

Chapter #23

BRAZILIAN ADOLESCENT OFFENDERS’ CHARACTERISTICS AND THE CONTEXTS OF INSTITUTIONS FOR YOUNG OFFENDERS A Literature Review

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ABSTRACT

The goals of this chapter were to identify the main social and demographic characteristics of adolescent offenders and the contexts of detention institutions for these youth in Brazil. For that, we conducted a literature review of articles published between 1990 and 2017 in Brazilian Psychology journals. A total of 27 articles were analyzed: 12 addressed adolescent offenders’ social and demographic characteristics and 15 the contexts of institutions for young offenders. Results indicated that young offenders were predominantly male, poor, marginalized, from minority racial groups (e.g., black), and with low level of education. Moreover, most of the detention settings were highly marked by coercion and punishment, far from what is recommended by national and international agreements and laws (e.g., the United Nations Convention on the Rights of the Child). Thus, the harshness of Brazilian juvenile justice affects mostly the poorest and marginalized social groups, perpetuating prejudices rooted in the society. Adolescent offenders are stigmatized as violent and dangerous and, therefore, excluded from the society; they often remain excluded after leaving detention institutions. We call attention to the need to develop policies promoting citizenship, establishing supporting networks for adolescents and families, also guaranteeing access to health, education, culture, and leisure.

Keywords: juvenile delinquency, adolescent offender, institutions for young offenders.

1. INTRODUCTION

Violence is one of the most serious social problems in Brazil. Adolescents and youth (aged between 15 and 29) constitute not only most of the victims but are also the majority of crime perpetrators, with this situation being aggravated over the last years. For instance, between 2005 and 2015, there was a 17.2% increase in the homicide rate of people aged 15 to 29, most of them were from black racial groups (Instituto de Pesquisa Econômica Aplicada [IPEA], 2017). Government data from 2017 showed that around 24,600 adolescents were in custody of the Brazilian juvenile justice, of which nearly 17,000 were detained in youth detention centers. Research analyzing the motivation of youth’s involvement in criminal offenses suggested as contributing factors the deprivation of material resources, a search for a sense of belonging, and a pursuit for social prestige in the communities where they live (Coscioni, Marques, Rosa, & Koller, 2018).

1.1. Child and adolescent: Legal framework in Brazil

Brazilian laws and regulations establish that the family, the society, and the State must guarantee children's and adolescents' rights as an absolute priority (Article n. 227, of the 1988 Brazilian Constitution [Constituição da República Federativa do Brasil de 1988]). The Child and Adolescent Statute ([Estatuto da Criança e do Adolescente], Law n. 8.069, 1990) — also known as ECRIAD — was instituted in 1990 to further regulate and enforce the integral protection of all children (from 0 to 12 years old) and adolescents (aged 12 to 18), seeking to protect them from any type of violence and negligence. When children suffer any violation of their rights or even when they are the perpetrator of a crime, the ECRIAD states that s/he should partake in protective measures. Among the protective measures contributing to preserve family ties are: (a) the provision of guidance, support, and monitoring of youth; (b) the compulsory enrollment and attendance to official elementary schools; (c) the inclusion in a community or official program aiming to help families, children, and adolescents; and (d) the availability of medical, psychological, and/or psychiatric treatment. Some of these protective measures, however, demand the children removal from their homes and, in extreme cases, a search for a new family.

Hence, adolescents who have committed criminal offenses should be guaranteed the protection of their rights as stated by laws and regulations, such as the ECRIAD. They should participate in socio-educational measures that aim at their adaptation to social norms and values. These measures are imputed by judges working in juvenile courts and include actions from damage repair to admission to socio-educational detention centers. This last measure should be applied for no longer than three years; however, it has become more and more frequent. This has generated a large contingent of “incarcerated” youth and aggravated the social exclusion situation in which young offenders find themselves. Some of these youth's greatest losses due to this system include deficits in learning, lag in school, and postponement of their professional formation. For this reason, youth's detention, especially those in closed systems, has been one of the biggest concerns for those who advocate for the rights of Brazilian children and adolescents.

In 2012, a law regulating the juvenile justice actions in Brazil was enacted; this regulation also instituted the National Socio-Educational Service System ([Sistema Nacional de Atendimento Socioeducativo], Law n. 12.594, 2012) – SINASE. The SINASE sought to standardize the services for young offenders, which until then were carried out without any systematization across the Brazilian territory. In accordance to the SINASE's Act, the goals of the juvenile court sentences are: (a) to hold adolescents accountable for the harmful consequences of the criminal offense; (b) to foster adolescents' social integration and to guarantee their individual and social rights; and (c) to disapprove criminal offenses. Moreover, the juvenile justice system must emphasize the pedagogical aspect of the sentences. Thus, the detention institutions for young offenders must guarantee the access to opportunities that help them overcoming social exclusion, as well as provide them access to participation in society's positive values formation.

