

Secondary Victimization of Victims of Domestic and Family Violence in Police Stocks

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ABSTRACT

This research aimed to analyze the phenomenon of secondary victimization of women victims of domestic violence in the context of civil police stations, with a view to understanding the characteristics of this type of victimization when this type of victim seeks the civil police to report the crime of which they were victimized. For that, we developed a questionnaire that was applied to a sample of 50 women from the Municipality of Machados (interior of the State of Pernambuco) who were victims of domestic violence and who sought help from the civil police, where we obtained quantitative data to carry out a descriptive analysis of the secondary victimization characteristics of the analyzed sample. It was found in the present research how common secondary victimization is in the sample collected, as well as the reflections of this type of victimization in the black number of this type of crime, which demonstrates that secondary victimization is a factor capable of perpetuating the situation of domestic violence against women. With the data obtained, it is possible to understand the phenomenon studied and thereby develop effective means of preventing and combating this type of victimization, which has been shown to be extremely harmful when facing domestic and family violence against women due to the loss of credibility of police agencies, stimulating the increase in black numbers in this type of violence.

Keywords: Secondary Victimization, Domestic and Family Violence against Women, Civil Police Stations, Black Cipher of Criminality, Characteristics of Secondary Victimization.

INTRODUCTION

Criminology in its genesis as a science, notably with regard to the studies developed by the positivist school at the end of the 19th century, was limited to the study of the delinquent and the crime, which only changed in the mid-20th century, when such science began to destine a more accurate look at the victim of crimes, which had been driven by the holocaust that occurred during the second war, which provoked a greater inquiry by criminologists about the role of the victim in the criminal phenomenon, both on a causal perspective of this in relation to the

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phenomenon crime, as well as the attempt to create ways to better welcome and protect the person who directly bears the harm of criminal conduct.

In this historical context, victimology was born, which could be conceptualized as the discipline (some authors defend it as a science) arising from criminology that studies the victim in terms of understanding their role in the criminal phenomenon, explaining how they could have contributed or not to the occurrence of the crime, analyzing the circumstances of the victimization of the same to elaborate ways to prevent the crime and to shelter this victim after he/she has been victimized.

Among the victimological studies, those that analyze forms of victimization stand out, identifying three forms of occurrence of this phenomenon, namely: a) primary victimization, which is the one that results from criminal behavior itself, such as, for example, physical injuries and psychological that the victim of a rape suffers when she is attacked by the aggressor; b) secondary victimization or over-victimization, which would be the victimization arising from the relationship that the victim of a crime must establish with the criminal justice system, such as, for example, a victim who, when denouncing the crime, ends up having to tell the same story to several characters from the criminal justice system, such as police officers, prosecutors and judges, at different times, having to relive the moment of victimization, which ends up generating feelings of anguish in the aforementioned victim; and c) tertiary victimization; arising from the non-welcoming of the victim of a crime by the public authorities or society, such as, for example, a victim who does not obtain psychological support from the public authorities, or who is "appointed" by acquaintances as "the victim of that rape", generating a certain marginalization of that person before the community.

Domestic and family violence can be conceptualized, in general terms, as all forms of violence that occur within the affective and family environment, involving people linked by family or affective ties, who or not cohabit in the same physical space.

More specifically, and considering that Brazil is a country marked by machismo, where women are often placed as a category of people inferior to men, domestic and family violence ends up becoming more harmful when practiced against women, which is why for which Brazilian law took an important step towards confronting domestic and family violence against women with the creation of law

11.340/2006, known as the Maria da Penha Law, bringing the concept and types of domestic violence, which are physical violence, sexual, patrimonial, psychological and moral, creating specific protection measures for women in situations of domestic violence, and establishing guidelines for coping with domestic and family violence against women, considering that this type of violence in Brazil is a endemic problem.

The aforementioned Law also provides guidelines for various state agencies, including the civil police of each state, to commit themselves to confronting this type of violence and providing effective and humane care for women victims of domestic and family violence.

In this vein, the present research will focus on the study of secondary victimization, notably that which occurs in the care of victims of domestic violence in civil police stations.

We intend, therefore, to answer the following question: is there secondary victimization of women victims of domestic violence when they seek help at a police station?

Thus, once this question is answered, we intend to understand how this type of victimization has been occurring, with a view to, once we understand how this type of conduct occurs, we indicate how it would be possible to avoid this type of victimization, providing a better reception for victims of domestic violence. in the environment of police stations.

It is worth noting that existing research in our country does not discuss the issue of secondary victimization of victims of domestic violence in the context of police stations, and this scarcity of research on the characteristics of this type of victimization proves to be an obstacle to, once understanding this type of conduct, if it proposes improvements in the structure of care for victims of domestic violence within the scope of civil police stations.

In this context, secondary victimization proves to be a serious obstacle for women victims of domestic violence to seek help from the Civil Police, since revictimization ends up deteriorating the credibility of the police institution itself with these victims, since they know that by seeking help from the police will suffer new victimization as a result of unwelcoming assistance, thus increasing the black figure of criminality in the case of domestic and family violence, which contributes to the perpetuation of the cycle of violence against women.

Thus, understanding how secondary victimization occurs

will be necessary to develop specialized care protocols for this type of victim, as well as to develop specific training for police officers who deal with this type of crime, and, finally, seek changes in the structure itself. of care by the civil police for this type of victim, which will contribute to these victims being better welcomed in the police environment, reducing the occurrence of revictimization of these women and a decrease in the black number of crimes in the context of domestic violence, increasing credibility of the Civil Police, the efficiency of that body, and effectively guaranteeing the rights of victimized women.

To carry out this research, initially, a bibliographical research will be made using popular national authors in the study of Brazilian criminology, as well as scientific articles in Portuguese on the “google academic” platform that address the topic under discussion.

In the first chapter we will deal with victimology as a discipline linked to criminology, bringing to light the historical evolution of the victim's role in the criminal justice system, demonstrating how this evolution influenced the relevance of victims in victimological studies. The concepts of victimization and its species will also be addressed, with special attention to secondary victimization, in view of the objectives of this research, and the dark figure of criminality, which is also extremely linked to the objectives of this research.

Then, in the second chapter, the epidemiological aspect of domestic and family violence in Brazil will be analyzed, demonstrating the alarming numbers of the aforementioned violence in our country, after which we will comment on the functions of the civil police, and we will close this second part of this work with the analysis of Law 11.340/2006, with special focus on the application of such law regarding the care of women victims of domestic and family violence in civil police stations.

The third chapter will address the secondary victimization of women victims of domestic and family violence, showing the ways in which this type of victimization occurs in police stations, based on the bibliography consulted, and the effects of this type of victimization at the individual, collective and social levels. the very institution that practices this type of victimization.

Finally, still in the third chapter, the results of the field research carried out in partnership with the Women's Coordination of the Municipality of Machados/PE, an

agency linked to the Secretary of Social Assistance of the aforementioned municipality, whose objective will be to obtain data on victims of domestic violence who sought the services of police stations, an online questionnaire being applied to them, which aims to verify whether they, when assisted at police stations, suffered secondary victimization, how this victimization took place and its effects, and based on these data to propose measures to avoid this type of victimization, improving the police assistance service for victims of domestic violence.

The importance of this research lies in the fact that domestic and family violence is quite common in Brazilian social reality, which is aggravated in small and ruralized cities, such as in the city that will be the object of this research, and the study of this theme is important for tackling this problem.

Understanding secondary victimization in the police context and devising ways to face this type of victimization will be important to improve care for women victims of domestic violence, guaranteeing the reception of this type of victim, promoting their rights, and ensuring that they have a greater facility to seek the police assistance they need to overcome the domestic violence they were victims of.

VICTIMOLOGY

In this first chapter we will analyze the historical framework in which criminology obtained its scientific autonomy, with emphasis on how the victim of a crime was perceived before, during and after the beginning of the empirical studies of the aforementioned science.

The principle of victimological studies will also be addressed, the historical context of the genesis of victimology, the historical evolution of the role of the victim in the criminal justice system, which will enable the understanding of how studies about the role of the victim in the criminal phenomenon were born, where the main lines of research in this branch of criminology will be glimpsed.

Next, we will make some comments about victimization and its species, in view of the importance of this topic for the development of this research.

Finally, we will define the concept of criminality dark figure and the relationship of this phenomenon with victimization processes, especially with regard to the phenomenon of secondary victimization.

Vitimology: the victim as an object of criminology study

Crime has always aroused a great curiosity in the spirit

of man, and since the dawn of civilization we have always sought to explain the nature and genesis of brutal crimes, and, initially, such conduct was attributed to monsters or paranormal beings [1], explaining in a socially deviant behavior is unscientific, but always with the aim of, once this type of phenomenon is understood, to try to prevent it from occurring with a view to guaranteeing the collective right to public safety, and the defense of the most essential human rights, such as life, liberty, property, among others.

Despite this perennial curiosity about the phenomenon of crime, it was only at the end of the 19th century that a science was structured that aimed to study deviant behavior, with the aim of explaining the causal reasons for these socially harmful behaviors, thus giving birth to criminology.

Criminology was conceptualized as the empirical science that aimed to explain the causes of criminal behavior, with a view to developing means of combating crime and guaranteeing social security, or, as Viana [1] states, "criminology as an empirical and interdisciplinary science responsible for providing elements to understand and face the deviant phenomenon".

As we can infer from the concept brought from criminology, notably from this first historical approach to the criminal phenomenon, we realize that initially this new science was only concerned with the study of the criminal and crime, leaving the victim of this deviant behavior in a marginal position of this causal explanation of the crime and the confrontation of this serious social problem, which can be easily seen in the works of scholars from this first moment of criminology [2], and even from authors prior to the period of scientific autonomy of this science who already paid attention to criminal behavior [3].

This is due to the fact that at the historical moment when Criminology gained the status of a science, the criminal justice system was limited to considering the victim of a crime as a mere source of evidence, this period being known as the "neutralization period", making it necessary, at this point, to comment, just briefly, on these historical periods that marked the treatment of the victim before the social systems of repression of the crime, with a view to better explaining the way in which the victim was treated by the justice system criminal law during the historical-social evolution, without forgetting to clarify, right now, that the evolution of the role of the victim in the dynamics of the processes of investigation and punishment of the perpetrators of crimes did not occur in a linear way, but it is possible, even so, to establish certain

patterns and periods of such treatment of crime victims [1].

