

COVID-19 in prisons: what telejournalism (not) showed – a study on the criteria for newsworthiness during the pandemic

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Abstract *To analyze the news coverage of the COVID-19 pandemic in Brazilian prisons and its visibility, 213 articles broadcast between March and December 2020 were examined, found in the search service of the digital streaming video platform Globoplay. Most aired in March, April and July, with the theme almost disappearing in subsequent months. The reports, on numbers of deaths or infections, prevention measures and house arrest or freedom for groups at risk of COVID-19 were mainly published in local tele-journals. Health agencies were barely heard. Of the 19 news items presented nationally, 12 address “famous prisoners” and the legibility of house arrest or freedom for groups at risk of COVID-19 unfavorable outcome. The health guidelines and the guarantee of the right to health of persons deprived of liberty were limited to the difficulties in implementing protection measures in prisons and to sustaining the need for restrictive measures to move inside prisons and in exchanges with the outside, to limit the circulation of the virus. In general, the form and visibility given to the topic do not contribute to broadening the viewers’ perception of the sanitary conditions in prisons and the fact that health is a right for all, without any distinction.*

Key words COVID-19, Prisons, Health, Journalism, Media

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Introduction

In 2020, a year marked by the global health crisis caused by the COVID-19 pandemic, the spread of the disease on an unprecedented scale in recent history caused disturbance in various contexts, especially due to the lack of knowledge about the disease and its health and social consequences. In this scenario, this article focuses on the penitentiary system, since the conditions of incarceration and the intense movement of people who cross the walls of prisons favor the transmission of the virus, both outside and inside prisons. Therefore, “a COVID-19 control strategy that does not encompass the prison context will not be sustainable”¹.

Since the beginning of the pandemic, the World Health Organization (WHO) has highlighted the high risk of the spread of COVID-19 in prisons, especially in low-and middle-income countries with high rates of imprisonment and inhumane conditions of incarceration, such as Brazil. Overcrowding (average of 170%), collective incarceration and poorly ventilated cells, poor hygiene conditions and deficiencies in the prison health system “are responsible for significant morbidity among prisoners in the country, with high incidence rates of infectious diseases”². The need to implement measures for the control of transmission, protection and health care in prisons is highlighted in order to guarantee Persons Deprived of Liberty’s (PDL) right to life and health.

It is noteworthy that in prisons, “prevention strategies against COVID-19 cannot be limited, as in many states, to the ban on visits, suspension of transfers between units and interruption of group activities”³. It is recommended that judicial release measures should also be adopted, as “a health response to COVID-19 only in closed environments is insufficient” given that “overcrowding constitutes an insurmountable obstacle to preventing or responding to the disease”⁴.

However, recognition of the PDL’s right to health is not evident, nor is the implementation of public policies that should guarantee it. These, as Penteadó and Fortunato⁵ recall, constitute, in practice, fields where different actors (governmental and non-governmental) take action, influencing and pressing their effectiveness from different perspectives.

At this time of intense demand for information related to the COVID-19, the mass media stood out in debates about the pandemic as an important non-governmental actor. Amid the proliferation of fake news on social networks,

information from traditional journalistic vehicles has gained trust with the public. Television, which seemed to have its prominent place threatened by the advent of social networks, regained its prestige. The time dedicated to journalism on open TV has increased. According to Silva⁶, Rede Globo dedicated eleven hours of its daily schedule to news reports. The challenge of reporting with credibility, given the strategy adopted by the Federal Government, which refused to recognize the severity of the situation, made the presence of specialists, infectiologists and epidemiologists became frequent in the television news to inform and analyze the pandemic.

As Miguel⁷ notes, although media and politics are two distinct fields, they influence each other, especially in defining the political agenda. In this field, the visibility of each issue exerts a strong influence on public deliberations on them. This occurs, according to the author, not only because the citizen gives more importance to the themes that receive greater prominence in the media, but also because the higher visibility put pressure on the actors of the field to respond to the problem. However, reminds Miguel⁷, when considering a subject as relevant, the press is not neutral, as it “provides the narrative schemes that allow the interpretation of events”, highlighting some aspects to the detriment of others, based on the so-called criteria of newsworthiness. In this narrative construction, it itself suffers influences, ranging from dependence on the political field, as a source of information, and funding resources, to political and economic interests.

In this way, understanding that the media can be a space for public debate around the definition and adoption of strategies, as well as acting as an actor that can interfere in the perception of the issues at stake on the confrontation of COVID-19 in prisons, this study sought to know how the media coverage of the COVID-19 pandemic was carried out about the Brazilian penitentiary system and the visibility given to the theme.