Even though Brazilian laws are supposed to guarantee a dignified service capable of reestablishing youth's social interactions, the reality is that most adolescent offenders are detained in socio-educational institutions far away from urban centers, with precarious infrastructures, and receiving a hostile treatment by socio-educational agents. During their detention period, youth's education, professionalization, family interactions, leisure, sport activities, and health care are jeopardized (Coscioni, Costa, Rosa, & Koller, 2017). In addition, there are several elements that can be considered either as risk or protective factors to adolescents' involvement in misconducts, including the experiences they have in school (Silva & Bazon, 2014; 2015), the characteristics of the socio-educational measures

(Coscioni et al., 2017), drug use (Schneider, Mello, Limberger & Andreatta; 2016), the law determining the age in which youth are held responsible for crime as an adult (Vaz & Moreira, 2015), the quality of their family relations (Nunes, Andrade & Moraes, 2013; Castro & Teodoro, 2014), among other risk factors to wrongdoings (Gallo & Williams, 2005). Given the importance of these issues, this chapter aimed to identify young offenders' main sociodemographic characteristics and the contexts of Brazilian detention institutions for young offenders through a literature review of papers published in Psychology journals between 1990 (the beginning of the ECRIAD) and 2017.

2. METHODS

Two researchers conducted simultaneous and independent searches of relevant papers through the Regional Portal of the Virtual Health Library (VHL), one of the most important databases in the field of young offenders in Latin America. The most common keywords in the Brazilian scientific literature on juvenile offenders were used in the online searches, such as “adolescents in conflict with the law,” “adolescent offenders,” and “adolescent perpetrators of infractions.” The following criteria to select studies were used: (a) papers published between 1990 and 2017, (b) with full content available online, (c) with a focus on adolescent offenders' characteristics or (d) on the contexts of detention institutions for young offenders in Brazil, and (e) published in Psychology journals. Papers that focused on non-adolescent offenders, repeated titles, and in formats other than articles (e.g., thesis, dissertations, book chapters, and reports) were excluded.

Initially, each researcher read the abstracts to identify whether the articles found should be included in the research corpus. Then, they re-read the selected articles a second time to identify the main topics of each paper. Lastly, the researchers read the chosen articles once more meticulously and entered the data in a standardized worksheet. Disagreements were discussed until a consensus was reached between researchers. The results were analyzed using the technique of thematic analysis (Bardin, 2011; Braun & Clarke, 2006).

3. RESULTS AND DISCUSSIONS

A total of 258 papers were initially found, from which 110 were repeated, and, therefore, excluded. This resulted in a total of 148 potentially relevant articles, all of which published in the period of interest. From those, 21 were excluded because they were not published in Psychology Journals, 10 because they were not related to adolescent offenders, and 10 because they did not have full versions available online. Of the 107 remaining articles, we analyzed the abstracts to define the categories in which they would fit. From that, 27 articles that fitted the two main topics of the present literature review were selected and analyzed: 12 of them focused on Brazilian adolescent offenders' characteristics and 15 on the contexts of detention centers for young offenders.

3.1. Characteristics of adolescent offenders in legal custody

Out of the 12 articles addressing the characteristics of adolescent offenders, no article was published before 2002, five were published between 2002 and 2010 (Ciarallo & Almeida, 2009; Endo, 2009; Espíndula et al., 2006; Njaine & Minayo, 2002; Priuli & Moraes, 2007), and seven between 2010 and 2017 (Cairus & Conceição, 2010; Cavalcante & Campos, 2016; Chaves & Rabinovich, 2010; Nardi, Jahn, & Dell'Aglio, 2014; Nascimento, Howat-Rodrigues, Rosa, & Pompeu, 2012; Vicentin, Gramkow,

& Rosa, 2010; Zappe & Ramos, 2010). Regarding the research designs of those articles, eight used qualitative methods and four quantitative methods. Also, studies on this topic were conducted across all regions of Brazil, except the North. Six studies were carried out in the Southeast, two in the Northeast, two in the Midwest, and another two in the South. Overall, the articles addressed aspects related to the stereotypes and social representations of adolescent offenders from different perspectives, such as the media, judges, public prosecutors, and undergraduate students. In addition, they sought to identify the sociodemographic profile of adolescent offenders based on the records from youth detention centers.

