peaceful way and can contribute to the job market, being able to perform a function, be paid and, therefore, maintain themselves without having to commit crimes or violent acts, in the illusion of an illicit life, which only contributes to their decadence.

And in the search for clarification on the effectiveness of these resocializing and reintegrating policies, this article has constructed a bibliographical reflection, developing a conceptual analysis of the topic addressed in relation to society, to understand the extent

to which it can understand its objectives; and how resocializing and reintegrating proposals are accepted in the job market, highlighting the difficulties that ex-offenders encounter when they leave prison units, after serving their sentences, and go in search of paid work to subsidize their own livelihood.

RESOCIALIZATION AND REINTEGRATION: SOCIAL PRACTICE FROM PRISON TO LIFE IN SOCIETY

According to Coelho (1987, p. 13):

In fact, how can prison claim to re-socialize criminals when it isolates them from society and thus incapacitates them for social practices? How can it claim to reintegrate them into society when it is prison itself that drives them into the “society of captives”, where the practice of crime values the individual and makes them respectable to the prison masses?

The author raises questions alluding to the prison models instituted throughout human history, from severe punishment to resocializing models, which propose the possibility of a fresh start, but which still follow the model of social isolation, being a possible barrier to the possibility of starting over and reintegrating into social life. This question opens up a discussion about creating possibilities for a person who is deprived of their liberty to return to social life prepared to work in the job market, with respect and responsibility towards others, breaking the cycle of those who commit more crime being more respected, as this thinking only contributes to an increase in violence.

There are many discussions about inclusion, about bringing people into society without any distinction, but the reality is that, in the midst of a heterogeneous society, the process of acceptance becomes extremely complex, especially when it comes to a person who has been in prison. Baratta (2004) pre-

sents the proposal of reintegration as opposed to correctional conceptions, treatment techniques and resocialization, where:

“Treatment” and “resocialization” presuppose a passive stance on the part of the inmate and an active stance on the part of the institutions: they are anachronistic legacies of the old positivist criminology, which saw the convict as an abnormal and inferior individual who needed to be (re)adapted to society, uncritically considering society as “good” and the convict as “bad”. The understanding of social reintegration, on the other hand, requires the opening up of a process of communication and interaction between prison and society, in which the imprisoned citizens recognize themselves in society and society, in turn, recognizes itself in prison (BARATTA, 2004, p. 3).

The author understands the treatment and resocialization processes in prisons as alienated activities, where the prisoner just waits for measures to put him back into society, in the position of a submissive who needs to be accepted by society, as if he were someone incapable that the state needs to find a place to put back into society. This alienated view, according to the author, needs to give way to reintegration, understood as a process of exchange, of interaction between prisons and society, where one recognizes the other and seeks space so that everyone can interact socially.

Borges, Pereira and Aquino (2012, p. 3) understand that:

no subject is unintegrated or outside of society. Rather, they may be outside the context or values defended by capitalist society, where everyone has to have a defined function and an established role, and man is valued for what he has and what he produces.

The authors argue that life in society is already a form of integration and that no one is outside this cycle, even if they follow different contexts, in other words, from the moment an individual is born, they are already part of a social context, with the freedom to interact

and evolve following the natural cycle of being born, growing up, studying, working and establishing a peaceful way of life. However, there are those people who choose the more dangerous path, with drugs and violence, who think they can come and go as they please, but the reality is that when they enter they put themselves at extreme risk and can end up dead or in prison, within a social prison context, which forces the state to find a way to change this person's life so that they can be reintegrated into social life without offering risks to others.

The first notions of punishments applied to criminals were not thought of as isolation from the social environment, but as a way of fighting back against unjust aggression, with the aim of giving an arduous response to the unjust aggression. Foucault (1987) recounts an execution that took place in 1757:

On March 2, 1757, Damiens was condemned to publicly ask for forgiveness in front of the main door of the Church of Paris, where he was to be taken and escorted in a cart, naked, wearing a shirt, carrying a lighted wax torch weighing two pounds; then, in the said cart, in the Place de Grève, and on a scaffold that will be erected there, with the nipples, arms, thighs and bellies of his legs cut off, his right hand holding the knife with which he committed parricide, burned with brimstone fire, and melted lead, boiling oil, burning tar, wax and sulphur melted together will be applied to the parts where he will be burned, and then his body will be pulled and dismembered by four horses and his limbs and body consumed by fire, reduced to ashes, and his ashes thrown to the wind. (1987, p. 5).

Trying to materialize the author's account would constitute a horror scene, currently only seen in films. However, the fact is that the author refers to a time when punishment for crimes was meted out in extreme terms, living up to a popular saying, "paying in kind", in which case the payment was a little more expensive. In this period, there was no policy

to reintegrate the convict into society, because everything was resolved in a single action, which could sound like an answer to a problem, where life and the social cycle were ended by committing a crime.