It is worth mentioning that, despite of the relevance of the theme, no production has been found, so far, that turns to this subject, crucial to know the meanings attributed to the demands of this vulnerable and marginalized population in the narratives of Brazilian television news.

Methodology

The research, largely carried out in parallel with the events, covers the video material aired

during the year 2020 by Rede Globo, which were obtained from the search service of the free access digital streaming video platform Globoplay, which provides excerpts and material from the programs and newscasts of the aforementioned network, previously broadcast on open television. This network was chosen because it is the only one to provide an online and free platform for researching material published on television, both on its main channels and on its affiliates throughout the country.

On this platform, the search for articles is limited to the title of each video. The following search terms “covid” and “coronavirus” were used associated with five selected terms or keywords: “prison”, “prison”, “CNJ” (acronym for “National Justice Council” in Portuguese), “house arrest” and “custody hearing”. The material found was then divided by TV news broadcast, coverage (local or national), the state or federative unit to which the material was broadcast and the time of broadcast of the TV news in which it was shown. Likewise, the date of each material, as well as the title, URL (e-mail address) and duration of the video were listed. It was also analyzed whether each report had an interviewee or analyst, commentator or consultant specialized in the topic.

Finally, based on the frequency of the themes, eight categories were selected to classify the materials. The same material can fit into more than one category: 1) “House arrest or freedom for groups at risk of severe form of COVID-19”, 2) “House arrest for having COVID-19 and disobeying preventive measures”, 3) “Numbers of dead and/or infected in prisons”, 4) “Testing the prison population”, 5) “Request for interdiction of prison due to risk of COVID-19”, 6) “Prevention measures against COVID-19 in prisons”, 7) “Report of overcrowding and/or negligence in preventive measures” and 8) “Escape of inmates with symptoms or cases of COVID-19”. The identical materials, with the same URL, found by more than one combination of keywords were counted only once, as well as videos cataloged in different electronic addresses, but with the same content. In the case of repeated materials broadcast on different TV news shows, there was no discard of results, thus considering all the material found. Finally, materials that were unrelated to the topic addressed were discarded. As the first known cases of COVID-19 emerged in Brazil at the end of February, the first materials found about COVID-19 in prisons date from March 2020 and the searches extend until the end of December of the same year.

Understanding journalistic materials as discourses that have materiality, being, “at the same time, a communication process and social practice”⁸ and considering that, far from simple representations of facts, the news express a system of beliefs, values, interests and power relations within a given field, we sought to identify: a) visibility and appreciation by the news of the magnitude of the COVID-19 problem in prisons, b) information, debate and evaluation of the measures adopted by the authorities to contain the spread of the virus and treat infected prisoners, c) institutions recognized as relevant to give an opinion in this field and what values they convey.

This study was approved by the Research Ethics Committee of the National School of Public Health/Fiocruz (4.168.197 of 07/22/2020).

Results and discussion

Altogether 276 reports broadcast between March and December 2020 on Rede Globo and its affiliated broadcasters were identified. Of these, 43 duplicate materials were discarded, as well as 20 that were unrelated to the theme addressed. Thus, 213 reports were analyzed. The searches that obtained the most results used the combined terms “covid” and “prison” (96 articles) and “coronavirus” and “prison” (54).

Temporal and thematic distribution of materials: from initial visibility to almost forgetfulness

When analyzing the temporal distribution of these articles from the first result found, on March 16, it can be seen that the periods with the greatest amount of news about COVID-19 in Brazilian prisons were March, April and July (Graph 1).