At the beginning, the period known as the Golden Age of the criminal victim prevailed, a period that would have occurred between the beginnings of humanity until the period of the high middle Ages, being a characteristic feature of that moment the protagonism of the victim in the search and implementation of the punishment of the author of the crime. crime, in effect a true private justice, leaving the victim (and not the State) to define what would be considered a crime and the way in which the author of the crime should be punished [4].

In Brazil, an example of this period of protagonism of the victim was during colonial Brazil, when the Philippine Ordinances were applied in national lands, with this legal diploma the possibility of the victim to promote a private revenge against the author of the crime [1].

This protagonism of the victim ended up being eliminated with the greater structuring of the State, because with the strengthening of this entity, it became its exclusive attribution to organize society in more detail, defining norms and rules as well as the forms and limits of punishment for who fails to comply with established precepts. Thus, the crime ceased to be an individual offense to the person who was directly affected by the criminal behavior, and became an offense to the State (generally speaking, because depending on the historical period and location, the crime was seen as an offense against God, the sovereign or the collectivity, but essentially ceased to be an offense against the victim alone).

As the mentioned period took place between the Middle Ages and the middle of the 20th century, it is evident why criminology, in its beginnings, was not concerned with the study of the victim in order to obtain a causal explanation of the crime and as a way to face the crime more efficiently. criminal behavior. This was due to the fact that as this science was born in the historical period where the role of the victim in relation to the criminal justice system was marked by the little importance given to it, this logic ended up being applied to the first studies of a criminological nature, attributing the victim a marginal role not only before the instances of formal social control, but also among criminology scholars, or as stated by MORAES and FERRACINI NETO [4]:

The very conceptual definitions of Criminology for the early modern schools indicated the exclusion of the victim from the scope of criminological study. For GAROFALO, criminology was the "science whose object is the causal-explanatory study

of crime". KAISER, on the other hand, defined criminology as "an ordered set of experimental science about crime, the offender of legal norms, socially negative behavior and the control of certain behavior".

It is thus indicated that the victim was excluded by such authors from the initial schools of modern criminology as being one of the objects that made up the treated science.

This reality of relegating to the victims of criminal behavior the role of mere spectators without any importance on the stage of the criminal justice system, being, at most, a source of proof can be seen in the current penal code, can be perceived in the very few hypotheses of action criminal nature of private and conditioned public nature, which evidences the lack of freedom of the victim to decide the convenience and opportunity of provoking the instances of formal social control (read the institutions that compose the criminal justice system - police, Public Prosecutor's Office and Judiciary), as well as the few possibilities given to victims to intervene in criminal proceedings [1].

This reality, however, had changed in the 1940s when the macro-victimization that occurred during the Second World War, with the mass death of Jews during the aforementioned war conflict, drew attention to the need to carry out studies aimed at the victims of crimes, with a view to understanding their participation in the criminal phenomenon, and the birth of victimology can be credited to the studies of Von Henting and Mendelshon, giving a new dimension and depth to the criminal phenomenon, and on Brazilian soil as early as 1908 Moniz Sodré, in his work "The three penal schools", addressed the issue of compensation for crime victims [1].

Before trying to define the concept of victimology, it is worth making some comments about the concept of victim, starting with the etymological study of the word victim itself, which comes from *victus* or *victimia*, meaning "defeated" or "offer", which can refer both to people or animals sacrificed in offerings to ancient gods in order to obtain benefits from the sanctity worshiped [5], as it can mean the person who was defeated in battle [6], which makes it clear that the meaning of these words always refers to someone who suffers an injury to his physical integrity.

With regard to studies of victimology, the term victim can have a broad or restricted meaning. The first of them refers to every person who suffers damage in their physical, personal, patrimonial or moral sphere, being able to conform to this concept of victims, in addition to people who were victims of a crime, those who suffer injuries arising from accidents or

natural disasters, or even that they were victims of their own self-destructive behavior, as in the case of suicide.

However, the broad concept does not demonstrate great usefulness for victimology, since it, according to most of the doctrine that deals with the subject now comment, lends itself to studying the victim as a natural person who, as a result of a violation of a norm criminal suffers an injury to his physical, psychological, moral or economic integrity [1], which is why in this work we will use the restricted concept of victim.

However, and very succinctly, we must make it clear that the concept that will be used is not far from some refinements, firstly as a result of the evolution experienced in our society, especially in the post-industrial period, which caused a massification of social relations bringing new social needs to people (supra individual or collective interests), thus creating the need to create legal norms to defend these interests, culminating in the creation of so-called vague crimes, crimes where there is no specific victim and direct conduct of this type of behavior, as in traditional crimes (robbery, homicide, bodily harm), but rather criminal behaviors that end up affecting an entire community, violating supra-individual interests, which occurs in cases of crimes against the environment and white-collar crimes.

Another point that deserves criticism is the fact that the concept informed above is limited to the person who suffers, directly, the damages arising from the criminal conduct, excluding from the concept of victims people close to the same, but who also end up enduring great suffering in as a result of the crime committed, such as, for example, the parents of a person who is murdered, or a child who witnesses the father routinely attacking the mother.

Once the object of this branch of criminology has been established, it is now up to us to conceptualize what would be victimology, which must necessarily include the mentioned object of study, the method and the purposes to which this discipline is dedicated.

Thus, we can conceptualize victimology as the part of criminology that, in an empirical and interdisciplinary way, studies the behavior of the victim in the constitution and causal explanation of the criminal phenomenon, with a view to, once understanding the role of the victim in this phenomenon, demonstrate the contribution this in the genesis of criminal behavior and the way in which it was victimized, with a view to implementing criminal policies in order to avoid new victimizations and safeguard the rights of

people who have already been victimized, guaranteeing their reestablishment, as well as the prevention of future criminal conduct.

As we can see, the first major purpose of victimology is to study the behavior, personality, lifestyle, and environment of the victim in order to understand his role in the genesis of the criminal phenomenon.

It is evident that this analysis must be carried out with due caution, because if, on the one hand, the figure of the victim seen as an entirely innocent being within the criminal-victim dynamic (although possible) ends up, in the vast majority of cases, proving to be inaccurate, we must be careful when analyzing how the victim's behavior contributed to the occurrence of the crime, so that there is no reversal of the roles of the characters in the criminal phenomenon, attributing to the victim the blame for the victimization that he suffered, which would prove to be unfair to a person who has already supported an action that violated an essential right of the same.

From this first type of victimological analysis, several classifications of victims were created, taking into account their contribution to the occurrence of the crime, the best known of which was Menhdelson's, who classified victims as: Ideal, are those victims that they did not contribute in any way to the commission of the crime; Victim of ignorance, which are the victims who are less guilty than the offender in causing the crime; provocative victims, who are those victims who are as guilty as the perpetrators with regard to the genesis of the crime; and aggressor victims, those who are exclusively to blame for the violence they suffered [4].

This approach to victimology also serves to inform public policies, as it proves to be effective in identifying preferred profiles of victims of certain crimes, which is important to create, for example, advertising campaigns to inform the population, preventing new victimizations from occurring, with this type of campaign being common to prevent violence against groups identified as vulnerable, such as women, children, the elderly, among others, where these people are more prone to certain types of violence. Von Henting himself created a classification that analyzed profiles of victims who were more likely to be victims of crimes such as women, elderly people, children, among others [5], where based on such data it is possible to inform the population to avoid future victimizations.

This knowledge produced by the discipline under discussion can also be used to adjust criminal legislation for fairer

treatment in the application of criminal law, such as, for example, the provision contained in article 59 of the Penal Code, which establishes that the judge, when applying the penalty at the time of conviction must take into account, among other factors, the behavior of the victim, authorizing the judge to more or less disapprove of the offender's conduct, taking into account the contribution of the victim in the genesis of the crime.

Another important line of research in victimology is the search for ways to guarantee the rights of victims, notably demanding a greater participation of the victim in the resolution of the conflict, guaranteeing greater autonomy in criminal prosecution, which can occur with greater autonomy of the same to choose whether or not to initiate the criminal prosecution, which occurs with the prediction of the need for the victim to offer representation to initiate police investigations (crimes subject to conditioned public action) or to initiate criminal proceedings (crimes of private criminal action). The institute of restorative justice has also gained prominence in this rediscovery of the victim in the face of formal social control, which tries to promote direct understanding between author and victim so that together they can definitively resolve the existing conflict between them [6].

This appreciation of the role of the victim in the criminal justice system can also be found in the search for means that are primarily aimed at repairing the damage suffered by the victim, or indemnifying him if it is not possible to return to the status quo, valuing the victim's satisfaction more, which is most affected by criminal conduct, to the detriment of the mere application of criminal law to satisfy the interests of the State in seeing its rules fulfilled.

Finally, victimology studies the victimization processes that affect the direct and indirect victims of criminal behavior, as well as people who, as a result of having some involvement with a crime, as perpetrator, victim or even witnesses or family members of those involved, are called upon to intervene in instances of formal social control, which can sometimes generate new violations against victims and other people during criminal prosecution processes, which can be considered, as well as the direct effects of crime, a kind of victimization, and in the next topic we will highlight the concepts and the main types of victimization that affect the victims of a crime.

Species of victimization

We can conceptualize victimization as "a phenomenon by

which a person or a group of individuals becomes the victim of a criminal offense” [6].

As intuitive as this concept may seem, studying this phenomenon is important because the victimization arising from violence resulting from criminal conduct sometimes goes beyond the mere immediate damage caused by the delinquent conduct, with other mediate damage occurring after the moment of the practice delinquency that affect the victim of a crime.

Thus, understanding the types of victimization is important to understand and analyze how this victimization occurred, which can favor the implementation of measures so that other people do not become victims of future crimes, as well as to analyze the material, procedural and assistance mechanisms dedicated to victims of crime.

The first type of victimization is known as primary, and is the one that results directly from the criminal behavior practiced by the author of the criminal conduct, causing material, physical and/or psychological damage to the victim [7].

Let us imagine, for example, a rape victim where, during the criminal action, she ended up being physically injured by the perpetrator of the crime, who, using physical force, maintained sexual intercourse with this victim, leaving physical and even psychological damage to her, since it is common, in this type of violence, the victim develops various forms of psychological disorders, such as anxiety and depression. In this example, all these damages came directly from the criminal conduct itself, thus being a primary victimization, that is, resulting from the moment the crime was committed.

The second type of victimization, and more important for the research that we will work on ahead, is secondary, also known as over-victimization or revictimization, which stems from the contact of the victim of a crime with instances of formal social control.

