

Racism and Prison

the selectivity of the penal system from a first-person perspective

Amabilio Gomes Filho

| Brazil |

My name is Amabilio Gomes Filho. Born in 1978, I turned 44 years old in 2022. I

am the son of a black father and a white mother, both northeastern migrants, who came to Rio in the 1960s. Despite his lack of formal education, my father managed to get a driver's license and work as a driver. During a time where sexism was even stronger than now, my mother became a housewife. We were five brothers, all men. The fourth child died as a baby. I am the youngest of five — the only one who was born and was raised in Nova

Holanda,¹The territory of Maré was consolidated in the 1940s. Nova Holanda is one of the 16 favelas in Complexo da Maré, its origin dates back to 1962 as a result of public intervention by the state government. (Censo populacional da Maré. Redes da Maré - Rio de Janeiro, 2019). Available at: <https://www.redesdamare.org.br/br/publicacoes> [which translates to New Holland in English]. Two of my brothers were born when my mom still

lived in Baixa do Sapateiro²Baixa do Sapateiro was the second favela in Complexo da Maré to be occupied spontaneously, in 1947. (Censo populacional da Maré. Redes da Maré - Rio de Janeiro, 2019). Available at: <https://www.redesdamare.org.br/br/publicacoes>, another

was born when she lived in Roquete Pinto³The Roquete Pinto favela was occupied in 1955. (Censo populacional da Maré. Redes da Maré - Rio de Janeiro, 2019). Available at: <https://www.redesdamare.org.br/br/publicacoes>. I can say, then, that I am the only “holandês” [“Dutch”] in the family.

Sadly, my father passed away in 1989. I was only 11 years old, so my mother had to work.

Then it was my two older brothers' turn to work. They left school to take on the responsibilities of home and family. Antônio⁴All names used in this essay are fictional. went to work at *globinho*⁵*This was the popular way to refer to people who delivered the O Globo newspaper in residential and commercial areas in Rio de Janeiro in the 1990s.* and Adriano at a carpenter's in the city center. Amabilio, a child, is now pretty much alone, for most of the time, because his brother Arnaldo is the only one who goes to school, but he soon follows the same path and gets a job as a delivery boy in a snack bar in Botafogo, in the South Zone of Rio de Janeiro.

My childhood was like that of many children in the 90s: I played with marbles, flew a kite, played tag, hide and seek, etc. Remembering that time, I think we were free of technologies, especially cell phones. Today our children are attached to social media. Parents are afraid to let their children play in the streets due to the increase in violence, especially on days of police operations, a reality in peripheral territories and favelas. Games that used to be part of children's lives have been replaced by the number of likes and shares.

With these social transformations, my early adolescence was different — the beginning of a life of crime. I got to know beer and wine when I was only fifteen, then cigarettes, then marijuana and I understood that to have a girlfriend I needed to be dressed up in Nike sneakers, but how could that happen when I was the son of a widowed, poor and illiterate woman? There was only one way and that would be by stealing.

I was first arrested at the age of sixteen in the city center for what we called "pris" at the time, a category of theft used in the 90s in which one of the offenders put his hand in the victim's pocket and the other threw fake money in front of the victim, so the victim believed it was the money and didn't run after us until it was too late and we disappeared in the middle of traffic in the center of the city of Rio de Janeiro. When I recall the first time I was arrested, 25 years ago, I can say that the prison system has not changed at all, what I missed in that decade, young people still don't have today. Quite simply, what is lacking is quality education: I can say that education transforms and saves lives, as it has saved mine. For 25 years I lived a life of crime. I started by committing petty thefts, then went on to armed robberies. In one of these robberies, I was shot for the first time, so I realized that

being a thief was very dangerous and too risky, so I decided to be a drug dealer. It is important to point out that this reasoning was built over the years, the thief is not born a thief, but is the result of social and political process.

I started by doing the *vapor* activity⁶ “Vapor activity” is to watch out for police, someone who observes movement in the territory, especially on days of police operations, but also in clashes that occur between armed civilian groups. The vapor is also the person who sells drugs. The soldier is the security guard at the stands where drugs are traded., then I became *vapor*, then I became a soldier. In a shootout, I was shot for the second time. I used crutches for a year because the bullet fractured my left femur. When I went back to work, I earned the position of manager, and then general favela manager, and at last, I was the boss in two drug trading posts in the communities of Nova Holanda and Rubens Vaz⁷ One of the 16 favelas in Complexo da Maré, spontaneously occupied in 1954. (Censo populacional da Maré. Redes da Maré - Rio de Janeiro, 2019). Available at: <https://www.redesdamare.org.br/br/publicacoes>.