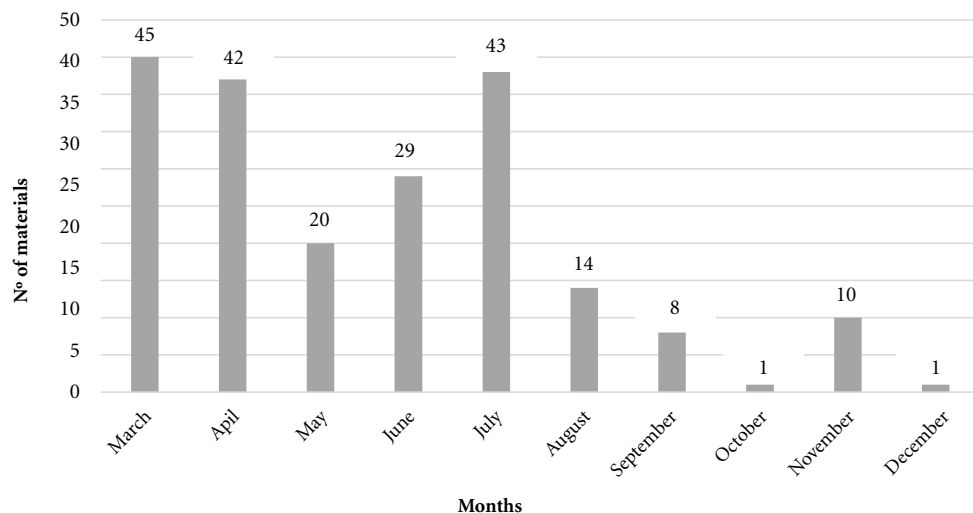
In the first two months surveyed, Rede Globo (including its affiliates) aired a total of 87 materials on the subject: 45 in March and 42 in April. Most of the reports in this period of time were included in the themes “House arrest or freedom for members of groups at high risk of severe form of COVID-19” and/or “Prevention measures against COVID-19 in prisons” such as suspension of visits or cleaning of prison environments. These news express health concerns with the spread of the coronavirus inside the prisons and its expansion outside the prisons. They refer to two large groups of measures that were being adopted to prevent transmission among

the prison population. On the one hand, the release measures, of a legal nature, supported by Recommendation No 62 (March 17, 2020) from CNJ which recommended that the magistrates consider, in their decisions, the reassessment of provisional prisons, the anticipation of the progression of the regime for prisoners belonging to groups at risk of severe form of COVID-19, and that, in some cases, they opt for house arrest. On the other hand, the measures restricting activities and the movement of people and materials inside the prisons and between them and outside, measures of an administrative nature adopted by the prison systems of each state and by the National Penitentiary Department (DEPEN) for the federal penitentiary system⁹.

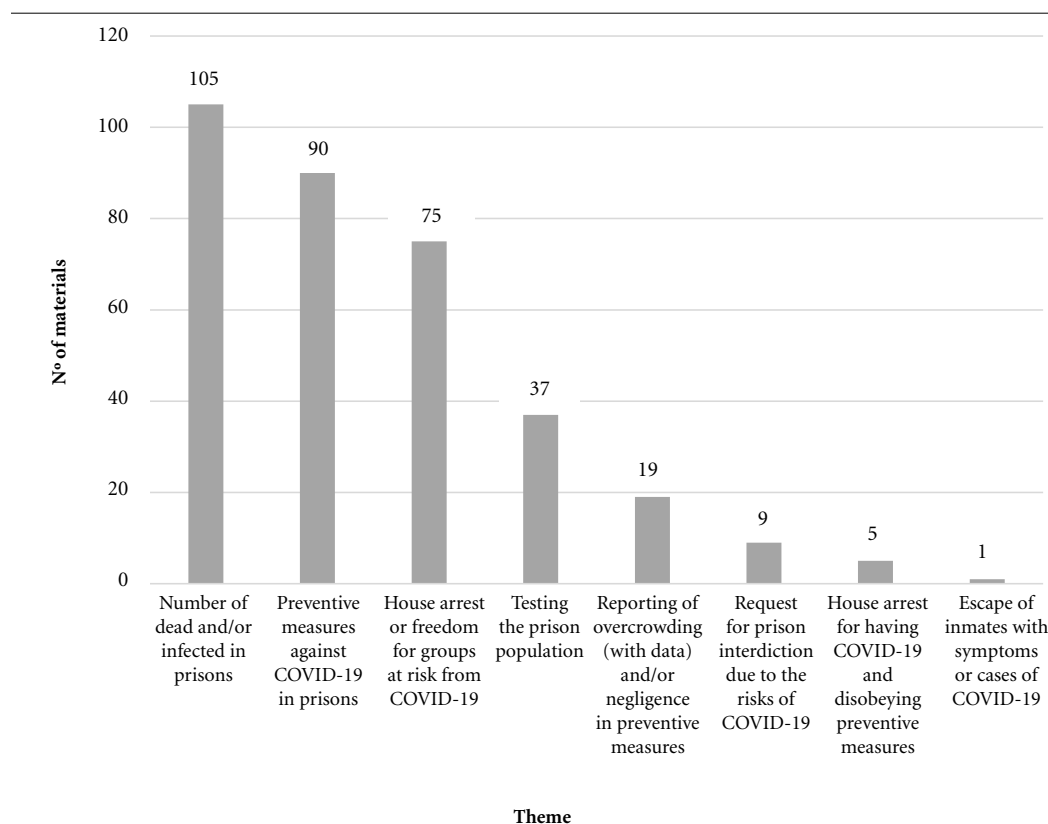
In July 2020, Brazil was experiencing a peak of the pandemic until then, registering more than 32,000 deaths (the highest number in a single month in 2020) and about 126,000 cases of the disease (in the year, only behind the month of December), according to the Ministry of Health¹⁰. During this period, COVID-19 was also spreading in the country's prison population. According to the CNJ¹¹, from March to July, 11,269 cases had already been reported among the PDL, with 74 deaths, which could justify the 43 materials found that month, most of them framed in the theme "Numbers of dead and/or infected in the prisons".