A common topic stressed by the articles was the role taken by the media, especially newspapers, in spreading negative stereotypes of adolescent offenders (Cavalcante & Campos, 2016; Espíndula et al., 2006; Njaine & Minayo, 2002). Journalistic texts usually conveyed the idea that these youths are aggressive, dangerous, and uncontrollable by their very nature, with little or no considerations of aspects related to youth's social context. This perception was shared by judges, prosecutors, undergraduate students majoring in Law, and judicial officials. They usually ascribed responsibility for committing the offenses to adolescents' personal characteristics (or personality) and their relatives' socioeconomic conditions, typically disregarding the contexts and circumstances in which the offenses occurred (Ciarallo & Almeida, 2009; Nascimento et al., 2012). Accordingly, the notion of dangerousness has been widely perpetuated, by both the media and by the more conservative social segments as an argument for the hardening of criminal laws in an attempt to justify punitive practices against adolescent offenders (Endo, 2009; Vicentin, Gramkow, & Rosa, 2010). However, considering the particularities of a person in development, the ECRIAD determines that the criminal accountability of adolescents should have an eminently pedagogical characteristic, aiming at adolescents' social reintegration.

In addition, social representations of young offenders seem to be influenced by their socioeconomic and personal characteristics, such as their social class and race. For instance, a research conducted with undergraduate students in Psychology and Law majors compared what were their punishment suggestions in cases of infractions committed by either a lower-social-class or an upper-social-class adolescent (Nascimento et al., 2012). The results indicated differences in the perceptions about adolescent offenders according to their social class, in which the suggestions of punishments for lower-social-class adolescents were severer when compared to the ones for upper-social-class adolescents. Considering that social representations work as a guide for individual and collective behaviors, these representations generate specific perceptions, attitudes, and behaviors toward adolescent offenders. Moreover, differences in social perceptions based on social class lead to selective public safety strategies regarding the types of adolescents who are brought into the justice system. In general, these are youth who have certain personal and social characteristics (skin color, social class, place of residence, etc.), different from those youths considered from dominant social groups (Nascimento et al., 2012). These findings provided evidence of a social construction of marginalized identities based on a typical profile of adolescent offender, which contributes to perpetuate prejudices rooted in the society, present since the old criminal laws of the nineteenth century (Cairus & Conceição, 2010; Endo, 2009).

The sociodemographic profile of youth in detention institutions confirms these stereotypes — The majority of them were males, from minority racial groups (e.g., blacks), poor, residents of marginalized areas, and with a low level of education (Nardi, Jahn, & Dell'Aglio, 2014; Priuli & Moraes, 2007; Zappe & Ramos, 2010). The fact that more

than 90% of adolescent offenders are male draw attention to cultural aspects that influence aggressive and violent behaviors among boys. Also, as suggested by Nardi and colleagues (2014), racism, both in the forms of prejudice and discrimination, is a very complex problem and it is manifested in the exacerbated number of black adolescents detained in centers for young offenders (even in Brazilian regions where most of the population is white). As stated in the 2014 SINASE's annual report, black and brown adolescents were the majority of youth in socio-educational centers throughout the country (National Human Rights Department [Ministério dos Direitos Humanos], 2017). Also, on the side of the victims of violence, data indicated that more than 70% of people murdered in Brazil were black or brown young males. Moreover, from 2005 to 2015, the homicide rate of blacks increased significantly, while that of non-blacks decreased almost by the same proportion (IPEA, 2017; Waiselfisz, 2016).

Furthermore, poor young people living in marginalized neighborhoods were more likely to be subjected to hostile approaches by the police and to receive harsher punishments by the justice system (Ciarallo & Almeida, 2009; Nascimento et al., 2012). Finally, studies showed that the vast majority of adolescent offenders in custody had a gap between age and school grade or had dropped out of school, suggesting that there is a serious failure from the part of the families, society, and the State to guarantee basic rights, such as education, for these young people (Nardi et al., 2014; Priuli & Moraes, 2007; Zappe & Ramos, 2010).

3.2. The contexts of detention institutions for young offenders

A total of 15 articles addressing the contexts of detention institutions for young offenders were found (Costa & Alípio, 2010; Coutinho, Estevam, Araújo & Araújo, 2011; Estevam, Coutinho, & Araújo, 2009; Francischini & Campos, 2005; Iriart & Bastos, 2007; Morais & Malfitano, 2014; Moreira, Guerra, Oliveira, Souza, & Soares, 2015; Porta, Sehn, & Siqueira, 2015; Rosário, 2010; Scisleski, Bruno, Galeano, Santos, & Silva, 2015; Scisleski, Galeano, Silva, & Santos, 2014; Souza & Costa, 2012a; Souza & Costa, 2012b; Souza & Costa, 2013; Souza & Venancio, 2011). Regarding the research design, 13 articles used qualitative methods and two quantitative methods. Furthermore, these studies were conducted in four regions of Brazil, with no study from states situated in the North of the country. Five of these studies were conducted in the Midwest, four in the Southeast, three in the Northeast, and one in the South. Again, in most of these studies the participants were males, which is probably related to the higher incidence of adolescent boys in socio-educational detention centers. Only one article included family members as research participants. Considering that the family can play an important role in adolescents' social insertion, this role should be further explored in future research.

