

## PROFILE RE-VICTIMIZED WOMEN BY VIOLENCE DOMESTIC IN THE MUNICIPALITY OF SANTARÉM - PARÁ

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### ABSTRACT

In Brazil, violence is a behavior that generates a lot of concern in all its aspects and has indiscriminately affects all social classes, generation, and is seen as a highly complex problem with regard to solving them. The high rates of domestic violence against women in the country resulted in the creation of the Special Police in Assistance to Women and later was sanctioned Law N°11.340/2006, called "Maria da Penha". Through this, we intend to show the profile of women re-victimized by domestic violence in Santarém city, Pará State, Brazil. For this, we used the technique descriptive analysis with the aim of describing the profile of re-victimized women in the period from 2011 to 2013. In which it was observed that most of the victims of gender violence has 18 and 24 years (27.00%) have incomplete primary education (32.99%), has the profession/occupation being a housewife (28.58%) and are single (48,00%). Most suffered threat (46.96%), followed by bodily injury (41.86%). Thus one can see that these women have a low level of education and dependent on the husband's income to support their children, becoming submissive and often end up leaving to register case against the same.

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### INTRODUCTION

Gender violence occurs worldwide and already permeates all social classes. This type of violence in Brazil, until recently, was treated as a trivial and insignificant problem. Consequently, several were types of violence committed by men against women with whom they often have emotional or living bond, ranging from a simple injury, considered against honor, to get to the murder, typified in the Penal Code as crime against life (BRAZIL, 1940). Soares (2009) defines the problem with the term violence against women, focusing on a gender approach and limiting the spectrum of analysis to the parameters of what might be called, simply, the feminist field. In this context, the author believes that

The term "violence against women" is already a clear cut on the nature of the phenomenon: limits the actors involved,

establishes who are the victims and the executioners, diagnose its causes (patriarchy and domination gender) and, therefore, anticipates solutions, such as those that have been recommended by the women's movement: criminalization and punishment of the guilty. The focus in this case focuses more on the agents and not the dynamics and relationships (SOARES, 2009).

Importantly, in gender relations, many women who are victims of violence and that such violence can manifest itself in various ways such as physical, psychological, moral, sexual and property. To Parodi and Range (2010) the increasing scale of violence is expressed in numbers, exceeding the most realistic review, taking public concern dimensions to society, the state, families and individuals. Santos (2012) highlights the statistic released by the Special Secretariat for Women's Policies, in June 2012, that of the 27 states, the State of Pará showed a significant demand on call 180, standing out in 3rd place (270.54) in Ranking connections every 100,000 women

in the state, in the first quarter (January-March) of 2012. The Dial 180 is a Service Center for Women, created by the Policy Department for Women and is available throughout Nationwide, 24 hours a day seven days a week. One of the main actions is to receive complaints of violence against women and to guide those who need state support. The high rates of domestic violence against women in Brazil has been granted a closer look by the State to deploy and implement public policies in order to face it and fight it. To that end, was enacted N<sup>o</sup>. 11.340/2006 law, also known as "Maria da Penha" which asserts as Dias (2011) domestic violence against women was criminalized, moving from private to be treated as a public issue. According Silva (2011), that this Act brought into force from September 22, 2006, brought several changes, such as the obligation to hear cases of violence against women being considered by the Criminal Court, with severe penalties entailing prison, and also the provision of urgent protective measures to safeguard the life and integrity of the victim. Considers Debert (2002) that the institutionalization of social practices against gender violence that resulted in the creation of the Police Stations Specialized in Women's Assistance (PSSWA), can be understood as part of the ongoing democratic consolidation process in the country, where women have been given, in principle, guarantee of social rights, police protection and access to justice.