It was observed, however, that, in October and December, only one material was broadcast on the network's television news. This, despite official data from the CNJ indicating that, as of August, the growth in total number of cases among prisoners has remained stable, and in the last month of the year, approximately 3,500 cases of COVID-19 were reported in the Brazilian prisons, with five deaths. The near absence of news about COVID-19 in prisons in these months at the end of the year, may reflect the trivialization of the topic, which became neglected by the media, as is the case of highly endemic diseases in prisons such as, for example, tuberculosis and, in general, of health and living conditions of the PDL.

It is also possible to see which subjects, within the broader theme involving the situation of COVID-19 in prisons, generated the greatest number of news (Graph 2). First of all, 105 reports addressed the issue of the number of deaths or sick people in prisons, whether among PDL and employees. Second, 90 videos found dealt with preventive measures in prisons, either when addressing the ban on visits or other internal measures to prevent the spread of the new coronavirus. The third most frequent topic deals with requests or grants of house arrest for detainees in groups at high risk of severe forms of COVID-19, most of them treating the subject in a general and



Graph 1. Number of materials on COVID-19 in prisons broadcast by TV Globo and its affiliates, per month (March-December 2020).



Graph 2. Number of materials on COVID-19 in prisons according to the theme, broadcast by TV Globo and its affiliates (March to December 2020).

Source: Authors.

quantitative way or disclosing some prominent case, the so-called “famous prisoners”.

There were few reports that went beyond the cold data on the number of cases or total number of prisoners placed under the home regime, officially released by the advisory services of the prison units. Despite being widely known, the sanitary conditions in which the approximately 800,000 Brazilian prisoners live, the limited offer of prevention and health care actions and the overcrowding of Brazilian prisons, with actual complaints, including, to the UN and the Organization of American States (OAS)¹² against the management of COVID-19 in Brazilian prisons, only 19 of the reports showed complaints, with numerical data, of overcrowding and/or negligence in the adoption of measures to prevent COVID-19 within prisons. Testing of the prison population and prison staff was also an issue found in 37 materials. Most of the news refers to

tests carried out after a first suspected case which motivated the examination of others PDL, without questioning the effectiveness or not of the prevention measures, after the discovery of the cases.

Only 9 of the reports found addressed requests for interdiction of prisons (with a ban on the entry of new inmates) due to the risk of COVID-19; 5 of them spoke of a case where an individual was sentenced to house arrest for having COVID-19 and disobeying preventive measures; and a single article addressed a case of escape of inmates with symptoms or with COVID-19, in a prison in Aracaju, Sergipe state. It is worth mentioning that, when adding up the total number of news found by theme, the result is greater than the total number of videos collected, since in several materials it was possible to identify more than one subject.

Territorial scope: dealt with regionally, few news are taken nationally

When examining the coverage of the television news in which the materials related to COVID-19 in prisons were broadcast, it is clear that the subject was very little addressed at the national level – in fact, only five of the 213 reports analyzed were shown in *Jornal Nacional*, the main broadcast news program. Considering all the TV news broadcast throughout the whole country, there were only 19 articles.

In the local TV news, 194 videos about COVID-19 in prisons were found. We observed that it was through these local reports that most of the news that addressed the conditions of the prison units or the number of inmates infected by COVID-19 were transmitted. These local newscasts became responsible, almost exclusively, for broadcasting information about COVID-19 in prisons and prison populations in their region, leaving very few news situations to the national television news, most of them involving “renowned” criminals, as will be analyzed later.

Amongst these 194 articles broadcast locally, 112 were shown on the news broadcast in the states of the southeastern region, where a third of Brazilian prisons and about 52% of the country’s prison population are concentrated¹³. In this region, Minas Gerais and São Paulo lead the list, with 35 and 21 articles, respectively, and Espírito Santo, with 12 articles. However, even if the presence of prisons and the prison population in these states could be considered a relevant factor for the higher number of news about COVID-19 in their local news, it is not enough to explain the (in)visibility of the topic in the news of Rio de Janeiro state (prison population around 48,000 people), with only nine articles on their local newscasts between March and December 2020 (Graph 3).