Human thought has evolved and so has the reflection of reality, so much so that the state now understands that violent practices arise from countless social problems, which do not justify criminal practices, but which point to the origin of the problem, because the view that the criminal needs to die or remain outside of social life only accentuates violence, if it is not subsidized with proposals for re-socialization and social reintegration. Mirabete (2000) argues that:

Prison work is not, therefore, an aggravation of the sentence per se, nor should it be painful and mortifying, but a mechanism to complement the process of social reintegration in order to provide for the prisoner's readaptation, prepare him for a profession, inculcate work habits and avoid idleness (MIRABETE, 2000, p.87)

The author shows the importance of understanding that deprivation of liberty is necessary in the case of criminal practices, but that imprisonment must be understood as the deprivation of freedom of movement, which does not prevent the inclusion of resocializing and educational public policies, i.e. the person deprived of their liberty will be prevented from circulating socially, but not prevented from studying, becoming professional and working inside prison in the production and manufacture of handicraft products, for example. The fact is that being able to resocialize a person means one less person committing crimes in the social context, which reinforces society's state of security.

Prison work is a possibility for social rehabilitation, as Mirabete (2000) highlighted Francisco Aruz's idea when he reported that:

Prisoner work “is essential for a number of reasons: from a disciplinary point of view, it avoids the corrupting effects of idleness and contributes to maintaining order; from a health point of view, it is necessary for man to work in order to maintain his organic and psychological balance; from an educational point of view, work contributes to the formation of the individual’s personality; from the economic point of view, it allows the prisoner to have some money for his needs and to support his family; from the point of view of re-socialization, a man who knows a trade has a better chance of leading an honourable life when he goes free” (ARUS, apud MIRABETE, 2000, p.88).

The author shows that the work carried out by prisoners fits into various social ramifications, also as a way of reflecting on their own reality and understanding new possibilities for reintegration into society, away from criminal situations.

Penal Execution Law No. 7.210, of July 11, 1984, enacted by the National Congress and sanctioned by President João Figueiredo, in its Article 1, states that:

Art. 1 The purpose of penal enforcement is to give effect to the provisions of a criminal sentence or decision and to provide conditions for the harmonious social integration of convicts and internees. (<https://www.jusbrasil.com.br/>)

Article 1 of the Penal Enforcement Law expresses the main objective of penal institutions today, which is to enforce the sentences imposed on prisoners, but at the same time to provide conditions for social reintegration, since in most cases the person deprived of their liberty must return to social life after serving their prison sentence. According to Renato Marcão:

Penal enforcement must aim to integrate the convict or internee into society, since the mixed or eclectic theory has been adopted, according to which the retributive nature of the penalty not only seeks prevention, but also humanization. Through execution, the aim is to punish and humanize (MARCÃO, 2015, p. 32).

According to the author, the Penal Enforcement Law, in addition to ensuring that prison sentences are carried out, also subsidizes the implementation of (re)socializing policies within penal institutions, even with restricted compliance, as these can only take place through an adequate and safe environment, both for those serving sentences, as well as for the penal officers and the management and administrative staff. According to Foucault (1999), imprisonment is an act that does not recover the person, since:

[...] the idea of penal confinement is explicitly criticized by many reformers. Because it is incapable of responding to the specific nature of crimes. Because it has no effect on the public. Because it is useless to society, even harmful and expensive. It keeps convicts idle and multiplies their vices (FOUCAULT 1999, p. 102).

In the author’s view, the prison system is seen by many reformers as an expensive place for society and one that fails to awaken in the prisoner an understanding of transformation, of starting over in a way of life without violence or drugs, that its practices contribute to the spread of violence. The process of resocializing and reintegrating a person who has come from a world surrounded by a lot of violence and drugs is not easy, even with all the assistance provided, because their view of the world is very distorted, which demands even more from the prison system, which needs to give a positive response back to society. According to Kuehne (2013, p. 32):

In addition to many other factors, work is undoubtedly an important tool for achieving the main objective of the Penal Execution Law, which is to give back to society a person who is fit to be useful. It is regrettable to see and know that we are in the eminently pragmatic field, given that the units of the federation have not taken advantage of the potential of the workforce that prisons make available.