Souza and Costa's (2012, 2013) studies showed that both the family and the adolescent offenders did not believe in the effectiveness of the open and semi-open socio-educational measures; this was so because they did not perceive a great deal of investment in educational activities capable of contributing for the formation of their children. However, most family members believed that the socio-educational measure could foster changes in their children by keeping them away from bad influences; they also believed that the loss of freedom could contribute to self-reflections about youth's previous way of life (Souza & Costa, 2013). In contrast, from youth's perspective, the loss of freedom provoked negative feelings but not reflections on the infraction committed.

Taken together, these articles evidenced the challenges in implementing the child integral protection doctrine, even after almost three decades since the ECRID was instituted. The predominance of punitive strategies, instead of pedagogical ones, was

discussed in all the articles analyzed here. These studies also pointed to detention as the preferred resource to deal with adolescent offenders instead of community services, probation, or unrestrictive freedom correctional measures, even when the offense was not serious and mainly if the offender was black.

Adolescent offenders also reported a coercive and punitive context (Coutinho et al., 2011; Francischini & Campos, 2005; Moreira et al., 2015). Custody, whether in detention, probation, or unrestrictive freedom correctional measures, was not treated as an action aimed at youth's resocialization but mainly as a means of punishment (Estevam et al., 2009; Scisleski et al., 2014; Scisleski et al., 2015). This logic can be considered as a violation to what is recommended by international and national conventions and regulations, such as the UN Convention on the Rights of the Child (CRC), the UN Standard Minimum Rules for the Administration of Juvenile Justice (Beijing Rules), the ECRIAD, and the SINASE. Moreover, the professionals working in detention centers for young offenders usually did not believe that juvenile court sentences and their interventions could be effective in promoting a new positioning of the adolescent toward life (Morais & Malfitano, 2014; Souza & Venancio, 2011).

Likewise, community service has shown to have a controversial sentence meaning given that it is used as punishment for juvenile offenders when in fact it should be a pedagogical and reparatory measure (Costa & Alípio, 2010). According to the SINASE's law, community service must be a pedagogical activity capable of stimulating the discovery of new skills and knowledge to promote positive outcomes on adolescents' development, giving them a new opportunity in life and preventing recidivism. Furthermore, this type of judicial sentence should aim at building a new identity and perception about work, for instance, as a new possibility of social insertion.

Consequently, correctional measures and the youth justice system in Brazil are serving mainly to isolate adolescent offenders from the society, by depriving their freedom and by denying them the access to their fundamental rights, which should be ensured by the system. As a result, we have a public policy that does not achieve effective impacts for neither the society nor adolescents, to which they often return without being able to have the possibilities for a new social insertion, frequently ending up in the same life conditions that led them to their previous correctional measures.

4. CONCLUSION

The literature review and discussions here have shown that much of what the Brazilian laws and international agreements (e.g., CRC and Beijing Rules) advocate for remains in the paper, without having practical application. In general, adolescent offenders are stigmatized as violent and dangerous and, therefore, are removed from social interactions. Not only the Brazilian juvenile justice system excludes those adolescents during their custody or detention, but also it often remains excluding them after they leave the detention centers. This situation is even more critical regarding adolescents from poor social classes, residents of marginalized neighborhoods, and from black racial groups, given that there is a tendency of the Brazilian juvenile justice system to punish them in a severer way when compared to youth from other ethnic and social groups.

As a way to overcome this situation, we call attention to the urgent need to develop policies that promote citizenship, establish networks of support for these adolescents and their families, and guarantee access to health, education, culture, and leisure, as well as the necessity to implement a public security policy. Finally, it is important to note that although the present literature review discussed and pointed out to important issues on the topic of

juvenile delinquency, there are some limitations that should be addressed in future research. For instance, even though the database used in this chapter is a very comprehensive source, other databases were not consulted, which may have excluded important papers on the topic, as well as thesis and dissertations, which were not included in the analyses of this chapter either. Thus, we consider important the development of new and comprehensive investigations on the subject studied in this literature review.