What was broadcast nationally?

Among the 19 news found broadcast throughout Brazil by TV Globo and its affiliates in 2020 (Chart 1), 12 address the issue of house arrest or freedom for groups at high risk of severe form of COVID-19 and only 4 convey the topic of the number of deaths and/or infected in prisons (only one addressing the national scenario as a whole). Three reports cover preventive measures in prisons, while one deals with a request for a ban on new admissions to the prisons and another single report makes a complaint about

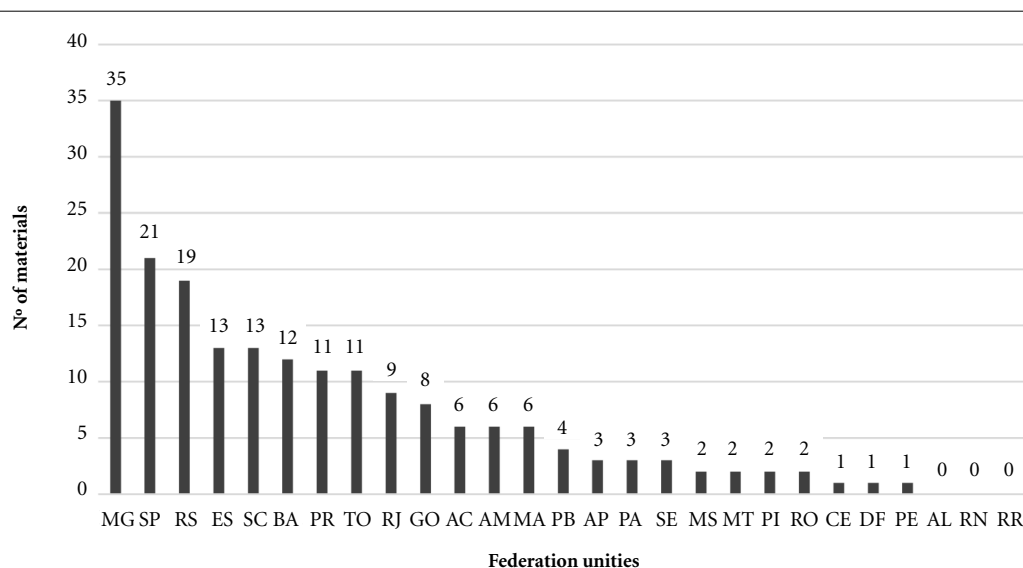
overcrowding or negligence in the prevention and care of patients with COVID-19 in prisons.

From these data, it can already be seen that the most prominent subjects in TV Globo’s national news programs were the concessions, requests and denials of house arrest, which dominated the news broadcast throughout the country – especially when the detainee in question was a public or notorious person. This point becomes clearer when we observe that, after a new recommendation by the CNJ¹⁴ on the issue, no news on the topic were found on national television journals, as analyzed below.

National coverage: focus on the release of “famous prisoners” to the detriment of the right to health of other prisoners

In this section, the articles broadcast on national television news will be analyzed in more detail, in order to understand what information related to COVID-19 in prisons was broadcast throughout the country in 2020.

Significantly, on March 17, the news about “escapes, riots and disorders in five prisons in São Paulo” was the first to gain space on a national television news program. In the words of the anchor of the television news, when announcing the material, “everything happened after the State Government suspended the temporary exit from the semi-open regime because of the new coronavirus”. In front of the penitentiary in Mongaguá, a city on the coast of São Paulo, a reporter mentions that 577 prisoners escaped through the front door, 176 were recaptured and 400 were still at large. She reports that the rebellion lasted four hours, with eight prison officers taken hostage, and says that the prison unit, which has a capacity for 1,700 PDL accommodates 2,800 PDL, also informing that inmates’ relatives denounced the conditions of incarceration, including lack of water and food. The report is illustrated with images of many prisoners on the run, leaving by the front door of one of the prisons, in addition to recaptured prisoners being taken back by the police, with security vans and helicopter in action. It also informs that the local prefecture had determined that “for the sake of the safety of the population, schools will not have classes” and makes a request “for people to stay at home”. This scenario sets the tone for the report that follows with the narration of riots in other prisons, while images of fire that escaped prisoners would have set in a sugarcane field are presented.



Graph 3. Number of materials about COVID-19 in prisons broadcast by TV Globo and its affiliates according to the federation unit where they were shown (March-December 2020).

Source: Authors.

Chart 1. Materials about COVID-19 in prisons broadcast nationally by TV Globo and its affiliates (March-December 2020).

