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**POLITICAL AND LEGAL RESPONSE TO BRAZIL'S JUNE DAYS:  
AN ANALYSIS OF JUDICIALIZATION AND CRIMINALIZATION  
IN THE CITY OF PORTO ALEGRE\***

The protests that started in the city of Porto Alegre in 2013 against the rise in public transportation prices have spread out all over Brazil, especially in June, when over one and a half million people went to the streets to protest against increases in bus fares in over one hundred cities. Not only were they marked by mass participation, but also by a serious level of state violence in response, especially in Porto Alegre where the City Council's Human Rights Commission denounced police violence and the first indictment against activists was discussed. This article seeks to identify how political and legal systems have dealt with this social movement by analyzing the processes of primary and secondary criminalization in the city of Porto Alegre. As such, it analyzes new protest regulations, the "Human Rights Violation" document, as well as the official police report and investigation documents regarding the protests in the perspective of Critical Criminology. The authors utilize the theoretical concept that deviance should be analyzed as a dyad – the rationality behind the prohibition and enforcement, as well as the reasons for the commission of an act, the concept of moral entrepreneurs from Howard Becker and the criteria elaborated by Jock Young in defining a moral panic. The paper attempts to contri-

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bute in the analysis of how the political and legal systems act towards social movements that present a challenging response to the existing circumstances.

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The month of June in 2013 was marked by the most serious protests in quite some time in Porto Alegre, Rio Grande do Sul State (Brazil), probably since the request for the impeachment of president in 1992. Over a million people went to the streets in Brazil to protest. The reasons and facts behind the protests that occurred in Porto Alegre and other major cities in Brazil in 2013 that became known as *Jornadas de Junho*, however, are still not entirely known. Even though dozens of articles have been published about the matter (Filho 2014; Rolnik 2013), our social sciences clearly still owe us a reasonable explanation about what happened during (but not exclusively) the month of June (Vitagliano 2013). Many academic papers have been written about the protests but there is no consensus about the issues behind these manifestations. The name itself for the protests is misleading, since they started much earlier than that, and their repercussions continue up until this day (Movimento... 2013). All analysts conclude, however, that the June Protests were a challenge to the *status quo*; they were acts of resistance<sup>1</sup> (Vitagliano 2013; Hayward 2013).

### June Days in Porto Alegre

The city of Porto Alegre is located in the last Brazilian State to the South. It has about 1.5 million inhabitants and is characterized by weather peculiarities. Instead of the year-round summer with hot temperatures, two seasons are well defined in Porto Alegre: hot summers and cold winters. Given this, every year the city virtually empties in the summer months: everyone travels to the beach, some to their summer homes, others to visit friends. It is worth noting that the increases in bus fares occurred, for at least the last eight years, in these months, when the city's traffic is smooth and a great number of people are not in the city and will only feel that impact maybe a month later (Zero Hora 2011). Given that traditional threat of fare increase in the beginning of the year<sup>2</sup>, the protests in Porto Alegre started already in January, when a group called *Bloco de Luta pelo Transporte Público* (Oliveira 2013) went to the streets to demand a decrease (as well as try to stop the increase) of the bus fares. The *Bloco de Luta*, as it is normally referred, is

<sup>1</sup> The concept of Resistance adopted here takes into account the observations from Keith Hayward conference paper which points out that "... despite the fact that the label of resistance is widely used and fostered, particularly in my area of expertise, Cultural Criminology, we are in a very strange position. We still do not know what exactly is meant by Resistance. All we can say is that the activity of Resistance is a challenging response to existing circumstances. As such, resistance is typically framed as a negative term, meaning those acts exerted against culture, social or economic relations that occur in particular moments, in particular societies" (Hayward 2013).

<sup>2</sup> Brazilian summers occur in January.

a group composed of different anarchist movements, such as the *Movimento Utopia e Luta*, *Federação Anarquista Gaúcha*, and *Frente Autônoma*, and some youth groups from far left political parties, such as *ANEL* (from *PSTU*<sup>1</sup>), *Juntos!*, and *Vamos à Luta* (both from *PSOL*<sup>2</sup>), who, for the last two years, had organized protests against the in-crease of the fare, always in January (Oliveira 2013). The main focus of these pro-tests was decreasing the price and maintaining the half fare for students and free fare for senior citizens (*Bloco de Luta*... 2013).