Any drug dealer with a criminal background like mine dreams of freedom. Trafficking can provide many things, but it takes away the most precious things: peace of mind and freedom. There came a time when that generation that started with me no longer existed, many died and the few that remained were imprisoned by the mass punishment system, because if it were a resocialization system I would not have reached the leadership of drug trafficking.

One day in the favela, I was hanging around with 50 other traffickers armed with rifles.

Something told me to leave that place, so I moved away from the rapaziada⁸ Slang that means a group of people., I went to my house and I asked someone to get my friend who had a van at the time. I told him I wanted to go to Ilha Grande, but first I wanted to go by Paraty. I stayed there at a bed and breakfast for three days and then we went to Ilha. I spent 15 days camping and that’s where my biggest dream was born: I wanted to see my daughter running down the Palmas beach. I told myself: I don’t want to die in the drug trafficking business and become a T-shirt⁹ It is common in favela territories when someone dies due to

state violence, family members and friends make T-shirts in honor of the person targeted by violence., I want to see my daughter grow up, I want to be a dad!

In 2014, during the occupation of Complexo da Maré by the armed forces, I was arrested for the third time. I spent two months in the Laércio da Costa Pellegrino prison, also known as Bangu 1. Then I was transferred to the federal prison in Catanduvas. There, I was imprisoned for 1098 days, about four years, however, some of my rights were given to me. I want to make clear that the federal system is different, it is like a machine to make men go crazy, many are led to think of suicide as a way out of a system that looks more like a death machine to make people die while living. I survived because of my faith and through the right to redeem my pain through education, courses and through reading: this right led me to know stories that motivated me to make the decision that would change my life.

In 2007, the federal government inaugurated the federal penitentiary system. We can blame this government for being the bridge for the factions from Rio de Janeiro and São Paulo to reach cities in the interior of the Brazilian states, where in other times crime was committed with sharp and perforating objects, such as a knife, scissors. Today, the reality experienced in the north, northeast and south regions is different, organized crime and robberies that we once saw only in Hollywood movies have become everyday life. If there is fault, it is that of a system created only to segregate poor black people and those from the periphery.

Only 200 years ago, black people were already marginalized, when they fought for their right to freedom, when their white master tied them to trees and punished them. It does not differ from today when a white magistrate punishes a black person with severe sentences of years of imprisonment, when the poor black man from the favela who, often, due to lack of opportunity, commits crimes to eat, dress or even show off. The white magistrate judges according to skin color. Because I was imprisoned, I witnessed awful stories, like that of two young men who went to court for drug trafficking, article 33 of the penal code, however, one was from Maré and the other was from a favela in the South Zone of Rio, one white, one black, both considered guilty for trafficking. Both were caught with large amounts of drugs, but one went to one court, and the other one went to another court, the white one was absolved and left prison in less than thirty days, the black one was sentenced to 12 years in prison. Both were judged for their skin color, not their crime.

Today, I have a friend who is in a similar situation. The criminal justice system, this system that looks like a grinding machine that cuts through the lives of family, friends and society at large is the same system that is punishing my friend so harshly. For 26 years, Oswaldo was imprisoned, he went through the federal and state systems to serve a sentence of 49 years. In the last four years he was transferred to the semi-open prison (Vincent Piragibe prison, Bangu). There, with other detainees, they formed a team of artists who created different categories of arts, won their freedom in a benefit provided by the (system). As soon as he was free, Oswaldo, along with eleven other ex-prisoners, set up an NGO that sees art as a cultural movement that transforms lives. Oswaldo is attending the first year of high school. Despite having served more than half of his sentence, working, studying and leading a project with the objective to save lives through art, Oswaldo has been summoned to return to that same system that gave him nothing and takes away what he has achieved by his own means.

The post-imprisonment stigma is a continuation of prison itself, without walls and cells. The is the persecution that defines the lives of men like Oswaldo who is being forced to return to a carceral system that added nothing to his life: it's a kind of assumption. They assume that Oswaldo is not deserving of freedom. It would be funny, if it wasn't tragic. Imagine the people who are, in this very moment, suffering the punishment that was force upon them here in Brazil. To assume is to evidence the behavior of the black man and if he is an ex-prisoner, this assumption plus the conditions imposed by the system becomes a target for selectivity of not only those who are imprisoned, but also their family who become criminalized socially.

Fear! In the past, the system judged me as a threat to society. Fear! Fear of the threat that the system became for me, ex-prisoner! Let me live that I will prove to you, the system, that I bleed, I cry, I feel the pain of loss, but I also feel the joy of gain, I stumble, but I also get up, that I am black but I am also human, let me live, system.