As is known in criminological studies, there are two types of social controls exercised over all members of society, informal social control, formed by agents or institutions that are not part of the state structure and whose main purpose is not to exercise control of criminal behavior, but which end up exerting some control over people's behavior, discouraging individuals from committing socially harmful conduct [4], such as, for example, the control we suffer from the church we attend, the school we study or the community we are part of, where, in order to remain accepted in the social group, we follow the cultural rules established by these intuitions, since

behaving in a way that deviates from the standards expected by the other members of society can lead to sanctions, such as disapproval from peers or even complete social isolation.

Formal social control, on the other hand, is that exercised by the bodies that make up the criminal justice system and whose main purpose is to exercise criminal prosecution or the punishment of criminal conduct, through the application of a criminal sanction, respecting the legal guarantees directed at all individuals accused of criminal conduct.

In this way, secondary victimization occurs when the victim of a crime, when in contact with a body that integrates the aforementioned criminal justice system, be it the police, the Public Ministry or the Judiciary, ends up suffering a new offense to their property. legal, this time coming from state agents who should protect and guarantee the rights of the same.

This type of victimization occurs largely as a result of our criminal legal system still relegating the victim of a crime to a marginal role in the criminal prosecution process, without taking into account the needs or the fact that the victim is in a vulnerable condition after having suffered a conduct that violated a fundamental legal asset of the same, treating it, many times, as a mere source of evidence [6].

In the example mentioned above, imagine that the victim of the aforementioned rape, when looking for a police station, reports this fact to the policeman who first assisted her and this fictitious policeman does not take care to listen to her in a separate room, letting her tell the story. the crime of which she was a victim at the reception of the police station, causing her to report the fact in the presence of other people, causing an undeniable feeling of embarrassment. After that, the victim is sent to speak with the police chief, having to, again, tell the details of the crime suffered, which makes him relive, for the second time, the anguish of the crime that victimized him. Finally, the victim is again sent to the police station's office to give a statement, where he will again tell the details of the crime suffered to another police officer, once again having to relive the anguish of the crime suffered.

As we can see, secondary victimization, sometimes, is not the result of the mere lack of preparation of state agents who treat the victim in a less than courteous manner, as it can also result from the bureaucratic structure of the State that ends up generating this over-victimization, causing new offenses to the rights of the victims.

Finally, we have tertiary victimization, which is where society itself ends up isolating the victim of a crime, treating

them with prejudice, denying them the necessary support to recover from the victimization suffered, or, sometimes, attributing some blame to the victim of the crime he endured [4].

Gonzaga [7] brings as an example of this type of victimization a case that occurred in Rio de Janeiro, where a woman was the victim of a “group rape”, when several men took turns having sexual relations with her. It turns out that after the crime, several people on social networks and in the community where the victim lived began to claim that she would be guilty of the crime that she suffered, as the victim had already had relationships with several men and did not complain to the police, as well. such as the fact that one of the aggressors has an affective relationship with her, making it clear that this type of victimization, unlike the previous ones, does not result directly from criminal conduct or from the bodies that make up the criminal justice system, but rather from the society in which the victim is part of, which marginalizes the same by not providing any kind of support or reception in favor of it.

Here we end our comments on the types of victimization, and we will then proceed to analyze the concept of the dark figure of criminality and the relationship of this institute with secondary victimization.

Secondary victimization and the black number of criminality

In order to understand the concept of the negative (or hidden) figure of criminality, we must initially define what criminality is, and this can be conceptualized in an intuitive and comprehensive way as the set of crimes committed in society.

In this vein, we can see that this criminality refers to the total number of crimes that actually occurred in a given society and in a given period of time, however, for various reasons, many behaviors considered crimes end up not reaching the knowledge of formal social control instances, the which may occur, for example, when the perpetrator of the crime hides any and all evidence of the crime he committed, or as a result of the victim, the main harm resulting from criminal behavior, having decided not to bring information about it to the attention of the criminal justice system. of the existence of the crime supported by it.

In view of this finding, we can see that there are two types of criminality, the official one, which would be the one arising from the criminal justice system, where the bodies whose attribution is to exercise control of criminal behavior

prepare statistical information based on the crimes that were reported to them, this notification may come from the victim, other bodies or third parties that provided information about the occurrence of a crime, and actual criminality, which would be the total number of crimes that actually occurred in society, that is, not just those crimes that came to the knowledge of formal social control bodies, but also those that were never notified to the authorities whose obligation is to repress criminal conduct.

In this context, the dark figure of criminality is found in this numerical difference between real and official crime, or as defined by Burke [6] the “black figures are consubstantiated by all those crimes that happen in our social environment, but are not reported to the government for various reasons.

The connection between the phenomenon of the dark figure and victimology stems from the fact that the great causal factor for the existence of this numerical difference between real and official criminality stems mainly from the behavior of the victim, which, in the vast majority of cases, is the responsible for not bringing to the attention of the State the crime of which she was a victim, either because she did not perceive the violence suffered as a crime, or because the culture in which she is inserted does not consider such behavior as a crime, for fear of reprisals, or even for not trusting the instances of formal control [6].

In view of this, we can see the clear connection between the phenomenon of secondary victimization and the black figure of criminality, since the violence suffered by the victim when he comes into contact with the criminal justice system (secondary victimization) is shown to be a reason for this victim feels discouraged from seeking formal social control bodies, given that when the victim seeks these bodies to report the crime suffered and he is not welcomed and protected, but, on the contrary, ends up suffering a new victimization from such institutions, ends up generating a loss of credibility in the criminal justice system, which motivates and aggravates the black figure of crime [8].

Thus, over-victimization ends up becoming an obstacle to the access of the victim of a crime to the criminal justice system, since it creates a psychological barrier that prevents him from seeking the public security service that he lacks. In addition, this type of (secondary) victimization becomes a perpetuation factor in the cycle of social violence, because when victims are discouraged from seeking the State to pacify conflicts, they end up continuing (as in cases of domestic violence, for example, where the victim does not find a way out of an abusive relationship, and remains in the

situation of violence) or getting worse (when the victim of a crime ends up taking justice into their own hands).

In this sense, victimological research on victimization is of great importance, notably in order to try to quantify actual criminality and the black figure of this criminality, as well as to assess the degree of reliability of victims in the criminal justice system [9], which can bring empirical data capable of seeking ways to avoid secondary victimization, guaranteeing dignified care for crime victims and increasing the efficiency and credibility of formal social control bodies, which, finally, will culminate in a decrease in the black figure of crime.

Once the first part of our study has ended, where we brought the general concepts that will be important in the development of the research explained below, we will move on in the next chapter to analyze some data about domestic and family violence in Brazil, we will make some observations about the institutional functions of civil police, and, finally, we will comment on the national legislation to combat domestic violence, notably with regard to the application of this Law in the care of victims of domestic violence in the environments of civil police stations.

DOMESTIC AND FAMILY VIOLENCE AGAINST WOMEN AND THE ROLE OF THE CIVIL POLICE IN ADDRESSING THIS TYPE OF VIOLENCE

In this chapter, we will move on to a theoretical study, based on bibliographical research carried out, of the characteristics and reality of domestic and family violence in our country, analyzing the concept of this type of violence, the possible causal explanations of this phenomenon and the serious reality of domestic and family violence that victimizes women in Brazil.

Next, we will deal with the institutional purposes of the civil police in Brazil, clarifying the attributions of these bodies in general and in relation to the repression of criminality in the context of domestic and family violence.

Finally, we will close the chapter with comments on Law 11.340/2006, which establishes mechanisms to curb domestic and family violence against women, giving special emphasis to the provisions of that law that are intended to assist this type of victims in the context of civil police stations, in order to bring concepts necessary for understanding the way in which the care of women victims of domestic and family violence occurs in the police context, this knowledge being essential for understanding the phenomenon of secondary victimization of women victims of domestic and family violence when this species of victims

seek care at police stations, a subject that will be dealt with later and was the object of the empirical study carried out to verify the existence, characteristics and effects of this type of victimization of victims of domestic violence.

Domestic and family violence against women in Brazil

Domestic and family violence against women is a striking reality in Brazil, where the official rates of this type of violence demonstrate its endemic nature, our country being the fifth in the world in numbers of this type of violence [10], which demonstrates the habituality of violent behavior against women in Brazil, this violence being quite common and extremely “democratic” in national lands, since domestic violence against women has been shown to be common in all social groups, affecting women belonging to both the more favored social classes and the lower social classes, proving to be a common factual circumstance in any class or social, racial and ethnic groups, with no distinction in the way in which this violence has occurred depending on the demographic characteristics of the victims.

Before moving on to the reality of domestic violence in our country, it is important to define what domestic and family violence would be, and this can be conceptualized as any behavior that causes, or may cause, physical, sexual or psychological damage, or suffering to the woman, which is a multidimensional phenomenon [11].

From the concept presented, we can clarify that the multidimensionality of this violence refers to the fact that it stems from several causal factors that promote this type of victimization, which can be indicated among them: violent family background; abuser’s alcohol use; unemployment; victim’s low socioeconomic status; little social support given to the victim.

However, the great causal factor that guarantees this true systemic reality of violence against women in Brazil is due to the social inequalities caused by our macho culture which, based on traditional gender relations, dedicates to women a perpetual relationship of subordination to men., establishing a true human subclass (women) that exist to serve male individuals [12].

In this context, domestic violence is nothing more than a way of maintaining male power over his partner, where the woman is seen by this patriarchal culture as a mere object belonging to men, which can be used as this good wants, including with the possibility of being violated in the way that best pleases the man/aggressor [11].

With regard to how this violence occurs, and contrary to

what common sense makes us believe, the family, which can be seen as the social unit that aims at the coexistence and harmonious development of its members (the family has always been seen as the mother cell of society), where all members of the family group love and help each other, as well as the house, understood as a physical place destined to protect and guarantee the safety of its residents, show that the way common sense perceives these two institutes are completely contradicted by the numbers of domestic violence against women in Brazil, demonstrating that this perception about the family and the family home is totally inaccurate in the factual reality of violence against women in our country.

In fact, the most dangerous place for Brazilian women is exactly their residence, and the people who pose the greatest risk to them are the people who have an affective or family bond with them.