On March 21, the Vice-Mayor sanctioned the increase in the fare, which brought even more people to the streets (Prestes 2013). The number of protesters would grow significantly, reaching its highest yet on the April 1, when about ten thousand people gathered around City Hall. Soon thereafter, the increase in the fare was suspended when Judge Hilbert Obara ruled in favor of the legal request for suspension by City Councilman Pedro Ruas and City Councilwoman Fernanda Melchiona (both from *PSOL*) (Prestes 2013). The decision would be cheered on that same day, April 4, which already had a protest scheduled, when nearly fifteen thousand people marched through downtown Porto Alegre in the pouring rain (Oliveira 2013). After April 4, the protests continued, but with a much smaller participation; the people present there were almost exclusively the same ones deeply involved with the articulation of the *Bloco de Luta*, up until June 17, when thousands returned to the streets. A couple days earlier, on the 13<sup>th</sup>, in São Paulo, five thousand people in a protest were met with hundreds of rubber bullets, tear gas and pepper spray. If the amount of people on the streets was not remarkable – there had been far more people marching days before – the violent reaction of the police was. Over two hundred people were arrested for various reasons, including possession of "suspicious materials" such as vinegar (a product which started to be widely used for relieving the effects of tear gas) (Repórter... 2013). On that same protest, a journalist from the *Estado de São Paulo* newspaper was shot with a rubber bullet in the eye. The image of the reporter's bleeding eye was in the front page of the four most read newspapers in Brazil the next day (Repórter... 2013).

From this perspective, it is safe to say that, although it was not the cause for the June Protests, police violence was a catalyst for its subsequent expansion and spreading. On June 17, just three days after the newspapers had published about what happened in São Paulo, over 276000 people in all Brazil (ten thousand in Porto Alegre alone) went to the streets in support of the protesters in São Paulo. On June 20, just a week after the police violence was in the headlines and a day after the fare prices were decreased in São Paulo and Rio de Janeiro, over 1.4 million people in more than one hundred different cities were protesting (Protestos... 2013). Along with this rapid increase in participation, there was also a shift in focus of the protests and its agenda. If everything in Porto Alegre started with the decrease of public transportation prices as an almost exclusive demand, it did not remain that way. The

<sup>1</sup> Partido Socialista dos Trabalhadores Unificado – United Workers Socialist Party.

<sup>2</sup> Partido Socialismo e Liberdade – Socialism and Liberty Party.

image made by *Bloco de Luta* for the June 17 protest, included a new headline that was not related to public transportation: "Against the criminalization of the popular struggle"<sup>1</sup>. These demands were written on a public assembly on June 18:

We fight for:

- 100% State-owned Public Transportation, the disclosure of spreadsheets and financial information from the private companies that run public transportation, and free fares for students, senior citizens and unemployed.
- For the immediate withdrawal of all indictments and investigations against activists.
- The removal of the "State of Exception for the 2014 World Cup", demanded by FIFA. (*Bloco de Luta*... 2013)

One should notice the sudden appearance of different demands in the release approved at the assembly. If the demands for a new public transportation management and benefits for students and the unemployed remain, two new appear: the immediate interruption of all criminal investigations against the activists and the ceasing of what they call a State of Exception for FIFA's World Cup in 2014. This was not present in the previous releases from the *Bloco de Luta*, the focus of the protests had always been exclusively public transportation and other urban problems. However, that was not the case anymore. After what happened in São Paulo, the movement not only grew but changed. As already shown, the response of the State to the protests helped strengthen it; police violence and investigations greatly influenced the movement in their own demands. The destructive force towards the group turned into more participation and widened the spectrum of its agenda. Just as many of the signs used on the protests read, it was no longer about 20 cents bus fares.

### **Analyzing the Criminalization Process in June 2013**

The criminalization process of the protests that happened in Porto Alegre, will be analyzed from the perspective that deviance is a collective process, a dyad. It is important not only to understand the reasons behind the commission of an act, but also the reasons why someone classified this action as a crime. Furthermore, as proposed by Jock Young, it should be noted that social control in itself generates deviance, and not the other way around (Young 2011). The focus of the chapters will be precisely on what Howard Becker classifies as moral entrepreneurs and their actions (Becker 1966). Moral entrepreneurs are those who take the initiative in creating and establishing rules, as well as the ones who enforce it. The characterization of these moral entrepreneurs varies depending on the function that they have. The classic image of these "rule creators" would be that of the crusading reformer, the "meddling busybody, interested in forcing their own morals on others" (Becker 1966: 148). This does not necessarily mean that these people have

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<sup>1</sup> All citations originally in Portuguese are given in authors' translation.

bad intentions. Many truly believe that their moral values are correct and that acting according to these will be good for everyone.