According to this idea, Machado (2001) points out that since its inception, more than space research and repression of gender-based violence crimes, PSSWA (Police Stations Specialized in Women's Assistance) were identified as exclusive listening places of complaints women against sexual violence, violence for injuries and against the threat of PSSWA. In this debate, it is worth mentioning that the creation of DEAMs, was one of the forms found by the Government, in partnership with professional associations, to confront and combat violence. The stations are not only considered instances of registration places, but mostly listening places to crime victims. The Santarem city, located in the westof Pará state, with an area of 22,886.624 square kilometers and a population of 294,580 inhabitants (IBGE, 2010), has a Police Stations Specializing in Women's Assistance - PSSWA, started its activities in 1992. Currently, with own building, its activities occur in part-time basis, with other organs. The PRO PAZ is one of Pará State Government program, created in 2004 with the objective of coordinating, promoting and align public policies for women, children, youth, among others, and aims to ensure the rights, combat and the prevention of violence and the spread of a culture of peace. The action takes place in partnership with various sectors of society, governmental and non-governmental. In Santarém, the PRO PAZ was inaugurated on March 8, 2012, being the date chosen in honor of International Women's Day. With the implementation of this program, in one place, women who suffer some kind of crime can rely on the service of social services, psychologists, coroner and police. Woman looking for PRO PEACE is primarily served by the social worker who provides guidance on the procedures police and social services available to support her, and explains legal issues in a criminal investigation. In the case of family, marital and/or emotional problems, and being offenses that depend on the representation, in some cases, a woman may request schedule for a meeting with the delegate. If you have not been successful at the hearing, the victim requests the establishment of a police investigation for the case to be investigated as soon requesting the urgent protective measures supported by the

Maria da Penha Law. Only after completion of police procedure, is that the survey records are sent to the Court of Domestic and Family Violence against Women of the local region, where it occurs throughout the course of the criminal prosecution of domestic violence. It should be noted that all cases referred by social staff of PRO PAZ to PSSWA are met and recorded the police report. In the case of unconditioned public action to criminal representation as specified by law, such as crimes of bodily injury, rape, murder, etc., are scheduled to research and investigate the facts with the purpose of sending subpoenas, take requests, gathered from documents, reports, victim's hearings, witnesses and accused. This integration has improved the care of women victims of gender violence in Santarém city, but there are still many women who continue to be raped. Worse, there are those who return to the police station to make new records because they suffered new attacks, which makes the issue of violence against women even more serious. This is intended to show the profile of women re-victimized by domestic violence in city, Pará State, Brazil, aiming to take measures to prevent, confront and combat gender violence.

### **Literature Review**

In every country, the patriarchal and sexist culture is experienced in society and still see the problem of domestic and family violence as simply "fight of husband and wife" in an attempt to restrict violence against women only to the family environment (SILVA, 2011). This thought only reinforces the cultural and sexist question that over time has subjected the woman to domination and masculine strength, differentiating the gender painful and inhumane way. It's what Saffioti (2004, p. 44) considers of "domination-exploitation regime of women by men." To Barsted (2009), the level of acceptability of gender violence is high because of the crime not culturally assumed.

Gender violence against women has been largely a forgotten crime, not culturally accepted as such. Therefore, the level of impunity and acceptability of the offense in crimes committed with gender violence has proved historically also as high (BARSTED, 2009, p. 420).

Over the years, numerous efforts have been released in the process of fighting against violence against women until they get to the enactment of a specific law. Social movements, feminist and women questioned forms of social organization and made complaints of the consequences that are generated by the inequality between men and women, pointing the demands of public policies to prevent and combat violence (AQUINO, 2009). From the early 2000s, the orientation of the Brazilian State has been towards expansion of networks of services beyond the precincts of women. Since the creation of the first police woman, were conducted several studies on violence against women and the services provided by the states, including the police woman. With the term of the Maria da Penha Law, which began in on August 7, 2006, there was a breakthrough in the fight against violence against women. For Days (2011), the creation of the Law N<sup>o</sup>.11.340/2006, became stricter punishments against the perpetrators, and, above all ended with the omission and the feeling of impunity that were treated this type of violence. This law brought in its wake aspects of prevention, protection and punishment and defined in Art. 5, violence against women as "any act or omission

based on gender that causes her death, injury, physical, sexual or psychological and moral damage or equity "(BRASIL, 2006). Considering this definition, Law N<sup>o</sup>.11.340/06 stipulates forms of domestic and family violence against women and provides in Article 7:

- I - physical violence, understood as any behavior that offends their integrity or physical health;
- II - psychological violence, understood as any behavior that causes you emotional damage and decreased self-esteem or which endanger and disturb the full development or seeking to degrade or control his actions, behavior, beliefs and decisions, by threat, embarrassment, humiliation, manipulation, isolation, constant surveillance, a stubborn persecution, insult, blackmail, ridicule, exploitation and limitation of the right to come and go or otherwise adversely affecting him psychological health and self-determination;
- III - sexual violence, understood as any behavior that embarrass the witness, to maintain or participate in unwanted sexual intercourse, through intimidation, threat, coercion or use of force; that induces the market or use, in any event, their sexuality, that it would not use any contraceptive method or the force to marriage, pregnancy, abortion or prostitution by coercion, blackmail, bribe or manipulation; or that limit or defeat the exercise of their sexual and reproductive rights;
- IV - the patrimonial violence, understood as any behavior that constitutes retention, subtraction, partial or total destruction of its objects, tools, personal documents, goods, values and rights or economic resources, including requirements to satisfy their needs;
- V - moral violence, understood as any behavior that constitutes slander, libel or slander (BRASIL, 2006).

Among other relevant aspects of the law, it is worth mentioning the punishment of acts of violence against women, which used to be up to one year, allowing the perpetrators paying a fine or basket. But with the new law, were absolutely excluded, because the Art 17 set: "The application is prohibited, in cases of domestic violence against women, basic basket of feathers or other pecuniary benefit, and the replacement of penalty involving the isolated payment penalty "(BRASIL, 2006). The legal understanding treated domestic violence with such seriousness, that in addition to end the monetary penalties, also included in the text, the granting of urgent protective measures in order to protect life and physical integrity of the victims. In this context, it is appropriate to note the decision of the Supreme Court of justice- STJ, in the ordinary brought on Habeas Corpus: RHC 46316 MS 2014 / 0060268-4 (BRASIL, 2014).

Summary: Ordinary appeal in habeas corpus. domestic violence. remand. Art. 312 cpi. periculum libertatis. statement necessary. sufficient reasons. feature not provided. 1. The jurisprudence of this High Court is remansosa in that the determination of segregation of the defendant before the final and unappealable conviction must effect only if indicated, on evidence of the case, the need for caution (periculum libertatis), the under the provisions of Art. 312 of the Criminal Procedure Code. 2. The single judge pointed specifically the presence of vectors contained in Art. 312 of the Criminal Procedure Code, indicating motivation enough to warrant putting the precaution

private applicant of his liberty because of their delitiva reiteration, as well as the need to protect the victim, ex-partner, compared to "criminal practices in domestic and family violence situation committed by the accused, contrary to repeated measures [protective of urgency]." 3. Actions not provided.

In the case above, the Supreme Court held that the individual has no right to freedom for their actions are perfectly matched with the legal provision typified in Art. 312 of the Criminal Procedure Code, says

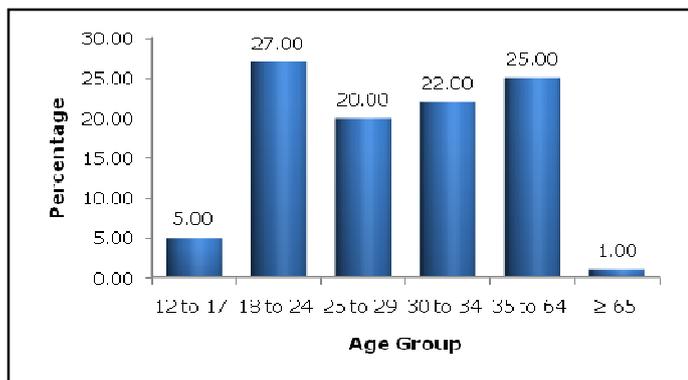
Preventive detention may be ordered as a guarantee of public order, the economic order, for convenience of the criminal process, or to ensure the application of criminal law, when there is proof of the crime and sufficient indication of authorship (BRASIL, 1941). Preventive detention may also be ordered in the event of breach of any of its obligations under other precautionary measures (Art. 282, § 4). Precaution, the rapporteur denied the defendant the right to respond in the process freedom, delitiva reiteration, by the need to protect the victim as well as the fact that the defendant has failed to comply with urgent protective measures. Note that the guidance given by Maria da Penha Law is to preserve women in situations of domestic or family violence. So many advances have occurred even greater awareness and discussion by the government and civil society on the whole complexity involved in such violence. However, other measures need to be implemented, so that women have re-victimized more effective assistance before the new situation of violence reported.