A study carried out by the Institute of Applied Economic Research – IPEA [13] corroborates our assertion, being verified in the mentioned research that 43% of the physical aggressions suffered by women in 2009 occurred in their homes. The same survey, referring to that year, also found that most of such aggressions were committed by the spouse, ex-spouse or relatives of the women (almost 70% of the cases). To get an idea of the difference in violence between genders, only 12.3% of physical violence against men occurs in their homes, according to the same survey.

If women's homes are not a safe place, public places, likewise, do not guarantee that they will not be victims of domestic violence, since 60% of the physical aggressions committed against women outside their homes, in 2009, were practiced by persons known to the victim.

The aforementioned research also demonstrated the perennality of domestic violence over the years, since the phenomenon under discussion remains constant, actually occurring an aggravation of this type of violence in Brazil, since 64.4% of the physical aggressions suffered by women in 2013 they took place at the victims' residence, demonstrating that the victim's home remains a dangerous environment.

In the same year, it was demonstrated that the relationship between the victimized woman and the aggressor continues to be common, highlighting in the aforementioned research the age group of young victims (between 18 and 29 years old) who in 43.1% of the analyzed cases are assaulted by partners or former partners [13].

This reality ended up getting worse with the covid-19 pandemic, which required people to spend more time at home, which for the woman meant having to spend more time in a dangerous environment and in the company of people who are statistically more prone to commit violence against them, which proved to be a "perfect" combination for the increase in female victimization, which was confirmed by an online survey carried out by the Brazilian Institute of Family Law [14], which confirmed that during the quarantine period there were a 431% increase between February and April 2020 in reports of fights between couples. In addition, the aforementioned institute also reported that, in the State of São Paulo, for example, the number of feminicides increased by 46.2%, demonstrating that the requirements arising from health regulations influenced the increase of this type of violence.

In Pernambuco, data from the Secretariat of Social Defense [15] show that in the first half of the current year there were 14,099 cases of domestic violence in the interior of the State alone, and with regard to the municipality where our field research will be carried out regarding the present work, the city of Machados, located in the Zona da Mata of the aforementioned state, there has been a clear increase in the numbers of domestic violence in that municipality in recent years, since in 2012 only 7 cases of domestic violence were registered in that municipality, while in the year of 2019 there were 34 cases, a considerable increase.

It is worth mentioning that the reported data come from official criminality, from data from official records made based on information taken to formal social control instances through the victims, without taking into account the black figure of criminality, the subject of comments in point previous.

In fact, the dark figure of criminality tends to be striking in domestic and family violence, since the woman who is victimized by her partner often ends up not seeking help from the criminal justice system, due to several factors, such as, for example, living in a sexist culture that sees violence by men against women as something common (who has never heard the popular saying that "in fights between husband and wife, you don't get involved"?), or for not perceiving violence as a crime, or even because they are dependent on their partner, a dependency that can be economic, affective or even social.

Thus, the official records of crimes against women are a small amount of the violence that they suffer, and when the woman seeks the help of formal social control bodies, she

has already been victimized several times, in some cases for years, a commonly known reality. on the premises of police stations in Brazil.

This whole scenario makes it clear that despite the advances in the implementation of legislation to combat the type of violence discussed here, notably Law 11.340/06, which will be discussed later in this chapter, as well as public policies to combat violence against women, To date, such measures have not proven to be efficient for effectively confronting domestic violence against women, and it is necessary to investigate the reasons for the continuing rates of crime against women.

The importance of studying ways to face this type of violence is demonstrated by the fact that domestic and family violence against women is so serious that it goes far beyond a mere public safety problem, also becoming a public health problem, as the costs borne by the public health system with domestic violence are absurd, given that women exposed to this type of violence, in addition to suffering bodily injuries, can also develop various problems of a psychological nature, generating costs for the public health system [12]. Domestic violence is also responsible for keeping women away from their jobs, bringing a great social cost from the violence analyzed here [10].

Considering that domestic violence is caused by several factors, combined with the fact that the damage produced by this type of behavior exceeds the limits of public security policies, it is necessary that the response to this problem is also broad, involving social policies to guarantee assistance to women victims of this type of violence, which can occur with educational, social assistance and health measures, promoting campaigns to inform the population of the characteristics of this type of violence and to try to change the way society sees women, giving them the status of subjects of rights and not mere objects of male property.

In addition, public policies are needed that aim to allow greater female empowerment, such as women's access to the labor market and to positions of command or of a public nature, as well as state support for the creation of bodies to defend women's rights, bodies that are indispensable for supporting women in situations of domestic violence.

Another important measure for confronting this type of violence is the development of research with a view to understanding the causal factors of this type of criminal conduct and the most efficient ways of preventing and controlling this type of behavior, and the present work is an

example of this type of measure to contribute to the fight against domestic and family violence against women.

In the next point, we will analyze the functions of the civil police, bearing in mind that understanding the attributions of the cited body will be important for us to understand the problem object of the present research.

Civil police functions

The 1988 Federal Constitution, in its article 144, defined that the right to public security is a right and duty of every Brazilian and, despite the aforementioned legal article not being included in the list of article 5 of the aforementioned political charter, there is no need to deny that it has the nature of a fundamental human right, embodied in the right of every Brazilian or foreigner on national soil to be protected from any and all types of violence, attributing to the State and all citizens the duty to respect and protect the most fundamental rights. Rights of all members of our society, including the right to life, liberty, physical integrity, property, among others [16].

After attributing the aforementioned fundamental right to public security, the Constitution listed the various State bodies that would be responsible for guaranteeing the aforementioned right through actions aimed at preventing or curbing criminal behavior, including federal, state and municipal bodies.

Among these bodies, the constitution divided the functions of public security and the fight against crime into preventive and repressive, with the military police of each state and the Federal Highway Police being responsible, for example, for ostensive policing with a view to preventing the commission of crimes and guaranteeing the public order.

Notwithstanding the efforts of the ostensive police bodies, crimes are common behaviors in all societies, with Brazil not being an exception in this regard, which is why the aforementioned Constitutional provision entrusted other institutions to carry out repressive activities against criminal conduct, which are the Police Federal Police and the civil police of each State, with the former responsible for investigating crimes of a federal nature, understood as crimes that affect property, interests or rights of the Union or other legal entities governed by public law that belong to the Union, as well as crimes of an interstate nature. and which require uniform repression.

In this context, the attributions of the civil police are residual, being responsible for investigating and repressing all crimes that are not the attribution of the Federal Police or a military

crime [16].

It is therefore up to the civil police to investigate and repress the vast majority of criminal behavior verified on a day-to-day basis, with a view to, once investigating and contributing to the punishment of offenders, the said body promotes the fundamental rights violated by criminal conduct.

Investigating means obtaining, through legal evidence, information that is able to prove that a factual situation has occurred, from which we can infer that criminal investigation is the set of techniques and means used by a public body with a view to proving that a crime has occurred and identify who was the author of this socially harmful behavior [17].

It is worth mentioning that the investigative activity of the civil police, despite being its most common objective, is not the only function of such an agency, as it is responsible for the activity of judicial police, understood as the attribution of assisting the state Judiciary, which it occurs, for example, when the civil police assists the judiciary to coercively lead a witness who did not attend the judicial hearing or when such institution complies with the determinations of the Judiciary, such as the execution of search and seizure and arrest warrants.

The complementary state law 137/2008 of Pernambuco [18] in accordance with what we have already explained, defines in its article 2 that the career of civil police in the State of Pernambuco is an essential function of the State and has as its purpose: “the prevention and investigation of criminal offences”; “the preservation of public order”; “the safety of people and property”; and “the guarantee of freedom, individual guarantees, social defense, legal security and social peace”.

The aforementioned article of law makes it clear that, although the first and most essential function of the Civil Police of Pernambuco is criminal investigation, the functions of the aforementioned police agency go beyond the mere investigation and repression of criminal conduct, being attributed to the members of the aforementioned agency. the maintenance of public order, social peace and individual guarantees, among other scopes.

Among them, it is up to the members of the aforementioned body not only to investigate and repress conduct that consists of domestic and family violence against women, but also to guarantee ways to avoid the primary victimization of this type of victim, as well as to take measures that aim to defend the women in situations of violence, guaranteeing them their individual rights, promoting their adequate reception

at the time of police assistance, and, above all, preventing these women, when they come into contact with the aforementioned organ, from suffering a new victimization, in this way coming from the state body that should protect this victim and promote their rights, given that the promotion of the rights of this type of victim is one of the duties of the members of the said body.

In the next topic, we will analyze some provisions of Law 11.340/2006, popularly known as the Maria da Penha Law, notably with regard to the purposes of the aforementioned law, the types of violence defined therein, and the provisions relating to the care of victims of the crimes listed in that law. legal diploma with regard to the police context.

Law 11.340/2006 and facing domestic and family violence against women in the context of civil police station

In 2006, Law 11.340/2006 was enacted, which became known as the Maria da Penha Law in allusion to the Ceará pharmaceutical Maria da Penha Maia Fernandes who had been the victim of two homicide attempts committed by her own husband, becoming paraplegic due to the first attempt. Suffered, and who fought for more than 19 years to see her aggressor punished for the crimes committed against her [19].

The story of Maria da Penha's fight to see her aggressor punished was a milestone in the fight against domestic and family violence against women in Brazil, culminating in the creation of the aforementioned law, where it is already foreseen in article 1 of that legislation that It “creates mechanisms to curb and prevent domestic and family violence against women” [20], and in its 2nd article provides that this normative instrument is applied to any and all women, without distinction of class, race, ethnicity, sexual orientation, income, educational level, age or religion.

Article 5 of that law states that domestic and family violence against women consists of any commissive or omissive conduct that, based on the victim's gender, may cause any kind of damage, either within the scope of the domestic unit where the victim lives, or arising from a biological or affective kinship relationship, or resulting from an intimate relationship of affection between the aggressor and the victim [20], thus defining the context of domestic and family violence against women.