Date	TV news	Title of material
3/17/2020	Bom Dia Brasil	Five São Paulo prisons register escapes, riots or disorders on Monday night (16)
3/30/2020	Jornal Nacional	Court grants house arrest to João de Deus because of the coronavirus
3/31/2020	Hora 1	Court grants house arrest to João de Deus because of the new coronavirus
3/31/2020	Bom Dia Brasil	Goiás court grants arrest home to João de Deus
4/14/2020	Jornal Hoje	Justice grants prison benefit home to former doctor Roger Abdelmassih
4/15/2020	Hora 1	Roger Abdelamssih leaves jail after obtaining the right to house arrest
4/22/2020	Combate ao Coronavírus	Doctors comment on contamination of coronavirus inside prisons
4/22/2020	Combate ao Coronavírus	At least 60 people have had Covid-19 in Brazilian prisons, according to official data
4/29/2020	Hora 1	EC confirms first death by new coronavirus inside a prison
7/9/2020	Bom Dia Brasil	New coronavirus advances by the prisons of Minas Gerais
7/10/2020	Jornal Nacional	Lawyers ask STJ to grant arrest domicile for prisoners from the Covid risk group
7/15/2020	Jornal Hoje	Supreme Court grants house arrest to former minister Geddel Vieira Lima
7/15/2020	Jornal Nacional	Geddel Vieira Lima is transferred for house arrest
7/22/2020	Jornal Hoje	Covid-19 cases ban biggest gaúcho prison
8/28/2020	Jornal Nacional	TJ-SP revokes house arrest by former doctor Roger Abdelmassih
9/1/2020	Hora 1	Abdelmassih returns to jail after house arrest since April
9/15/2020	Jornal Nacional	Fux changes CNJ recommendation to prevent the spread of Covid in prisons
9/15/2020	Jornal da Globo	Fux changes CNJ recommendation to prevent the spread of Covid in prisons
9/16/020	Hora 1	Fux changes CNJ recommendation to prevent the spread of Covid in prisons

Source: Authors.

Coincidentally, these images, which reinforce the stigma of violence that marks the prison population and the danger that PDL represent for the general population, were released on the same day that the National Council of Justice (CNJ) published the aforementioned Resolution No 62, who recommended that magistrates consider, in their decisions, the reassessment of provisional prisons, as well as the anticipation of the progression of regime for prisoners belonging to groups at risk of severe form of COVID-19, and in some cases, opt for house arrest. According to the document, these recommendations should benefit to provisional prisoners, people who committed crimes without violence, and prisoners belonging to these groups: the elderly, people with chronic diseases, immunosuppression, respiratory diseases and other comorbidities.

On the same day, local reports highlighted the recommendations to judges made by the state Courts of Justice for the adoption of house arrest for inmates belonging to groups at risk of severe form of COVID-19. In some TV Globo affiliates, such as in Minas Gerais state, a specialist in criminal science was called in to explain the need for the measure. He did so based on the overcrowding of prisons, the public health emergency in this state and the need to protect the health of prisoners, family members, justice officials and lawyers. In addition, he informed that prisoners who would enter the system should be isolated in entry units for a period of 15 days before entering the system. In another station, in the state of Santa Catarina, these measures were presented and discussed by a columnist, who justified them on the basis of “a national concern” (*sic*) with riots in São Paulo prisons that would have been motivated by restrictions imposed as measures to prevent COVID-19 in prisons. In this sense, the measures determined in the aforementioned resolution would be aimed at mitigating the risks of rebellions and escapes. This report, which ends with an observation by the news anchor pointing out the need for “care above all”, highlights the danger that involves the prison system and the people deprived of their liberty. Thus, in local TV news, depending on the guest commentator, the Resolution was interpreted primarily as a measure to reduce prison overcrowding and address the public health emergency caused by the pandemic or prevent rebellions caused by the restrictive measures adopted in prisons.

The continuity of national coverage of COVID-19 in the prison system elapses between news of concessions, requests and denials

of house arrest, especially when the detainee in question is a public or notorious Graph, convicted of sexual crimes or corruption. These are crimes that provoke intense repudiation and social disapproval and generate affects that, by contiguity, impact on the measures which sustain the release from prison.