REFERENCES

- Bardin, L. (2011). *Análise de Conteúdo [Content Analysis]*. Lisboa: Edições 70.
- Braun, V., & Clarke, V. (2006) Using thematic analysis in psychology. *Qualitative Research in Psychology, 3* (2), 77-101. Retrieved from <http://dx.doi.org/10.1191/1478088706qp063oa>
- Cairus, R. & Conceicao, M. I. G. (2010). Adolescentes na corda bamba: aspectos psicossociais na relação com a lei [Adolescents in the tightrope: psychosocial aspects in the relation with the law]. *Psicologia Política, 10*(20), 275-292. Retrieved from http://pepsic.bvsalud.org/scielo.php?script=sci_arttext&pid=S1519-549X2010000200007&lng=pt&nrm=iso
- Castro, A. M. F. de M., & Teodoro, M. L. M. (2014). Relações familiares de adolescentes cumprindo medida socioeducativa restritiva de liberdade: uma revisão narrativa da literatura [Family relationships of adolescents under socio-constrained freedom: a systematic narrative review]. *Temas em Psicologia, 22* (1), 1-12. Retrieved from: http://pepsic.bvsalud.org/scielo.php?script=sci_arttext&pid=S1413-389X2014000100001
- Cavalcante, C. P. S. & Campos, H. R. (2016). Adolescente "infrator": pensares e fazeres no Rio Grande do Norte dos governos militares ao ECRAD [Juvenile "offender": Reflections and practices in Rio Grande do Norte from military governments to ECA]. *Estudos de Psicologia, 21* (3), 348-357. Retrieved from <http://dx.doi.org/10.5935/1678-4669.20160033>
- Chaves, R. A. & Rabinovich, E. P. (2010). Voz da poesia, vozes do poeta: um jovem em conflito com a lei [A voice from poetry: a young offender poet's voice]. *Temas em Psicologia, 18* (1), 243-254. Retrieved from http://pepsic.bvsalud.org/scielo.php?script=sci_arttext&pid=S1413-389X2010000100020&lng=pt&nrm=iso
- Ciarallo, C. R. C. A. & Almeida, A. M. O. (2009). Conflito entre práticas e leis: a adolescência no processo judicial [Conflict between practice and law: the adolescence in the lawsuit]. *Fractal Revista de Psicologia, 21* (3), 613-630. Retrieved from <http://dx.doi.org/10.1590/S1984-02922009000300014>
- Constituição da República Federativa do Brasil (1988). Constituição da República Federativa do Brasil de 1988 [1988 Brazilian Constitution]. Retrieved from: http://www.planalto.gov.br/ccivil_03/Constituicao/Constituicao.htm
- Coscioni, V., Costa, L. L. A., Rosa, E. M., & Koller, S. H. (2017). O cumprimento da medida socioeducativa de internação no Brasil: uma revisão sistemática da literatura [The undergoing of the socio-educational measures of confinement in Brazil: a systematic review of the literature]. *Psico, 48* (3), 231-242. Retrieved from: <http://revistaseletronicas.pucrs.br/revistapsico/ojs/index.php/revistapsico/article/view/24920/pdf>
- Coscioni, V., Marques, M. P., Rosa, E. M., & Koller, S. H. (2018). Life projects of adolescents under social educative measure of confinement. *Ciencias Psicológicas, 12* (1), 109-120. Retrieved from <http://dx.doi.org/10.22235/cp.v12i1.1601>
- Costa, R. P., & Alípio, S. (2010). Trabalho compulsório? O sentido do trabalho para os jovens que cumprem a Medida de Prestação de Serviço a Comunidade – PSC [Compulsory Labor? The meaning of labor for youths who are submitted to the Community Service Measure - PSC]. *Pesquisas e Práticas Psicossociais, 4* (2), 205-212. Retrieved from https://www.ufsj.edu.br/porta2-repositorio/File/revistalapis/volume4_n2/costa_e_alipio.pdf