The author defends the idea that the main duty of penal execution is not to punish, repress or punish the convict, but to build the means for him to recover, in fact, to be able to resocialize himself so that he can be reintegrated into society and no longer be part of those imprisoned in penal institutions. However, the reality of penal institutions, which suffer from overcrowding, according to data published by Gabriel Bentes in OLIBERAL. Com, that:

For yet another consecutive year, the Brazilian prison population, considering convicted and provisional prisoners, has grown. According to **data from the Brazilian Public Security Yearbook 2024**, the number of people in prison rose from 832,295 in 2022 to 852,010 in 2023, an increase of 2.4%. Of this population, 805,291 are men and 46,719 are women. As a result, the prison system continues to have a **significant shortage of places**, given that it has decent conditions to hold 643,173 people. (<https://www.oliberal.com/brasil/populacao-carceraria-do-brasil-cresce-novamente-e-ultrapassa-852-mil-presos-quase-70-sao-negros-1.853694>)

According to data that the author extracted from the Brazilian Yearbook of Public Security 2024, in 2023 there was a 2.4% increase in the prison population in Brazil, which in numbers represents around 19,715 more people deprived of their liberty in prison units, which only have 643,173 places to hold prisoners, but due to the high number of prisons need to accommodate a total of 852,010 PPLs. The data above points to a situation of chaos in the midst of social development, since imprisonment rates should be falling rather than rising, which for Porto (2007, p. 22):

Overcrowding is the most serious - and chronic - problem afflicting the Brazilian prison system. Overcrowding has led to the death of inmates and the spread of contagious diseases, such as tuberculosis, among the prison population.

According to the author, overcrowding is one of the most serious problems facing the prison system. In addition to the difficulty of developing resocialization projects and policies, they still have to deal with prison overcrowding and find a way to make it all work, so that individuals are resocialized and reintegrated into society. The resocialization policies need to work effectively to prevent PPL from re-entering penal institutions, and to prevent new generations from entering the world of crime, violence and drugs.

THE CHALLENGES OF A FRESH START AFTER PRISON

In the middle of the 21st century, in the face of a contemporary, extremely modern and technological society, which defends the renewal of human values and fights for an end to prejudice, but which still fears when it hears about social reintegration, in other words, reintegrating people deprived of their liberty into society, There is an abyss between the public policies developed in prison and the reality outside it, since most of them are unable to enter the job market when their employer finds out that they are ex-offenders, as Herkenhoff describes after interviewing people who have already been deprived of their liberty:

None of the prisoners or ex-prisoners interviewed believe that prison helps anyone. Prison is perceived as a place of punishment. Society doesn't give prisoners the opportunity to abandon a life of crime. The difficulties of social reintegration were described, and the mark of being an ex-convict was signed as perpetual and terrible. (HERKENHOFF 1998, p. 95)

The author gives a brief account of the reality of many ex-offenders who studied and became professional while in prison, but who are unable to enter the job market, because the mark of their time in prison is a symbol of social exclusion in the 21st century for most employers. It's also important to stress

that exclusion doesn't only happen in the job market, because in some situations the family itself opts out, perhaps because they're tired or don't believe in change.

Faced with a social reality surrounded by fear, prejudice and alienation, Greco points out that:

[...] we must understand that, more than just a criminal law problem, resocialization is first and foremost a political and social problem for the state. As long as there is no political will, the problem of resocialization will be insoluble. What's the point, for example, of making the inmate learn a profession or a trade inside the penitentiary if, when he gets out and tries to reintegrate into society, he won't be able to work? What if he has to return to the same promiscuous environment from which he was removed to serve his sentence? In short, these are social problems that must be tackled in parallel, or even in advance [...] (GRECO 2011, p. 477).

The author emphasizes the need for more information, for more opportunities for those who have taken up the possibility of a fresh start, because without job opportunities, the possibility of returning to prison increases. The author also stresses the importance of the state creating job opportunities for ex-offenders, so that society begins to understand that the work carried out in prison, even with all the difficulties, can transform human thinking, because if they continue to be excluded from social life and the job market, there will be no point in resocializing policies beyond prison.

Baierl (2004, p. 70-71) points out that:

the culture of fear has led people to intensify their own measures aimed at supposedly reducing vulnerability, such as building walls and barriers, as well as isolating themselves inside their own homes, bringing about a radical change in behavior, leading people to seek to live in gated communities, which shows that security is currently a commodity sold on the market in increasingly sophisticated and varied forms.

The author reflects on the culture of fear, which builds paradigms that are harmful to those who are looking for an opportunity to change their lives, where people build walls to protect themselves, making it difficult for those who have been in prison to reintegrate into society and take advantage of internal activities to study and professionalize themselves, and return to society resocialized and prepared for the job market. Stories of change and transformation, of ex-convicts who have entered the job market and managed to change their lives, are few when compared to Brazil's prison population. Perhaps society also needs to resocialize itself in the sense of understanding that that imprisoned person took part in systematic classes and professional courses, to change their life, to have the opportunity for a fresh start.