Article 7 of the Law [20] defines the types of violence that can be practiced against women victims of domestic and family violence, namely:

- a) **Physical violence**, which consists of any behavior that causes harm to the physical integrity or bodily health of the victim;
- b) **Psychological violence**, which would be any offense to the victim that causes emotional damage, decrease in self-esteem, or that harms the full development of the woman, which aims to degrade or control the woman's actions, her behavior, beliefs and decisions, through threat, embarrassment, humiliation, manipulation, isolation, uninterrupted surveillance, persistent persecution, insult, blackmail, violation of their privacy, ridicule, exploitation or limitation of the woman's right to come and go, or any other means that causes psychological damage or the woman's self-determination;
- c) **Sexual violence**, which consists of any behavior that compels women to witness, maintain or participate in unwanted sexual intercourse, through intimidation, threat, coercion, use of physical force, induction into the use of women's sexuality for commercial purposes, or prohibition that the woman can use a contraceptive method or the obligatoriness of the same contract marriage, pregnancy, abortion or prostitution;
- d) **Patrimonial violence**, understood as any conduct that constitutes retention, subtraction, destruction (total or partial) of goods or economic resources belonging to the woman;
- e) **Moral violence**, consisting of any behavior that constitutes a crime against a woman's honor.

As we can see, the aforementioned law is quite comprehensive, establishing the full protection of women from any and all types of violence that damage their fundamental rights.

Considering that police stations play an important role in the repression and prevention of domestic and family violence against women, where the aforementioned bodies are usually the first in the criminal justice system to become aware of and intervene in situations of violence, the law in question brings in its chapter III several devices that aim to guide the assistance of the members of the aforementioned institution to women who are in situations of domestic and family violence.

Thus, article 10 of that law states that if there is imminence or effective practice of domestic and family violence against women, the Police Authority who becomes aware of such fact must immediately take the appropriate legal measures, including in the case of non-compliance with a protective measure already judicially granted in favor of the victim, which consists of the reception and protection of that victim, as well as the arrest in flagrante delicto of the aggressor for violation of article 24-A of the Law in question.

Article 10-A of the same diploma, the result of a legal change in the aforementioned law that took place in 2017, aims to improve police assistance to women victims of domestic and family violence and, above all, to avoid the secondary victimization of this type of victim, by establishing that it is the right of women in situations of domestic and family violence to be assisted by police officers and specialized experts previously trained to assist this type of victim, and the questioning of the victimized woman or witnesses of the type of violence analyzed here must safeguard the woman's physical, psychological and emotional integrity, in view of her condition as a person in a situation of domestic and family violence, the guarantee that the victimized woman or the witnesses of the case will, under no circumstances, have direct contact with the aggressor, and that the victim will not be revictimized, preventing her from being asked several times about the violence she reported.

In this way, we can observe that the aforementioned legal innovation effectively aims to prevent the secondary victimization of women victims of domestic and family violence, since this type of victimization is a circumstance that, in addition to increasing the damage suffered by the victim, ends up being the cause of discredit of the victims. police institutions, which increases the black figure of this type of crime and proves to be a factor that perpetuates domestic and family violence against women.

Paragraph § 2 of article 10-A specifies how the woman victim of domestic and family violence should be questioned during her care at police stations, as well as the victim's family members and witnesses of this type of violence, establishing that the hearing about This type of violence must take place in a special room, with its own equipment suitable for the age of the victim, family member or witness, as well as the type of severity of the violence investigated, and when applicable, the interview will be conducted by a professional specialized in domestic violence and designated by the Police Authority, and the statement must be recorded electronically or magnetically, with the transcript and media of this hearing being included in the police inquiry.

The aforementioned article is also beneficial to avoid over-victimization in cases of domestic and family violence, however, the reality of the police demonstrates that this legal command has not been complied with, causing, in fact, another form of secondary victimization against this type of victim, and any victim of violence, as the lack of material structure to carry out investigations, a common reality in most police stations, especially stations in the interior of the states, where there are not even adequate computers to care for women victims of violence housework, let alone the existence of a specialized room with adequate equipment for carrying out this type of testimony, or equipment for recording testimonies, is a real obstacle to satisfactory care for women victims of violence.

As we can infer, the lack of structure of police departments has been shown to be another factor that produces secondary victimization, and although we have the determination contained in the aforementioned article of law, it has not found application in police practice.

This lack of structure also ends up being an obstacle to the implementation of the provisions of article 11 of Law 11.340/2006 [20], as the police stations often do not have enough police officers to guarantee the protection of the victim of domestic violence, or even vehicles available to refer the victim of violence to carry out expertise or to accompany her home so that she can collect her personal belongings.

The very bureaucratic structure of police investigations is also an obstacle to the implementation of the rights of women in situations of domestic and family violence, making the commands of article 12 of the law analyzed here unfeasible, which determines that once becoming aware of the practice of domestic and family violence the Police Authority must collect the testimony of the victim, witnesses, the accused, and all evidence of the fact, as well as request and forward the request for protective measures to the victim, which often does not occur due to the fragmented structure of police careers, which require the presence, or at least the signature (which often occurs in practice) of a police chief for the victim's statement to be "legal", or that there be a clerk at the police station to take this statement (in fact in most of the time, the clerk takes this statement without the police chief being present), and in the absence of one of these professionals, the woman's care ends up being delayed, causing frustration and fear for the victim, which also consists of revictimizing her.

As we can see, although the Law now under discussion

has several legal instruments able to combat and prevent domestic and family violence against women, as well as to avoid the secondary victimization of this type of victim, it has not found an efficient applicability of its provisions in police stations, where, as a result of the unpreparedness of members of the civil police, the precarious condition of the stations, and the very institutional structure of this type of department, secondary victimization continues to be a frequent fact in police stations in Brazil, aggravating the damage to the victimized women, denying them the necessary support to emancipate themselves from the situation of violence, and thus perpetuating the cycle of domestic and family violence.

In the next point, we will make further comments on the secondary victimization of women victims of domestic and family violence in the police context, commenting in detail on the main forms of this type of victimization and its effects.

SECONDARY VICTIMIZATION OF WOMEN VICTIMS OF DOMESTIC VIOLENCE IN THE POLICE CONTEXT

Once the essential concepts contained in the previous chapters have been understood, we come to the moment to deal with the main theme of the present study, with a view to analyzing the secondary victimization of women victims of domestic and family violence when they seek help from the civil police.

As we have seen, sometimes primary victimization, arising from the direct action of the aggressor that violates the rights of the victim, is not the only violence that the victim ends up enduring as a result of the criminal practice, and the aforementioned victim may have his rights violated when he seeks help from the bodies of the criminal justice system to guarantee their personal safety, their fundamental rights, as well as to see the application of criminal law to the aggressor who violated this victim [21].

Among the institutions of the aforementioned criminal justice system, the role of police stations deserves special mention, since such public offices are usually the first bodies that are part of formal social control mechanisms to become aware of the aggression suffered by the victim and to initiate the process. Long process of criminal prosecution.

This reality, for example, is evident in the city of Machados/PE, where we carried out our field research, to be dealt with in the midst of this study, considering that this municipality does not have a Judicial Forum or a Public Prosecutor's Office, as this municipality is a judicial term of the neighboring city of Bom Jardim, and the local civil police station is the

only existing criminal prosecution body in that city, which increases the importance of said body for the defense of women victims of domestic and family violence.

However, notwithstanding the high purposes attributed to civil police officers, problems in the continued and specific training of police officers who provide services in police station environments have proved to be an obstacle to preventing people who have been victimized, especially in cases of domestic and family violence. whose victims maintain an ambiguous feeling in relation to their aggressor due to the affective relationship that they have or had with him or the existence of common children between the victim and the aggressor [22], demonstrate the need for a specialized approach in the care of this type of victim, who, when seeking help, still face a great internal and external conflict in order to put an end to the situation of violence experienced.

Many of the problems in caring for victims of domestic and family violence are the result of the outdated view, already commented on by us, of seeing the victim of the crime as a mere probative source (a witness to the crime who does not commit), instead of perceiving that she is a person in a particularly vulnerable situation, bearing in mind that in many cases of domestic and family violence, this victim takes years to get the strength to end the cycle of violence, however, if at the time of seeking help from which this victim needs does not find an adequate support base, especially from the criminal prosecution bodies, this fact can become a factor that, in addition to causing more damage to this victim, may even be an element of perpetuation of the violence suffered by this person victimized.

However, we will see later that there are structural problems, some even basic, which constitute a factor that can generate negative feelings in victims who seek help from police agencies, thus also being a kind of secondary victimization, and this type of problem must be exposed and resolved.

The bureaucratic structure itself and the procedural forms required for criminal prosecution to take place also show, in functional practice in police stations, obstacles to the efficient provision of services by the aforementioned bodies, such circumstances being, moreover, a form of revictimization of the people who require the provision of said service.

Although in 2017 there was a change in national legislation aimed at guaranteeing the rights of women victims of domestic and family violence and repressing the aforementioned type of violence, and such changes were

focused on bringing procedures to be observed in the care of this type of victimization in police stations, which was nothing more than an attempt by the legislator to avoid the phenomenon of secondary victimization and all the harmful effects that such a phenomenon can bring to victims of this type of violence, in police practice (in the reality of police stations of police) such procedures have not been followed, making the aforementioned legislative innovation without any practical effect.

Thus, in the next topic, we will classify and comment on the main forms of secondary victimization that occurred against women victims of domestic and family violence in the context of civil police stations, with a view to understanding how the scientific literature currently describes the main forms of this type of victimization in police stations.

Next, we will analyze the damage to victims of this type of victimization, clarifying the problems caused by revictimization both at the individual level, with regard to the damage borne by this victim when attending police stations, as well as the collective damage this type of victimization, since, as we will see, such damages can reach the very institution that generated the secondary victimization.

Understanding these two points is a fundamental element for understanding the field research and the data that were obtained in such a study on the topic discussed here, which aimed to understand whether there is secondary victimization in the face of victims of domestic and family violence in the Municipality of Machados/PE, what are the most frequent forms of this type of victimization, and the institutional damage resulting from this type of violation.

Main forms of secondary victimization of women victims of domestic violence when served at police station

As already explained, there are several ways in which a woman victim of domestic and family violence can be revictimized when she seeks help from police agencies in the face of the violence she endures.

However, we can point out three common forms of secondary victimization in the context of police stations depending on the cause of this type of over-victimization, namely: victimization as a result of the unpreparedness of public security professionals in caring for victims of domestic and family violence; the lack of physical structure of police departments to care for victims of domestic and family violence; and, finally, the victimization arising from the procedural structure itself followed by police practice in the pre-procedural phase (first phase) of criminal prosecution.

With regard to the first form of secondary victimization, every victim seeking help from the police agencies to report violence suffered has a legitimate expectation of being welcomed, however, sometimes, the care of this type of victim is marked by a total lack of zeal, where these are seen as a mere source of evidence for the criminal investigation of yet another case in the busy police routine, being treated with little consideration by the police officers who handle their case [23].