- Coutinho, M. P. L., Estevam, I. D., Araújo, L. F., & Araújo, L. S. (2011). Prática de privação de liberdade em adolescentes: um enfoque Psicossociológico [Practice of freedom privation in teenagers: a psychosocial approach]. *Psicologia em Estudo*, 16 (1), 101-109. Retrieved from <http://dx.doi.org/10.1590/S1413-73722011000100012>
- Endo, P. C. O. (2009). Adolescente: ilustre figura do contemporâneo [The adolescent: illustrious personage on the contemporaneity]. *Estilos da Clínica*, 14 (27), 82-91. Retrieved from http://pepsic.bvsalud.org/scielo.php?script=sci_arttext&pid=S1415-71282009000200005&lng=pt&nrm=iso
- Espíndula, D. H. P., Aranzedo, A. C., Trindade, Z. A., Menandro, M. C. S., Bertollo, M., & Rölke, R. K. (2006). "Perigoso e violento:" representações sociais de adolescentes em conflito com a lei em material jornalístico [Dangerous and violent: representations of juvenile law offenders on newspapers]. *Psic*, 7 (2), 11-20. Retrieved from http://pepsic.bvsalud.org/scielo.php?script=sci_arttext&pid=S1676-73142006000200003&lng=pt&nrm=iso
- Estevam, D. I., Coutinho, M. P. L., & Araújo, L. F. (2009). Os desafios da prática socioeducativa de privação de liberdade em adolescentes em conflito com a lei: ressocialização ou exclusão social? [Challenges of the social educative practice of freedom restrictions on adolescents in conflict with the law: Would it be ressocialization or social exclusion?]. *Psico*, 40 (1), 64-72. Retrieved from <http://revistaseletronicas.pucrs.br/ojs/index.php/revistapsico/article/download/1440/4143>
- Francischini, R. & Campos, H. R. (2005). Adolescente em conflito com a lei e medidas socioeducativas: limites e (im)possibilidades [Adolescents in conflict with law and the socio-educational activities: limits and (im)possibilities]. *Psico*, 36 (3), 267-273. Retrieved from <http://revistaseletronicas.pucrs.br/ojs/index.php/revistapsico/article/viewFile/1397/1097>
- Gallo, A. E. & Williams, L. C. de A. (2005). Adolescentes em conflito com a lei: uma revisão dos fatores de risco para a conduta infracional [Young offenders: a review of risk factors for criminal Behavior]. *Psicologia Teoria Prática*, 7 (1), 81-95. Retrieved from: http://pepsic.bvsalud.org/scielo.php?script=sci_arttext&pid=S1516-36872005000100007
- Instituto de Pesquisa Econômica Aplicada [IPEA] (2017). *Atlas da violência 2017* [Atlas of violence 2017]. Rio de Janeiro: Ipea. Retrieved from http://www.ipea.gov.br/portal/images/170602_atlas_da_violencia_2017.pdf
- Iriart, M. F. S., & Bastos, A. C. S. (2007). Uma análise semiótico-sistêmica de diferentes ecologias desenvolvimentais da juventude [A semiotic-systemic analyze of different youth developmental ecologies]. *Psicologia em Estudo*, 12 (2), 239-246. Retrieved from http://www.scielo.br/scielo.php?script=sci_arttext&pid=S1413-73722007000200004
- Law No. 8.069, July 13, 1990 (Brazil). . *Dispõe sobre o Estatuto da Criança e do Adolescente e dá outras providências* [Child and Adolescent Statute]. Retrieved from: http://www.planalto.gov.br/ccivil_03/leis/L8069.htm
- Law No.12.954, January 18, 2012 (Brazil). *Institui o Sistema Nacional de Atendimento Socioeducativo (Sinase)* [National Socio-Educational Service System]. Retrieved from: https://www.planalto.gov.br/ccivil_03/_ato2011-2014/2012/lei/112594.htm
- Ministério dos Direitos Humanos (2017). *Levantamento Anual SINASE 2014* [National Socio-Educational Service System' Survey 2014]. Brasília: Secretaria Nacional dos Direitos da Criança e do Adolescente. Retrieved from <http://www.sdh.gov.br/noticias/pdf/levantamento-sinase-2014>
- Morais, A. C., & Malfitano, A. P. S. (2014). Medidas socioeducativas em São Paulo: os serviços e os técnicos [Socio-educational measures in São Paulo: services and technicians]. *Psicologia & Sociedade*, 26 (3), 613-621. Retrieved from <http://dx.doi.org/10.1590/S0102-71822014000300010>