## MATERIALS AND METHODS

The cataloging of data occurred in month/year with the Assistant Secretary of Intelligence and Criminal-ASIC organ of the Public Security Bureau of Pará State, with access to the database of prosecuted police procedures in PSSWA / Santarém, State Pará, Brazil, identified as Unit 174, in the years 2011, 2012 and 2013. With the database, there was a detailed survey of all women victims who sought to that police station and held the police procedure. We tried to make a list of victims, in order to know how many women victims returned to police station and made more of a police procedure. After, research was carried out in the Integrated Public Safety-SISP of Pará, making reading the police reports, individually, to complement any missing data in the database. 100 women were identified re-victimized by domestic violence cases investigated from police investigations and sent to local justice. The variables are: race / victim color (white, brown, black); age (years) of the victim (12 to 17; 18 to 24; 25 to 29; 30 to 34; 35 to 64 and 65 or more); education of the victim (N.E.: No Education, E.S.J.H. - Elementary School Junior High, F.P.E. - Full Primary Education, H. S.I. - High School Incomplete, C.H.S. - Complete High School, H.E.I. - Higher Education Incomplete, H.E.F. - Higher Education Incomplete); occupation of the victim (domestic, Housewife, Saleswoman, Student, etc.); marital status of the victim (Single, Married, Separated, Divorced, Widowed, Stable Union, Maiden); number of children of the victim (Naught, One, Two, Three, Four, Five, Six, Seven, Eight and Nine); types of crimes suffered by the victim (Threat, Body Injury, Injury, Rape of Vulnerable, Damage, Disobedience, etc.); type of relationship with the aggressor (Former Teammate, Companion, Husband, Boyfriend, etc.). We used descriptive analysis to study the variables, the analyzes presented through graphs.

**RESULTS**

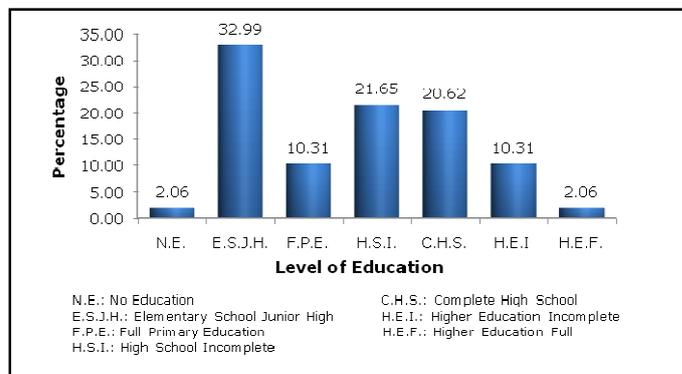
The research points to an object of re-victimized women profile study, which are victims in more than one police procedure recorded in the PSSWA in Santarém city, Pará State, Brazil, and may be the same offender or another, usually domestic, family life or affective tie with the victim. Most women are in the age group 18-24 years (27.00%), followed those aged 35-64 years (25.00%). Representing the total of 52% of the records, it is noticed that 5.00% of cases involve adolescents and only 1.00% refers to older women (Figure 1). In this particular case, the youngest victim has 17 years and the oldest is 82 years old. These results lead to assert that there is no age limit to be subject to some form of violence, that is, a woman under 15 years or over 70 years, not so regardless of their age (RAMOS *et al.*, 2011). The only Elderly woman victim of domestic violence research has age of 82 years during the research period held two proceedings against his son. But, there are records in police stations that municipality that it already had arrested the son in flagrante delicto five times, mostly on charges of crimes of physical assault and threats. The attacker passes a period stuck in the local prison, but when it is released returns to