Thus, it is common for victims to be treated in the reality of police stations in a less than courteous manner, or even without due importance, because, as we have already seen, as the reality of violence in our country is something common, it ends up being common that the police, because they believe that domestic violence is something routine and minor, not deserving due credit, situations occur in which the police end up pressuring the victim not to continue with the record of the occurrence that he intends to do, or to not represent against the aggressor, which can be done on the most diverse grounds, such as to prevent the author of the crime, father of the victim's children, for example, from being arrested, or reducing the severity of the violence suffered [22].

In some cases, it is common that, although the victim has represented the accused, the police, believing that the case presented is not serious enough, end up delaying the progress of the investigation of domestic violence, preferring to dedicate themselves to cases that they themselves consider more important, which also denies the right of the victim to provide an adequate service from the police agencies [23].

In more serious situations, police unpreparedness and the lack of acceptance of the victim are manifested even more aggressively, as in cases where police officers even coerce the victim not to represent, claiming that if he does not prove the violence suffered, he will respond for crime, which, first, appears to be untrue information, since the crimes of slanderous denunciation and false information are crimes that require the victim's deceit [24], and second, it is up to the judicial police and not the victim to prove the violence by is suffering. In fact, this type of comment ends up being decisive for the victim not to seek help from the police agencies, since the same, for not understanding anything about how to prove the crime of which she was a victim, even more a crime that commonly occurred inside the victim's residence without any witness, ends up giving in to such coercion.

The second form of secondary victimization that victims of domestic and family violence may suffer occurs when the

service due to that victim is not provided, or is provided in a precarious manner, due to the very lack of physical/material structure of the police agency that handles the occurrence..

The cause of this type of victimization is the lack of investment by the State itself in formal social control bodies, which ends up being the fundamental cause of this type of victimization [23].

Thus, this second form of victimization occurs when the police station where the woman victim of domestic and family violence seeks care does not have an adequate structure to provide a quality service to this woman, either because such department lacks a special room for care. of the same, or even because there are no adequate computers and internet to carry out the care of this victim, causing a delay in the provision of the service.

In the police reality, it is also common the lack of vehicles or a sufficient number of police officers to accompany the victim to carry out investigations that aim to verify the violence suffered by the same, or to accompany these victims to their residence in order for them to rescue their personal belongings.

As we have seen, Law 11.340/2006 [20] itself provides that the State should allocate an adequate room in the police departments to carry out the hearing of women victims of domestic and family violence, even though it is determined that, when necessary, such hearing is carried out by specialized professional, which in the police reality, even more so in police stations in the interior of the states, does not find any shelter since such public offices are affected by the lack of police officers and sufficient vehicles to meet the demands presented on a day-to-day basis, being The lack of basic materials for caring for victims is common, demonstrating an omission by the State in providing the essential public security service.

Finally, we have the secondary victimization arising from the bureaucratic and procedural structure of the service provided in civil police stations.

Unfortunately, our Code of Criminal Procedure, dated from 1941 [25], still has an extremely centralized view of investigative activities in the figure of the police chief, with the entire investigation having to revolve around the aforementioned police category, which proves to be impossible due to the large number of investigations existing even in the calmest of police stations.

The foresight of the protagonism of the aforementioned police class made sense on the date of enactment of the

aforementioned procedural law, when only the delegate figure was required to have a higher degree in law for the exercise of the aforementioned function, being given to this professional category the protagonism of investigations in tribute to the technical profile of this police career, which today no longer occurs, since several police forces, including the Civil Police of Pernambuco, require a higher education diploma for every police officer to join the aforementioned institution, according to article 11 of the Complementary Law State 137/2008 [18], and there is no longer any reason for the delegate to play an exclusive role.

In fact, in police practice it is common for civil police officers who are not delegates to carry out various duties that should be carried out under the presidency of the police delegate, as in the case of police scriveners who take statements, formalize requests for protective measures and detailed terms of occurrence without the presence of the police chief, or police officers who appear at homicide crime scenes without being accompanied by the police authority, namely police chief.

Not without reason, these facts ended up culminating in a project of a national organic law for civil police officers, headed by the Brazilian Confederation of Civil Police Workers [26] which provides for the legalization of the attributions that civil police officers already carry out in practice, making their functions more effective. police officers and making service at police stations more effective, with the possibility that police officers who take the testimony of victims of domestic and family violence and have already formalized the request for protective measures for these victims, immediately forward such requests for judicial consideration without the need for the mere signature of the chief of police, ensuring more effective care and greater protection for such victims, giving more precedence to the rights of people who depend on the police service to the detriment of corporatist values of certain police classes.

The structure of police classes currently existing in Brazilian legislation, in addition to being inconsistent with the practical reality of police activities, are sometimes causes of secondary victimization of victims who seek help at police stations, who often have to go to the aforementioned agency. police officers several times to be properly attended to, as the lack of a specific professional to proceed with the case ends up generating feelings of anguish, helplessness and fear in the victim, being the cause of revictimization [22].

This distinction of positions in our state judicial police is also the cause of another form of secondary victimization

common in police environments, which is the need for the victim to report the violence suffered by the same to several police officers, which generates an evident over-victimization, since the she is forced to remember all the trauma suffered every time she has to report the violence suffered. In this context, it is common for women victims of domestic and family violence, when they arrive at the police station, to end up reporting the crime suffered to the first police officer who assists them in this department, who in turn directs the victim to speak with the police chief, so that he can determine the appropriate measures. to the case, with the victim having to, again, report the violence suffered, and, after that, this victim will be sent to the police station office to report, for the third time, to the police clerk the violence that she suffered, formalizing her testimony.

A more simplified structure in police careers, with a single career, for example, would be a more rational way to assist women or any other victim of violence, given that the first police officer to maintain contact with that victim could carry out the entire procedure, from registration of the occurrence, taking a statement and requesting protective measures, thus avoiding the victimization of that victim [26], and making police activities more efficient.

We end our observations here about the most common forms of secondary victimization in the context of police stations, and in the next point we will comment on the effects of secondary victimization in the contexts of police stations.

Secondary victimization in stations and the damage caused to women victims of domestic and family violence

The secondary victimization experienced by women victims of domestic and family violence when they are assisted in police stations is capable of causing various damages to them, notably damage at the individual level, which occurs when this revictimization ends up aggravating the psychological damage that the victim suffers. developed as a result of the crime suffered by her.

Thus, it is common for victims who suffer overvictimization to have a marked worsening of depressive and anxious conditions, as well as to have a worsening in their sense of self-perception and self-esteem as a result of secondary victimization [22].

In addition to this aggravation of individual damage, this type of victimization causes supra-individual damage, notably because this type of conduct ends up being an obstacle for women victims of domestic and family violence to seek help from the police to overcome the situation of violence

experienced [27].

Thus, over-victimization ends up being a factor that perpetuates the cycle of domestic violence, since, as the victim of violence does not have a support base from police institutions, usually the first and closest institution of formal social control to the victim of this type of violence, she ends up conforming to the situation of violence, generating the perpetuation of the cycle of rape against this woman.

This circumstance turns out to be one of the major factors why this type of violence is so common in Brazil, contributing to the fact that crime rates against women remain high, which negatively affects the public security service in our country, as well as health services. Other natures, such as the public health service that commonly suffers the impact to provide physical and psychological care to victims of domestic and family violence [12].

As we mentioned earlier, considering that a large part of the dark figure of criminality comes from the behavior of the victim who does not seek help from the criminal justice system to obtain due protection for the victim and punishment of the perpetrator, it is a fact that secondary victimization is one of the main reasons why victims of violence do not bring to the attention of the State the crimes of which they were victims [28].

In this context, we can see that in addition to the damage to victims of this type of victimization, the institute under discussion also ends up causing damage to the institution that promotes revictimization, since the existence of the phenomenon discussed here affects the very social credibility of this institution, which remains compromised both in the face of the crime victim and society itself, it is important to understand and face the phenomenon of secondary victimization in order to, once understanding how this phenomenon occurs, develop ways of assisting victims of violence in police contexts in order to avoid this victimization, avoiding all damages arising from this type of phenomenon.

In the topical process, we will move on to the field study of the present study, such research being based on all the concepts and effects regarding the secondary victimization of women victims of domestic and family violence in the police context seen so far.

Field research

Once our theoretical explanations about secondary victimization have ended, based on the bibliography consulted, notably with regard to this phenomenon in the

face of women victims of domestic and family violence when they are assisted in police stations, we will now comment on the research of field performed.

To carry out this research, we developed a questionnaire to be answered by women who are victims of domestic and family violence and who came to seek help for such a situation of violence in police stations, and this questionnaire will make it possible to verify the existence of secondary victimization of these women, as well as the way in which this phenomenon occurred, demonstrating in a quantitative way how the victimization of this type of victim occurred.

Contextualization

In order to carry out this research, we signed a partnership with the Coordination of Women's Rights in the Municipality of Machados, linked to the Secretary of Social Assistance of that municipality.

The city of Machados has a population of approximately 15,000 inhabitants, is located in the Zona da Mata of Pernambuco, and the source of income for the population of this city is mostly rural work in banana plantations, considering that the aforementioned municipality is a major producer of the aforementioned fruit.

We entered into a partnership with the Coordination for Women's Rights of the Municipality of the aforementioned municipality because, as the object of this research would be secondary victimization in the context of police stations, we concluded that it would be easier to obtain data from women victims of violence with the intermediation of cited body.

To obtain the data for this research, we developed our own questionnaire using the "google form" tool, and we provided the link to access this instrument to the coordinator of women in the aforementioned municipality, so that she could make this questionnaire available to women who were already registered. or have already been assisted by the Women's Coordination, as long as they agreed to participate in this research. In addition, the link to participate in the research was made available on the social networks of the Municipality of Machados, inviting any woman victim of violence to participate in this study.

This way of making the research available guaranteed the total secrecy of the personal data of the people who participated in the research, since even the main researcher was not aware of the identity of the women who participated in the research, guaranteeing the total privacy of the participants. This form of collection also ensured respect for social distancing, a necessary requirement given that we are

still experiencing the Covid-19 Pandemic.

Methodological framework

Introduction

As we have seen, based on the literature consulted, the secondary victimization of women who are victims of domestic and family violence is a common reality in the care of these women in civil police stations, requiring the development of empirical studies to understand how this phenomenon occurs, with a view to develop ways to tackle this type of problem.