- Moreira, J. O., Guerra, A. M. C., Oliveira, N. A., Souza, J. M. P., & Soares, C. A. N. (2015). Medidas socioeducativas com seus dispositivos disciplinares: o que, de fato, está em jogo nesse sistema? [Socio-educational measures with their disciplinary mechanisms: what, indeed, is at stake in this system?]. *Psicologia Política*, 15 (33), 285-302. Retrieved from http://pepsic.bvsalud.org/scielo.php?script=sci_arttext&pid=S1519-549X2015000200004&lng=pt&tlng=pt
- Nardi, F. L., Jahn, G. M., & Dell'Aglio, D. D. (2014). Perfil de adolescentes em privação de liberdade: eventos estressores, uso de drogas e expectativas de futuro [Profile of adolescents from deprivation of freedom: stressful events, drug use and future expectations]. *Psicologia em Revista*, 20 (1), 116-137. Retrieved from <http://pepsic.bvsalud.org/pdf/per/v20n1/v20n1a08.pdf>
- Nascimento, D. B., Howat-Rodrigues, A. B. C., Rosa, E. M., & Pompeu, J. C. (2012). Adolescente em conflito com a lei: representações, motivações e punições [Teenagers in conflict with the law: Representations, motivations and punishments]. *Psicologia Argumento*, 30 (70), 453-461. Retrieved from <http://www2.pucpr.br/reol/pb/index.php/pa?ddl=6133&dd99=view&dd98=pb>
- Njaine, K., & Minayo, M. C. S. (2002). Análise do discurso da imprensa sobre rebeliões de jovens infratores em regime de privação de liberdade [Discourse analysis on press coverage of riots by juvenile law offenders in correctional facilities]. *Ciência & Saúde Coletiva*, 7 (2), 285-297. Retrieved from <http://dx.doi.org/10.1590/S1413-81232002000200009>
- Nunes, M. C. A., Andrade, A. G. de S., & Morais, N. A. de. (2013). Adolescentes em conflito com a lei e família: um estudo de revisão sistemática da literatura [Delinquent adolescents and family: a systematic review of the literature]. *Contextos clínicos*, 6 (2), 144-156. Retrieved from: http://pepsic.bvsalud.org/scielo.php?script=sci_arttext&pid=S1983-34822013000200008
- Priuli, R. M. A., & Moraes, M. S. (2007). Adolescentes em conflito com a lei [Adolescents in conflict with the law]. *Ciência & Saúde Coletiva*, 12 (5), 1185-1192. Retrieved from <http://dx.doi.org/10.1590/S1413-81232007000500015>
- Porta, D. D., Sehn, A. S., & Siqueira, A. C. (2015). Aplicação de medida socioeducativa de semiliberdade para adolescentes nos contextos do Brasil e de Portugal [The semi liberty measure application to adolescents in the context of Brazil and Portugal]. *Interação em Psicologia*, 19 (2), 267-278. Retrieved from <http://dx.doi.org/10.5380/psi.v19i2.36113>
- Rosário, A. B. (2010). Grupo com adolescentes em privação de liberdade: circulação da palavra como possibilidade de ressignificação do ato infracional [Group with teenagers in custody: circulation of the word as a possible redefinition of the infracional act]. *Revista da SPAGESP - Sociedade de Psicoterapias Analíticas Grupais do Estado de São Paulo*, 11 (1), 66-76. Retrieved from http://pepsic.bvsalud.org/scielo.php?script=sci_arttext&pid=S1677-29702010000100008
- Scisleski, A. C. C., Bruno, B. S., Galeano, G. B., Santos, S. N., & Silva, J. L. C. (2015). Medida socioeducativa de internação: estratégia punitiva ou protetiva? [Social-educative sentence: punitive or protective strategy?]. *Psicologia & Sociedade*, 27 (3), 505-515. Retrieved from <https://dx.doi.org/10.1590/1807-03102015v27n3p505>
- Scisleski, A. C. C., Galeano, G. B., Silva, J. L. C., & Santos, S. N. (2014). Medida socioeducativa de internação: dos corpos dóceis às vidas nuas [Socio-educational internment measure: from docile bodies to naked lives]. *Psicologia: Ciência e Profissão*, 34 (3), 660-675. Retrieved from <https://dx.doi.org/10.1590/1982-3703001682013>
- Schneider, J. A., Mello, L. T. N. de, Limberger, J., & Andretta, I. (2016). Adolescentes usuários de drogas e em conflito com a lei: revisão sistemática da literatura nacional [Teenage drug users and in conflict with the law: a systematic review of national literature]. *Psicologia Argumento*, 34 (85), 120-132. Retrieved from: <https://www.uniad.org.br/images/stories/pdf/pa-16352.pdf>
- Silva, J. L. Da, & Bazon, M. R. (2014). Educação escolar e conduta infracional em adolescentes: revisão integrativa da literatura [Education and juvenile delinquency: an integrative literature review]. *Estudos de Psicologia. (Natal)*, 19 (4), 278-287. Retrieved from: http://www.scielo.br/scielo.php?script=sci_arttext&pid=S1413-294X2014000400005