Faced with this reality, the state is forced to create public policies to subsidize the entry of ex-offenders into the job market, creating partnerships with companies and subsidizing work with NGOs. According to Rosângela Lobo Teixeira Zizler, in her article published on jusbrasil.com.br:

The logical conclusion is that repressive actions against crime, such as more policing and improving the prison system, are basically not enough. There is an urgent need to take affirmative action measures in order to offer rehabilitated people equal or equivalent chances to the rest of the economically active population to get a job in the labor market. (<https://www.jusbrasil.com.br/artigos/politicas-publicas-para-o-incentivo-a-reinsercao-de-egressos-do-sistema-prisional-no-mercado-de-trabalho/236654933>)

The author stresses the importance of extending the work of resocialization beyond the walls of penal institutions, in order to accompany the ex-convict until he or she enters and becomes stable in the job market, building a bond of security and trust between employee and employer. The author goes on to propose that

Encouraging the private sector to support this discriminated and disadvantaged class by giving them a chance to work is the focus of this essay: Without a chance in the job market, the rehabilitated will in fact be deprived of a real and effective possibility of being re-socialized and reacquiring their full citizenship, thus contributing to improving public safety, if they do not reoffend. (<https://www.jusbrasil.com.br/artigos/politicas-publicas-para-o-incentivo-a-reinsercao-de-egressos-do-sistema-prisional-no-mercado-de-trabalho/236654933>)

This means that the educational and vocational projects that inmates receive while in prison will be in vain if the job market doesn't take them in, as it is necessary to seek partnerships between the state and the private sector, offering tax incentives and tax reductions in exchange for hiring people who have been in prison.

In addition to partnerships with the private sector, there are NGOs set up to help ex-convicts rejoin society and the job market. According to the Blog - Recomeçar 360, these include: Instituto Recomeçar, Instituto ação Pela Paz, Resposta PRO, Reflexões da Liberdade, Passarela Alternativa, Associação de Proteção e Assistência aos Condenados (APAC), Pastoral Carcerária. And even with the partnerships and initiatives of some NGOs, it's not enough to welcome all ex-offenders into the job market, as many still return to the prison system, which Leandro Aguiar reinforces by stating that:

Throughout Brazil, only 24% of prisoners work, according to data from the National Secretariat for Penal Policies. [...]. According to USP's Center for the Study of Violence, 46% of inmates return to prison after reoffending - which doesn't mean that the remaining 54% have managed to re-establish themselves after imprisonment. (<https://apublica.org/2023/12/prevista-em-lei-res-socializacao-de-presos-e-excecao-estatistica-no-brasil/>)

The data above proves the need for more incentives to extend resocialization policies to the job market, because in view of these results, it is necessary to accompany the prisoner from the time he is in prison until he is reintegrated into society, because with incentives for study and professionalization, having a 46% prison recidivism rate, without the certainty that the other 54% are resocialized, shows that something is not working, that this problem needs to be detected and a solution sought to alleviate this reality. However, it is necessary to believe in better days, in more encouraging rates, in people with more job opportunities and the perseverance to want to change their lives.

METHODOLOGICAL PROCEDURES

The reflections in this article are based on a bibliographical study to discuss the concepts and trajectories that resocializing and reintegrating policies have achieved both inside and outside prison, and to what extent they have managed to direct the lives of people who are deprived of their liberty. To this end, a dialogue was held with some authors who have contributed significantly to the consolidation of these reintegrating and resocializing proposals from prison to life in society.

FINAL CONSIDERATIONS

Human dignity is a superior good, which should never be taken away, because when the system fails, it is man who loses out, and somehow human dignity will fade away, whether for political, social, economic or cultural reasons, but the fact is that man is forced to live a restricted life, which ends up leading some into a world of violence, which can result in imprisonment or even death.

To understand that human dignity is a precious asset is to know the importance of the resocializing and reintegrating policies that

the penal system develops in prison units, since it aims to restructure the convict so that he returns to social life better prepared and qualified to interact and act in the job market, reducing the possibility that he will return to crime. Resocialization aims to give back to society an active, autonomous and participative being prepared to enter the job market, but it is important to stress that this process suffers from many problems, mainly structural, because with overcrowded prison units it is difficult to assist everyone who is deprived of their liberty, which is important to emphasize, because not all prisoners leave the prison units resocialized, either because they did not have the profile to join the projects or because they did not want to join.

Society itself is still not prepared to deal with this proposal to reintegrate ex-offenders, since the fear of violence restricts socialization and employment possibilities, which is why the state has been forced to create part-

nerships with companies, reducing taxes, so that they can open up spaces to receive ex-offenders professionally, who want to work and have a stable and peaceful life, away from the world of drugs and violence. Faced with this reality, there is a clear need for society to be enlightened and for the penal system to provide assistance until the inmate is integrated into the job market, an action that could considerably reduce prison recidivism, which is still very high in Brazil.

The assistance work of NGOs is of the utmost importance in the lives of these people who want a fresh start, without violence. Choosing the path of drugs and violence is for many an easy way of life, but it is pure illusion, because this ease will turn into addiction and danger, and the end of dignity as a human being, because they will live a reality surrounded by violence, persecution and often the loss of life itself.

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