In this way, we will apply a questionnaire of our own to verify the existence of secondary victimization of women victims of domestic and family violence residing in the Municipality of Machados, Zona da Mata of Pernambuco, with a view to understanding how this type of victimization occurs and what are the effects of this type of victimization.

This questionnaire was created based on bibliographic knowledge about the phenomenon studied here, and we believe that the data collected will confirm the information from previous research on the phenomenon now under discussion, with this field research being an empirical landmark in research on secondary victimization, since research on this problem is still quite scarce in Brazil.

Variables

The questionnaire used in this research will confirm the existence of secondary victimization of women victims of domestic and family violence when they seek police assistance for the violence they experienced, how such victimization occurred, and the effects of this phenomenon.

The aforementioned research instrument aims to obtain quantitative data about the phenomenon under analysis,

where these will be displayed numerically, making use of graphs that will objectively demonstrate the existence and how secondary victimization of victims of domestic and family violence occurs in contexts of police stations, which will serve to describe the phenomenon studied here, with a view to understanding it and seeking solutions for it.

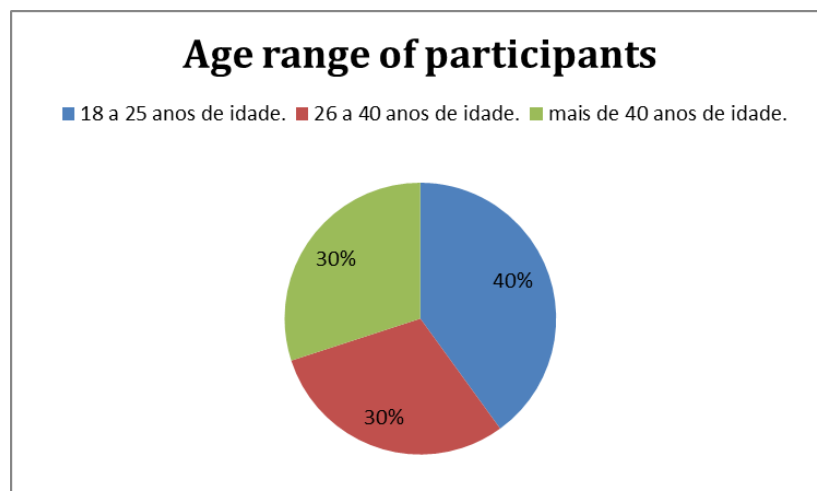
Sample

This research was carried out with a non-probabilistic sample of 50 women, residing in the Municipality of Machados, in the Pernambuco forest zone, requiring that such women be at least 18 years old, who have already been victims of domestic and family violence., and that as a result of the violence suffered, they sought care at a Police station, which could be the police station of the aforementioned Municipality, the Limoeiro police station, which is the headquarters of the Regional Office of that integrated security area, or at a specialized police station for violence against women.

Although our sample is small, we must remember that the aforementioned municipality is also small and the historical series of domestic violence numbers in the aforementioned municipality, as already explained in the scope of the present work, has an annual number lower than the present sample, which shows that the amount required in this research is a reasonable number for the purposes of this research.

We divided the people who participated in this research into three age groups, young women between 18 and 25 years old, middle-aged women between 26 and 40 years old, and more experienced women, over 41 years old.

Among the research participants, 40% (n=20) were women between 18 and 25 years old, 30% (n=15) were between 26 and 40 years old, and another 30% (n=15) were 41 years old or older (graph 1).



Graph 1. Age range of research participants.

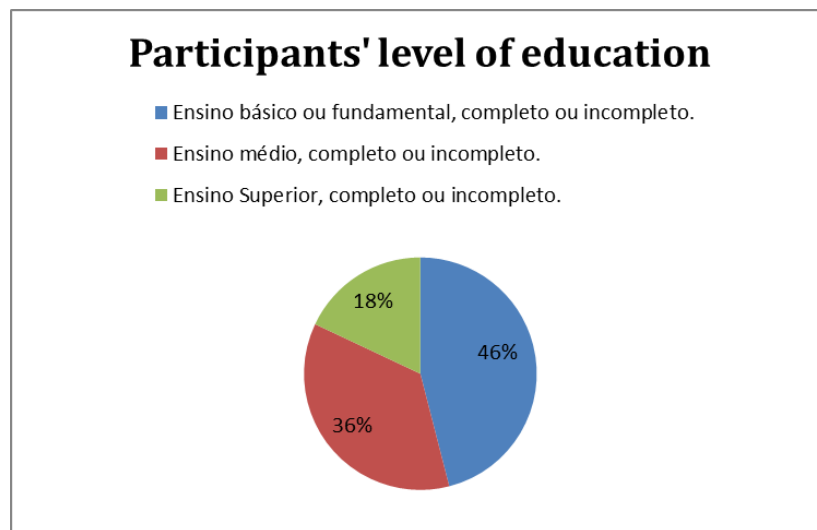
Another demographic data requested from the research participants was their level of education, where participants were exposed to three response options, namely: Basic or fundamental education, complete or incomplete; High school, complete or incomplete; and higher education, complete or incomplete.

The non-literate option was not included, given that, as the questionnaire has to be filled in, knowing how to read ends up being necessary to participate in the aforementioned research, although an illiterate victim can participate with the help of someone, in which case he/she should be

declare having basic or fundamental education, complete or incomplete.

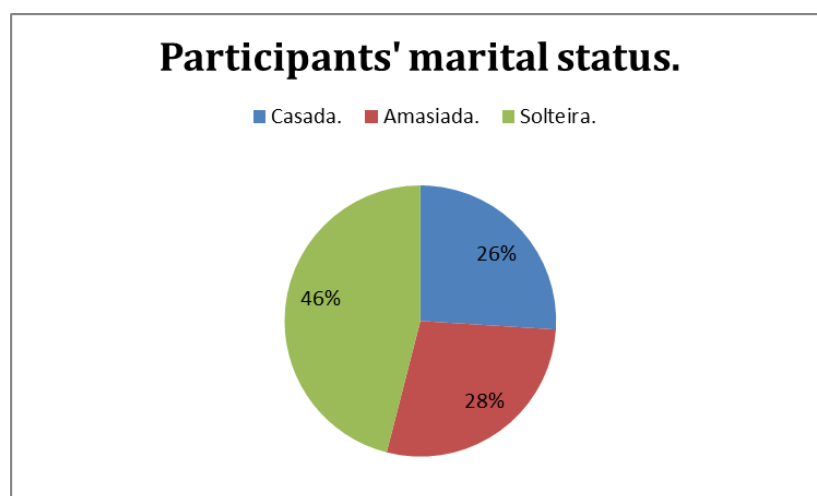
As for women who have a postgraduate degree, complete or incomplete, they should check the complete or incomplete higher education option.

Among the participants in this research, 46% (n=23) had completed or incomplete basic or fundamental education, 36% (n=18) had completed or incomplete secondary education, and 18% (n=9) had completed higher education, complete or incomplete (graph 2).



Graph 2. Level of education of the participants.

The participants were also asked about their marital status, where 46% (n=23) of them said they were single, 26% (n=13) said they were married, and 28% (n=14) said they were cohabiting (chart 3.3).



Graph 3. Participants' marital status.

In the next point, we will make a brief comment about the measurement instrument used in this research and then we will expose the results of the research on the existence of secondary victimization, how it happened, and the effects of this phenomenon.

Measuring Instruments and Techniques

In order to carry out this research, a specific questionnaire was used, based on the consulted bibliography and on our professional experience as a civil police officer in the State of Pernambuco for over 13 years.

The questionnaire consists of 08 questions, where the first three cover some demographic data of the participants, whose results we have already exposed in the previous point.

Two control questions are then asked, the first of which asks whether the participant had already been a victim of domestic and family violence, with all forms of violence being briefly explained in this question, and the second asks whether as a result of the violence suffered the victim sought help at a Civil Police station, and for the participant's response to be added to this research, it is necessary that she answers yes to these two questions, excluding any form answered where any of these two questions were checked like "no". It is worth noting that none of the participants in the aforementioned study answered "no" to such questions, which is why no response form was discarded.

After that, the participants begin to answer the main question of the present study, which serves to verify whether there was any kind of secondary victimization at the time of the care of such victims in police stations and how it happened.

Finally, two questions are asked that reflect the effects of this type of victimization in the face of the way revictimized women begin to perceive the police institution that practiced over-victimization.

The questionnaire, in its entirety, is made up of multiple-choice questions, facilitating both its completion and the numerical display of its results, and was written in simple language to facilitate the understanding of the participants and in order to avoid any misinterpretation when being answered..

Procedures

The questionnaire used to collect data for this research was made available online for response, for a period of 15 days, between October 1st and 15th, 2021, being exposed on the social networks of the Municipality of Machados.

This instrument is simple to fill out, and can be answered

on any computer or smartphone, ensuring the autonomy and privacy of the participants' identity when making their responses, and to fill it out, the participants would take a maximum of 5 minutes.

Working hypothesis

We believe that the secondary victimization of women victims of domestic and family violence, when they seek help in civil police stations, is a common practice, arising from the unpreparedness of the police officers who exercise such functions in the aforementioned police bodies, the lack of existing structure in these departments and of the bureaucratic and procedural structure existing in the civil police in Brazil.

This victimization ends up creating an environment conducive to perpetuating domestic and family violence against women, as a result of them not trusting that they will have due protection from the State when communicating the violations suffered by them, as well as being a factor that affects the very credibility of the police agencies with this type of victim and society as a whole.

Understanding the phenomenon analyzed here is important so that, once we understand how it occurs and its effects, we can develop ways to better serve victims of domestic violence when they seek police assistance, guaranteeing a qualified confrontation of violence against women.

RESULTS AND DISCUSSION

We are now going to expose the results of the research referring to the questions of the questionnaire used in the present research that deals with the subject of secondary victimization and the effects of this phenomenon (questions 6, 7 and 8 of the aforementioned instrument).