The only report aired by Rede Globo at the national level bringing a complaint about the situation of Brazilian prisons in the midst of the pandemic was aired on April 22, in the program “Combat to Coronavirus”. In this report, numbers and details of the situation of prisons in Rio de Janeiro state were brought, after the first official record of a death by COVID-19, in a prison unit in the state, pointing out that another 14 deaths did not enter the official records, despite being related to the disease, according to the State Mechanism for the Prevention and Combat of Torture, a body linked to the Legislative Assembly of the State of Rio de Janeiro. In this report, the representative of the Mechanism also denounced the irregularity of an ordinance, published on March 20, 2020, by the State Department of Penitentiary Administration and the Civil Police, which suspended the necropsy of inmates who died by natural causes in Rio de Janeiro state. The report, which also includes the comments of a State Public Defender, clarifies that, without necropsy, it is impossible to know the reason for the deaths and consequently assess the impact of the new coronavirus on prisons. The transmissibility of the virus in a prison environment is also addressed in a brief interview with a researcher from Fiocruz, who warns of the problem in view of overcrowding and incarceration conditions in the state. Before the article was aired, the presenter announced that, according to data at the time, at least 60 people had contracted the disease in Brazilian prisons, with 154 suspected cases and two deaths.

On the same April 22, still in the program “Combat to Coronavirus”, talking about the difficulties of fighting the disease in prisons, the presenter compares the situation in these establishments with long-stay institutions for the elderly, to highlight the difficulty of implementing the isolation of the sick, the problems of suspending visitation and transit inside and outside prisons, questioning the qualification and health protection of prison workers.

Also in April, a report broadcast in “Hora 1”, highlighted the situation in Ceará after the state recorded the first death of a detainee due to the coronavirus. The news inform that, before being

sent to the health unit where he died, the detainee was in contact with other inmates, and report that the Secretariat of Penitentiary Administration informed that the wing where he staid was isolated and no other inmate had shown symptoms. The report does not mention whether tests were carried out to detect the disease among the contacts of that detainee.

The issue only returned to the national agenda on July 9, with a 24-second short piece without images on the morning journal “Bom Dia Brasil” about the advance of the coronavirus in Minas Gerais state prisons. The journalist reports that 324 inmates tested positive, of which 159 were from a single prison, which represented 80% of the entire prison population of that unit. It also informs that a 28-year-old prisoner died of the disease. Although emphasizing, with the gesture, compassion for that death, no question was asked about the mass contamination that occurred in that prison.

The following day, the *Jornal Nacional* reports that a group of lawyers from the human rights advocacy collective asked the Superior Court Tribunal (STJ) to grant house arrest to “all prisoners in Brazil” who belong to groups at risk of severe form of COVID-19. The news’ anchor points out that, in order to substantiate their request, the lawyers argue that those arrested in these circumstances should also have the same benefits granted to a former parliamentary aide and his wife who were under arrest. It is up to the journalist to point out that, in the proposed action, the lawyers listed a series of court decisions rejecting requests in cases of prisoners with cancer, hepatitis C, diabetes and hypertension, which put them at greater risk of worsening COVID-19, leaving a glimpse to the difference in treatment given to “ordinary” prisoners and to “famous” ones.

After this article, the news about the granting of house arrest to “famous prisoners” returns, only interrupted on July 22, when, in “*Jornal Hoje*”, was aired a two-and-a-half-minute story, with interviewees, about the temporary interdiction of the Porto Alegre Public Prison, the largest prison in Rio Grande do Sul. This measure, taken by decision of the Criminal Executions Court of Porto Alegre, due to the high number of cases infected with the coronavirus, in addition to prohibiting the entry of new prisoners, also limited internal circulation. The report shows images of jail cell bars and prisoners’ hands hanging outside, indicating the overcrowding, informs that 4,160 people are in that prison, with a capaci-

ty for 1,800 prisoners, and adds that, according to the direction, three inmates tested positive and ten were isolated with symptoms of the COVID-19. The report also features a judge of the aforementioned Criminal Executions Court, who informs that the prisoners “are being isolated as they show symptoms”, because the virus had already spread in other galleries. In this sense, she understands that the only solution would be “to close for 15 days, which would be the period of a quarantine, to know how many people are contaminated inside and to know how to act”. The news goes on to say that the ban is also intended to avoid an even greater pressure on the state’s hospitals, which are overcrowded. It is worth mentioning that despite pointing out the serious condition of overcrowding in the prison and the risk of exposure to the disease in which PDL are found in that establishment, the application of release measures was not brought to the scene as a way to face the problem. The discourse, validated by the judicial speech, adheres to the aforementioned statement of “close for 15 days, [...] to know how to act”.

Only a month after this story, the topic of COVID-19 in prisons reappears on national television journals, bringing the news of the revocation of the grant of house arrest and the consequent return to jail of a former doctor convicted of sexual crimes during the practice of medicine.