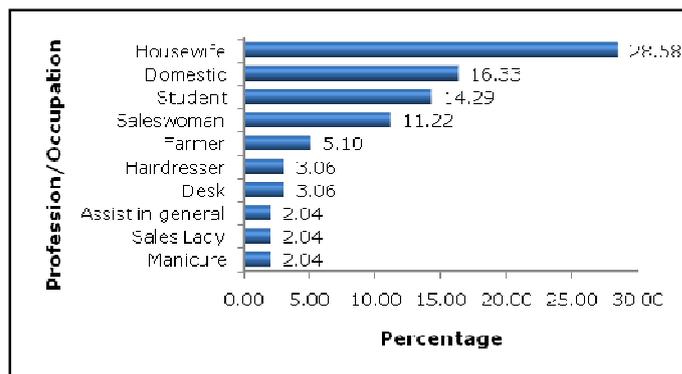
**Figure 1. Percentage of re-victimized of Violence Against Women Violence in Police Service Specializing in Women DEAM/ Santarém, in the period from 2011 to 2013, by Age Group (in years)**

Most women offenders of domestic violence did not complete elementary school (32.99%), followed by incomplete secondary education (21.65%) and high school education (20.62%). Stands out 87,63% of women have the basic level of education (Figure 2). It is noticed that the revictimization of violence is more common in women with shorter study, which did not finish or elementary school. This does not mean that women with little education are more battered, but these may occur more frequently victims seek police assistance to denounce the aggression, or perhaps had no other means of support but to turn public networks. The lowest percentage was also seen in women with higher education and no education. But we cannot say that these few women categories are re-victimized, as in the case of women with higher education, considered more enlightened, hardly seek public bodies to register aggression, usually because of fear or shame. This can also investigate other ways to disengage from the violence experienced. In contrast, women with no education can be inserted in a case of domestic violence by not only the absence of clarification of their rights, but the vulnerability of socioeconomic conditions, to be financially dependent on the abuser, and perhaps so do not report it.

In both cases, women may fail to report the assault to the police, by emotional dependence on their partner for fear of separation, for fear of his arrest, in which case, the problem is even more serious, because besides the omission of victims are forced to continually live with violence. The analysis of professions, the ten most frequently selected. It is observed that most of the re-victimized women have as occupation housewife (28.58%), followed by that are domestic (16.33%) (Figure 3).



**Figure 2. Percentage of re-victimized of Violence Against Women Violence in Police Stations Specialized in Women's Assistance - PSSWA/Santarém, in 2011 to 2013, by Level of Education.**



**Figure 3. Percentage of re-victimized of Violence Against Women Violence in Police Stations Specialized in Women's Assistance - PSSWA/Santarém, in the period 2011-2013, by Profession/ Occupation**

The housewife occupations, domestic and student represent more than half of the professions/occupations (59.20%). This may mean that the re-victimized women have financial dependence, since their occupations are more at home. The sales profession may be related to the autonomous sellers or vendors, which are busy selling clothes, perfumes, jewelry, snacks, etc, but few exercise this profession in the formal market. Perrot (2005) emphasizes that women have always worked. They do not always exercised "professions". Currently, more than once, the "women's professions", those that are said to be "good for a woman," obey certain number of criteria that also determine limits. The notion of "women's work" is a social construct linked to the relationship between the sexes. It shows the pitfalls of difference, cleared by nature, and erected in organizing principle in an unequal relationship. It is speculated that the lack of vocational qualification leaves women with little opportunity to get to enter the labor market, which can keep it financially dependent on the aggressor in the maintenance and sustenance. This may increase the vulnerability of women suffer some kind of violence, as the financial dependency is considered one of the causes associated with domestic violence. Most women in re-

victimization conditions are single (48.00%), followed by those who reported living in stable regime (37.00%) (Figure 4). Many women live in a stable relationship. This scheme is legally recognized from the Law N°. 9,278/1996 (BRASIL, 1996), which regulated the § 3 of Art. 226 of the Federal Constitution says, the family, the basis of society, has the special state protection. § 3 - For the purpose of state protection, the stable union between a man and a woman is recognized as a family unit, and the law shall facilitate the conversion in marriage (BRASIL, 1988). The Article 1 says: "It is recognized as a family unit lasting coexistence, public and continuous of a man and a woman, established on family formation goal" (BRASIL, 1996). Although the stable union receive the constitutional status of a family unit, requiring only public coexistence, continuous and durable and made with the goal of starting a family, it can still happen to some women held single simply because they are not officially married. After the violence suffered and the breakup of the marriage, permanent or transitory relationship, the woman to notify the violence is considered single. Most women have a child (24.00%), followed by having two children (20.00%). And 18.00% of women said they had four children (Figure 5).