Question 6 of the questionnaire asks the participants if "when you were attended at the police station, did any of these events occur", with the participant being able to mark more than one of the indicated options, in view of the possibility of the same victim suffering several different forms of victimization, You can choose between the following options:

- a) The police station did not have adequate structure to assist you, lacking few computers for you to be assisted; there were no vehicles to drive her to pick up her belongings at home or to take her to medical or psychosocial care services; there was no quality internet at the police station or it was not working or it was very precarious, making service difficult; there was a lack

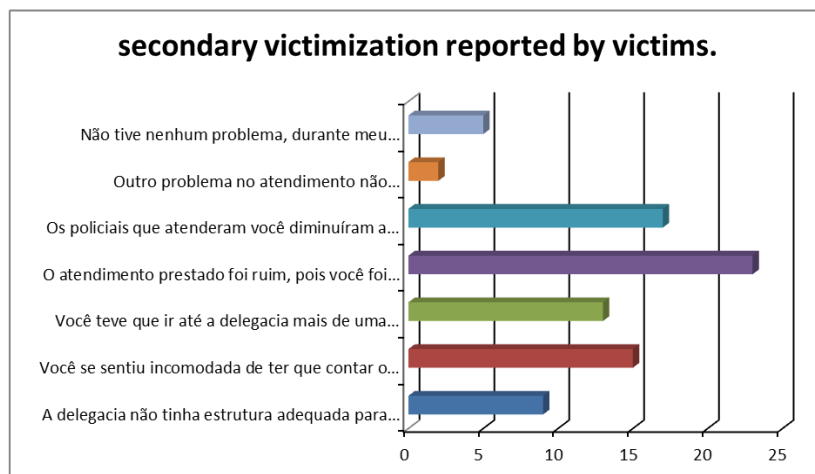
of paper for printing the documents needed to provide care;

- b) Did you feel uncomfortable having to tell your case two or more times to different police officers, having to recall the violence suffered several times;
- c) You had to go to the police station more than once to be attended by a specific employee of the police station so that he could forward your case, which delayed your service;
- d) The service provided was bad, as you were treated rudely (they treated you without any manners); or you were harassed by a police officer who expressed some love interest in you; or you were pressured by a police officer to desist from "reporting" or not to pursue the case;
- e) The police officers who assisted you downplayed the seriousness of the violence you suffered, stating that it was no big deal, or they clearly did not dedicate themselves to your case because they believed it was not important, or they tried to coerce you not to prosecute the author, under the allegation that if violence was not proven, you (victim) would respond to a crime;
- f) Other service problem not specified above;

g) I had no problems, during my service everything went well.

As we can see, option "a" refers to secondary victimization arising from the lack of physical structure of the police department, which can deny the victim the service due to the same. Options "b" and "c" refer to victimization arising from the procedural bureaucratic structure of the judicial police and the division of police careers that also cause obstacles or delays in the provision of police service. Options "d" and "e" are victimization resulting from the unpreparedness of public security agents in caring for victims. Option "f" serves as a residual option in case the participant felt revictimized by some unforeseen fact among the indicated options, while option "g" is intended for victims who were not victimized, and in this last option the participant must mark just this option.

As a result of this question, the unpreparedness of public security agents stood out as the major source of victimization in the studied sample, since 46% of the participants ($n=23$) answered question "d", and 34% ($n=17$) marked option "e", with the bureaucratic and procedural structure of the police coming next as the major source of revictimization (option "b" 30% and "c" 20%), as shown in the chart below (Graph 4).



Graph 4. Reported forms of secondary victimization.

As we can infer from the exposed data, it indicates that the secondary victimization of women victims of domestic and family violence proved to be a common phenomenon in the sample of the present research, where 90% ($n=45$) of the participants of the present research reported some form of revictimization when they were treated at a police station.

If we consider the severity of the offense, we observe that

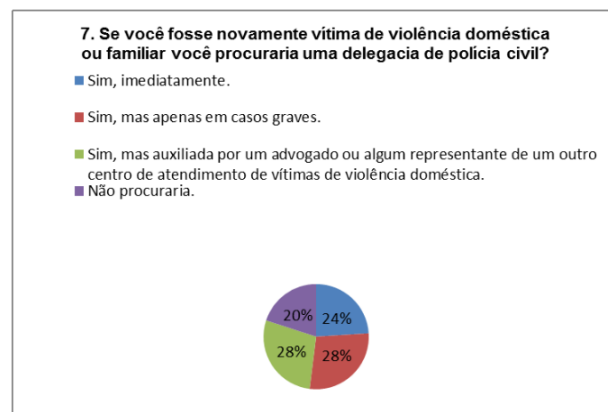
of the women who were over-victimized in police stations, 37.7% of the sample ($n=17$) reported that they were victims of two or more forms of secondary victimization reported in this research.

The penultimate question of the questionnaire aims to ask if, after the experience of victimization, the victims would be afraid to seek the services of a police station if they were

victims again, asking the participants if they were “again victims of domestic or family violence, would you seek a civil police station”?

The results indicate that only 24% of the participants (n=12) would immediately go to the police station to inform about the crime that had occurred, while 20% (n=10) stated that they would not go to the police station, 28% (n=14) claimed that they would only in the case of serious crimes, the same

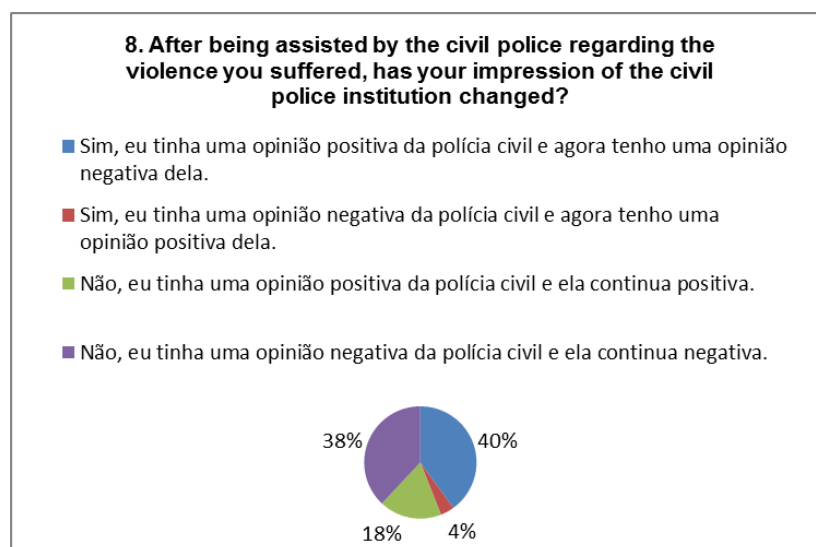
percentage of those who said they would go to the police station, but with the assistance of a lawyer or an employee of a support body for women victims of violence (graph 5), demonstrating that victimization is a factor that can it does influence the black figure of criminality in cases of domestic and family violence, as it causes victims to fear seeking proper police assistance.



Graph 5. The victim would go back to looking for a police station to report a crime.

The last question aims to inquire about the perception of the civil police vis-à-vis the research participants, with a view to assessing the credibility of the aforementioned institution, a factor that can also influence the black number of crimes committed in circumstances of domestic and family violence against women. participants: “after being assisted by the civil police regarding the violence you suffered, has your impression of the civil police institution changed?”.

As a result of this inquiry, 40% of the participants (n=20) answered that “yes, I had a positive opinion of the civil police and now I have a negative opinion of it”, 4% (n=2) answered that “yes, I had a negative opinion of the civil police and now I have a positive opinion of it”, 18% (n=9) stated that “no, I had a positive opinion of the civil police and it remains positive; and 38% (n=19) answered that “no, I had a negative opinion of the civil police and it remains negative” (chart 6).



Graph 6. Credibility of the civil police for the participants.

This result demonstrates that secondary victimization also affects the image of the aforementioned police institution, which can aggravate the black numbers of this crime, which are already extremely high, and still be a factor that perpetuates violence against women due to lack of an essential body in the prevention and confrontation of this type of violence, and with regard to the city where the present sample was obtained, which only has the local police station as the only formal social control body, the effects of this loss of credibility of the civil police can be even more damaging to the reality of violence against women.

CONCLUSION

Given all of the above, we can conclude that the secondary victimization of women victims of domestic and family violence in civil police stations is a common phenomenon.

This statement was confirmed both by the works included in the bibliography consulted for the construction of the theoretical framework of the present work and by the field research data carried out with women victims of domestic violence in the Municipality of Machados, where the great majority of the women who participated in the empirical research of this essay (90%) reported that they suffered some form of secondary victimization when they sought help from a civil police station to report the violence suffered, and of these victimized women, 37.7% were victims of two or more forms of secondary victimization.

Empirical data also confirmed that the major source of secondary victimization comes from the lack of preparation of public security agents who assist such victims, and this fact may be a result of the common view in the police environment that the victim is a mere source of evidence and not a subject of law in a particularly vulnerable situation as a result of the violence suffered.

Victimization arising from the bureaucratic and procedural structure and careers of the civil police proved to be the second type of revictimization most indicated by the research participants, followed by the lack of basic physical structure of the police institution itself, circumstances that sometimes cause delay, poor service or to absence of service provision due to victims of violence.

As for the effects of this type of victimization, it was evident that they are capable of aggravating the individual damages borne by the victims, notably psychological damages, by aggravating psychopathological conditions, increasing feelings of low self-esteem, frustration and helplessness of this type of victim., as well as supra-individual damages such

as the increase in the black number of crimes of violence against women and the loss of credibility of this type of victim in the police institution itself, which is a serious factor for the perpetuation of the cycle of domestic violence against women, given the lack of institutional support from civil police officers to help this type of victim overcome the reality of domestic violence.

In order to solve the problems found in the data collected in this essay, it is necessary, in the first place, that the State invest in the training/qualification of police officers with a view to improving the service provided in police stations, and may, for this purpose, condition the promotion of police officers participation in courses aimed at improving the quality of care provided by them.

A change in the civil police career structure, as proposed by COBRAPOL, would also be a good idea to improve the effectiveness of the police service provided, guaranteeing greater protection and guaranteeing the rights of women victims of domestic and family violence.

Finally, it is also necessary for the State to invest in better equipment and physical structures of the police stations, with a view to providing a higher quality service, with state-of-the-art computers, a quality internet system, vehicles and police in adequate numbers to serve the demand of existing criminality in each location, as well as the existence in every police station of a special room for the collection of testimonies of women victims of violence and other types of vulnerable victims, complying with the determinations already provided for in Law 11.340/2006.

Only with a profound reform in the structure of police institutions and with considerable financial investment will it be possible to reduce the reality of secondary victimization of women victims of domestic and family violence in police stations, and thus guarantee the rights of this type of victim, as a way of combat this type of violence that has haunted the Brazilian reality for a long time, without having, until now, been able to develop an effective way to face this problem in a qualified manner.

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