The last national broadcast story on TV Globo, in 2020, on the topic of the pandemic in prisons took place on September 15, the day after the changes made by Minister Luiz Fux¹⁴ in the Resolution nº 62 of the CNJ. On that day, in the *Jornal Nacional*, it was reported that “in practice, the change of Minister Fux makes it clear that benefits such as the reassessment of provisional detention and the granting of home regime cannot be applied to those convicted of criminal organization, money laundering, corruption, domestic violence and heinous crimes”. This report, which was aired again the following day by the anchor of the “*Hora 1*”, with the same text, puts an end on the list of news broadcast nationally on TV Globo’s news shows about COVID-19 in prisons.

Thus, it can be seen that, with few exceptions, information on “ordinary” prisoners only reached the national news in situations involving rebellions and violence or, at most, as a “disenfranchised” counterpoint to those notorious prisoners to whom all rights are guaranteed. A statement that can lead both to interpretations based on notions such as equality and social justice, but also to sustain punitive interpretations of

exclusion of rights and maintenance of custodial sentences, regardless of the conditions of vulnerability to which these populations are exposed.

In general, it is observed that, despite the pandemic that is ravaging the country and the number of people infected and killed due to COVID-19 in Brazilian prisons, the health guidelines and guarantee of the right to life and health of the PDL did not at all become a subject brought to the attention of the Brazilian public, but a debate involving, on the one hand, the prison as a space of social risk and, on the other hand, the application of release measures, treated as a privilege for a few or as a factor of insecurity for the general population due to the risk of releasing “dangerous prisoners”. The press echoed, without discussing, the existing tensions between the right to health, understood as a right of all, without any distinction, and certain conceptions of security, based on segregation and mass incarceration as a way of guaranteeing public safety.

Final considerations

This study provided a more detailed observation of the television press coverage of the COVID-19 pandemic in the Brazilian penitentiary system. The material collected does not intend to portray the totality of news broadcast on TV Globo on the subject: there is no guarantee that all videos are published on the Globoplay platform. In addition, some materials may not have been found because they did not contain in their title the keywords researched. However, we believe that our study provides an adequate assessment of the stories on the subject aired by the broadcaster, their contents and the repercussion of COVID-19 in the country’s prisons.

It is noteworthy that the articles on the subject gained more space in local television news than in national news, a “regionalization” that contributed to decoupling the health situation in prisons from the actions and decisions taken at the national level. Treated in a regional way, these news might remove the perception that health policies and incarceration policies are, in fact, articulated at the intersection of the three powers and the three spheres of government, in addition to involving important civil society organizations, including academics, becoming, therefore, a theme of national interest.

Another relevant point is the verification that, in the analyzed videos, there were almost no references to the health status of PDL with

COVID-19, nor to the conditions or quality of care provided to them. In the stories about mortality among PDL, only the number of deaths was reported and the information provided by the prison administrations repeated that there were no cases of other prisoners with symptoms, or that the detected cases were isolated.

There were no references to the importance of testing for the diagnosis and control of transmission, nor to the need for vaccination of the prison population, a vital issue as an “instrument for reversing health inequities”¹⁵ for especially vulnerable populations such as the prison population.

References to protective measures, although important, were limited to reassuring the difficulties in putting them into effect in the penitentiary context and sustaining the need for restrictive measures to the internal movement and entry of new prisoners, in addition to the suspension or limitation of movement with the abroad, showing that they were measures that sought to avoid, mainly, the spread of the virus from prisons and the pressure on the extramural health network.

In Brazil, since 2014, health in prisons has been governed by the National Policy for Comprehensive Health Care for Persons Deprived of Liberty (PNAISP)¹⁶ which aims to guarantee the right to health and access of PDL to the Unified Health System (SUS).

It was observed that, to address the issue, the health community was almost absent in the debate, since the sources of the news were, for the most part, official information released by the press office’s services of the penitentiary administrations or by criminal justice channels. Also, there was no repercussion in the media of actions and achievements of social movements in favor of the health of PDL. Thus, their absence or the low visibility given to their participation, limited the discussion of the problem to actors in the field of justice and the penal system, not favoring the perception, by the population, that the maintenance of the health of PDL, in addition to being a right for them, is also essential to guarantee collective health.

Finally, it is important to highlight that, by focusing the debate on granting the judicial release of “famous prisoners” and on the injustice of their favoritism, the discourse strengthens the perception that, if these favored people remain in prison, “justice is done”, leaving in the obscurity the reflection on where the justice stands that imposes isolation without care and without rights to anonymous people deprived of liberty.

Collaborations

All authors contributed equally in the conception, design, analysis and elaboration of the manuscript.

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