- Silva, J. L. Da, & Bazon, M. R. (2015). Revisão sistemática de estudos sobre os aspectos escolares relacionados ao cometimento de delitos [Systematic review of studies addressing school aspects related to the committing of offenses]. *Psicologia em Revista. (Belo Horizonte)*, 21 (2), 273-292. Retrieved from: http://pepsic.bvsalud.org/scielo.php?script=sci_arttext&pid=S1677-11682015000200005
- Souza, L. A., & Costa, L. F. (2012a). O significado de medidas socioeducativas para adolescentes privados de liberdade [The meaning of socio-educational measures for young offenders deprived of their freedom]. *Acta Colombiana de Psicología*, 15 (2), 87-97. Retrieved from http://www.scielo.org.co/scielo.php?script=sci_arttext&pid=S0123-91552012000200009
- Souza, L. A., & Costa, L. F. (2012b). Aspectos institucionais na execução da medida socioeducativa de internação [Institutional aspects in the implementation of the socio-educative measure of internment]. *Psicologia Política*, 12 (24), 231-245. Retrieved from http://pepsic.bvsalud.org/scielo.php?script=sci_arttext&pid=S1519-549X2012000200004
- Souza, L. A., & Costa, L. F. (2013). A significação das medidas socioeducativas para as famílias de adolescentes privados de liberdade [The significance of socio-educational measures for families of adolescents in deprived of freedom]. *Psico-USF*, 18 (2), 277-288. Retrieved from http://www.scielo.br/scielo.php?script=sci_arttext&pid=S1413-82712013000200011
- Souza, V. L. T., & Venancio, M. M. R. (2011). Os sentidos atribuídos à medida socioeducativa de liberdade assistida por jovens em conflito com a lei e seus socioeducadores [The meanings attributed to social measures of assisted liberty by youngsters who are in conflict with the law and their social educators]. *Psicologia da Educação*, 32, 163-185. Retrieved from http://pepsic.bvsalud.org/scielo.php?script=sci_arttext&pid=S1414-69752011000100010
- Vaz, B. G., & Moreira, J. S. S. (2015). Responsabilização x Responsabilidades: o adolescente autor de ato infracional e a redução da maioridade penal [Accountability x responsibly: the adolescent authors of infraction acts and reducing the full legal age]. *Psicologia Argumento*, 33 (82), 346-363. Retrieved from: <https://periodicos.pucpr.br/index.php/psicologiaargumento/article/view/19627/18969>
- Vicentin, M. C. G., Gramkow, G., & Rosa, M. D. (2010). A patologização do jovem autor de ato infracional e a emergência de “novos” manicômios judiciários [Pathologization of the youngster author of infractional act and the emergence of “new” judicial asylums]. *Journal of Human Growth and Development*, 20 (1), 61-69. Retrieved from <http://www.revistas.usp.br/jhgd/article/view/19944/22024>
- Waiselfisz, J. J. (2016). *Mapa da violência 2016: homicídios por arma de fogo no Brasil [Map of violence 2016: homicides by firearm in Brazil]*. São Paulo: FLACSO. Retrieved from www.mapadaviolencia.org.br/pdf2016/Mapa2016_armas_web.pdf
- Zappe, J. G., & Ramos, N. V. (2010). Perfil de adolescentes privados de liberdade em Santa Maria/RS [Profile of adolescents deprived of freedom in Santa Maria/RS]. *Psicologia & Sociedade*, 22 (2), 365-373. Retrieved from <http://dx.doi.org/10.1590/S0102-71822010000200017>

ADDITIONAL READING

- Craidy, C. M.; Lazzarotto, G. D. R.; Oliveira, M. M. (2012). *Processos educativos com adolescentes em conflito com a lei [Educational processes with adolescents in conflict with the law]*. Porto Alegre: Mediação.
- Mocelin, M. R. (2016). *Adolescência em conflito com a lei ou a lei em conflito com a adolescência: a socioeducação em questão [Adolescence in conflict with the law or the law in conflict with adolescence: the socio-education in question]*. Curitiba: APPRIS.
- Nascimento, D. B.; Piazzarollo, D. C. G.; Coscioni, V; Rosa, E. M. (2017). As dimensões básicas do atendimento socioeducativo à luz da teoria bioecológica do desenvolvimento humano [The basic dimensions of socio-educational care in light of the bioecological theory of human development]. In Rosa, E. M.; Avellar, L. Z. (Eds.). *Psicologia, Justiça e Direitos Humanos [Psychology, Justice, and Human Rights]* (85-98). Curitiba: Juruá.

Saraiva, J. B. C. (2013). *Adolescente em Conflito com a Lei – da indiferença à proteção integral: uma abordagem sobre a responsabilidade penal juvenil [Adolescent in Conflict with the Law - from indifference to integral protection: an approach on juvenile criminal responsibility]*. Porto Alegre: Livraria do Advogado Editora.

KEY TERMS & DEFINITIONS

Criminal offence: conducts committed by a child or adolescent equivalent to a crime or misdemeanour.

Socio-educational measures: corrective measures that should be applied to adolescents who have committed a criminal offence, as established by the Article 112 of the Child and Adolescent Statute. There are six types of socio-educational measures: (a) warning, (b) obligation to repair the damage, (c) community service, (d) assisted freedom, (e) semi-opened measures, and (f) detention. They must be compatible with the adolescent's biopsychosocial and developmental circumstances and proportionate to the offense committed. Although they are judicial sanctions, their nature must be predominantly pedagogical.

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