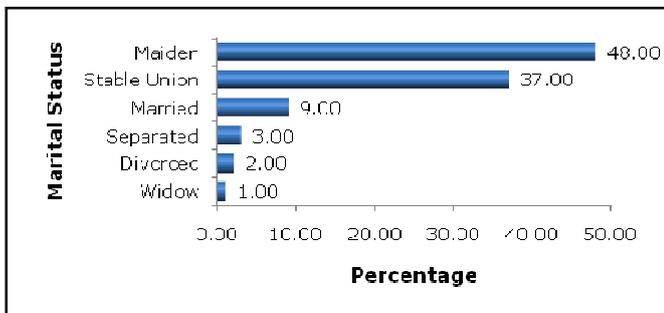


Figure 4. Percentage of re-victimized of Violence Against Women Violence in Police Stations Specialized in Women's Assistance - PSSWA/ Santarém, in 2011 to 2013, by Marital Status

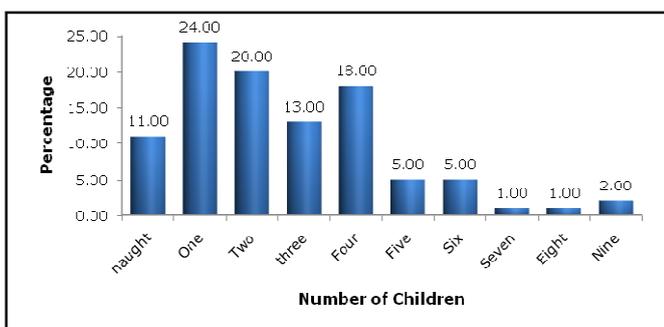


Figure 5. Percentage of Violence Against Women Records in Police Stations Specialized in Women's Assistance - PSSWA/ Santarém, in 2011 to 2013, by Number of Children

Most victims of domestic violence have zero to two children with 55,00% of the cases of recurrence. This is not to say that women with more children are less battered. It is speculated that the fact that women having low numbers of children is because they have more courage or possibilities to withdraw from the aggressor, because it may be less complicated to deal with the situation of violence with fewer children to care for and support. There is still, after a separation, the possibility of women with fewer children have the opportunity to work outside the home, even maid. Most records were threat (46.96%), followed by injury (41.86%). It is observed that the sum of these two categories amount to 88.82% (Figure 6). The Criminal Code describes the threat of crime in Art. 147 as to threaten someone, by word, gesture or written, or any other

symbolic means, to cause him harm unjust and severe, while the offense of bodily injury is described in Art. 129 as to offend the body or health of others. Was added to § 9 that says: If the injury is practiced against ascendant, descendant, brother, spouse or partner, or who lives or has lived, or even if it prevails agent of domestic relations, cohabitation or hospitality (Writing amended by Law N°. 11.340, BRASIL, 2006). Such offenses are perfectly typified the special part of the Brazilian Penal Code (BRASIL, 1940).

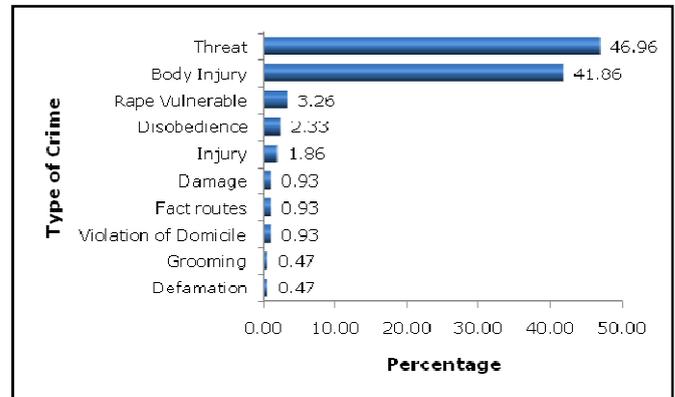


Figure 6. Percentage of Violence Against Women Records in Police Stations Specialized in Women's Assistance - PSSWA/ Santarém, in the period from 2011 to 2013, by Type of Crime

But it was also defined in the Maria da Penha Law, respectively, as psychological and physical violence by Art. 7, sections I and II of Law N°. 11,340/2006 (BRASIL, 2006). Physical violence is related to bodily injury or health of the woman, while psychological violence relates to any conduct that causes you emotional harm (BRASIL, 2006). Saffioti (2004, p. 63) points out that about 300 interviews with victims in the survey (Domestic violence, police matter and society) women often give their opinion about the ease of overcoming physical violence as pushing, tapas kicks than humiliation. According to them, the humiliation causes a very deep pain. From Figure 6, one can see that no record of investigations by disobedience (2.33%). This is where you already have an ongoing process and the author was made aware of the protective measures, but failed to fulfill them. Generally, the breakdown of protective measures triggers a request for provisional arrest by the authority responsible for police procedure, which is fatally accepted by the judge and thus consigning to the arrest warrant, according to legal precept. Most records occurred by the ex-partner (40.88%), fellow then (21.40%). Following, ex-husband and boyfriend (5.58%) (Figure 7).

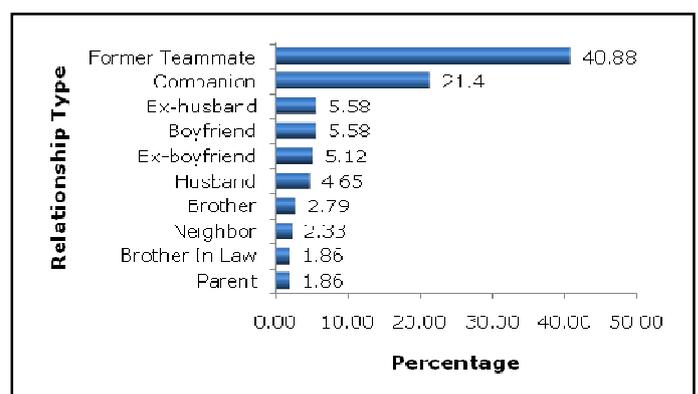


Figure 7. Percentage of Violence Against Women Records in Police Stations Specialized in Women's Assistance - PSSWA/Santarém, in the period 2011-2013, by Relationship Type With the Accused

The issue of women being more assaulted by ex-partner may be related to the fact that the accused did not accept the end of the relationship, going to pursue the victim and commit crimes because of this. About domination highlights (BLAY, 2008).

Attack, kill, rape a woman or a girl are facts that have happened throughout history in practically all civilized countries and endowed said of the different economic and political systems. The magnitude of the aggression, however, varies. It is most common in countries with a prevailing male culture, and lower in cultures that seek equitable solutions to gender differences (BLAY, 2008).

The unmarried woman can be declared the same as that cohabitant in stable until the time of the first marital strife and so is suffering aggression by former teammate. In this sense, Frank (2010) states that the fact that most women are single, it is considered the hypothesis that had another relationship or who have experienced violence caused by the rejection of separation by former teammate.

### Conclusion

From the application of the technique descriptive analysis, one can see that most women repeat victims of gender violence are young people who are in the age group 18-24 years and have a low level of knowledge. As the profession most re-victimized women have financial dependence, that is, exert informal professions where it earns little money. Causing women are financially dependent on the abuser maintenance and support, therefore, may increase their vulnerability to suffer new violence. Another important point to note is that most of the re-victimized women are single. This may indicate that women lived in stable regime, after the aggression was the breakup of the relationship, and to notify the violence, it was considered unmarried, because they are not officially married. There relevance of the results of the offenses types because it turns out that most women suffer threat of crime, followed by bodily injury, which are defined in the Maria da Penha Law, respectively, as psychological and physical violence. Therefore, the study indicated that women victims of domestic violence mainly suffer physical and psychological violence. Another observation is the fact that most of the victims have only one child. Low numbers of children perhaps women have more courage to face the accused and report it, and is less complicated leave the relationship. It ascertains further that most of the women suffered aggression by ex-partner, which should be related to the fact that the accused did not accept the end of the relationship, going to pursue the victim and commit repeat offenses.

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