When it comes to the rule enforcers, one must understand that they have two interests: the justification of their existence itself, and the acquisition of respect from the ones who they deal with. To justify his own existence, the rule enforcer must show that the problem exists, and that he is very important. In addition to that, however, he must balance this existence of the problem with the view that his activity of law enforcement is important and productive, therefore, justifying and defending his method and activity (Becker 1966). This may result in ambiguity of law enforcement. While they have to show that the situation is serious and convince the public that resources and investments are needed, they still need to maintain an appearance that their posture is solving the problem, being effective. This is exactly what Jerome Skolnick defined as the "police personality": police utilize their coercive authority over citizens and seek to appear efficient in the eyes of administrators (Skolnick 1994). This has also been described as "cop culture" (Terrill et al. 2003), and has a very important effect; it distances police officers and their activities from their clientele, the citizens. Isolation from the public and the necessity to prove one's efficiency and utility before the management leads police officers "to develop a 'we versus they' attitude toward citizens" (Terrill et al. 2003: 1006). This is caused by "subcultural beliefs that the officer who ignores challenges from citizens loses the respect of citizens and makes it difficult for other officers to work in the precinct" (Reiss 1972).

This view not only shows the subversion of the "to serve and protect" role of the police authorities but defines them for what they are: moral entrepreneurs. In this sense, these type of public servants act as true cultural agents, in the way they, through their activities, attempt to commodify boredom, maintain a pseudo senso of order through the exercise of power in a truly cultural manner (Ferrell 2004). Entrepreneurs can obtain great success with their crusades by utilizing a constant production and propagation of moral panics and identifying in the modern social changes the causes of deviance (Alves 2010). According to Nachman Ben-Yehuda, moral panics can be defined as the following:

The concept broadly refers to the creation of a situation in which exaggerated fear is manufactured about topics that are seen (or claimed) to have a moral component. Moral panics have to create, focus on and sustain powerfully persuasive images of folk devils that can serve as the heart of moral fears.

<...> moral panics are about representations, images and coercion: about which sector of a society has the power to represent and impose its images, world views and interests onto others as being both legitimate and valid. In other words, moral panics are about struggles for moral hegemony over interpretations of the legitimacy (or not) of prevailing social arrangements and material interests (Ben-Yehuda 2009: 1-3).

In other words, it is an instrument, an episode, triggered by reactive laws, public policy or media stories that provoke exaggerated public concern, fear, and anger towards perceived threats of social order (Krinsky 2013). In this case, if the deviant is seen as involved with the resistance to the *status quo*, it also identifies the social reactions against those labeled as deviant and the creation of moral panics, as clear "acts of resistance on behalf of the establishment, attempts to shore up a hegemony that was threatened" (Young 2011: 248). In this sense, moral panics are not just normal moments of public fear or concern, but orchestrated discourses with clear intentions, they "must be understood not merely as occasional incidences of public concern and fear, but as diversionary manifestations, intended to maintain the *status quo*, of a continuing historical crisis" (Krinsky 2013: 6). With this in mind, in order to ascertain if a moral disturbance or the action promoted by moral entrepreneurs is a moral panic or just a normal reaction, Jock Young proposes three criterions which illustrate the presence of "too great a hiatus between stereotype and reality". These are a disproportionate reaction to the problem, an irrational reaction given the actual social threat and the presence of negative stereotype of the deviant (Young 2011: 251).

Those elements will be utilized in the analysis of the documents containing the reaction of moral entrepreneurs to the protests in Porto Alegre. These documents include the criminal investigation report on the protests, a report on the police activity during the protests and human rights violations presented by the City's Human Rights Commission and a Bill that prohibits the use of masks during protests. These will be scrutinized in order to reveal the attitude of different agents in the process: those responsible for the creation of the law (by examining the Bill and its reasoning), those in charge of the investigation (by looking through the investigations and the indictment) and those that are acting directly on the streets (by analyzing the actions of the police and their rights violations).

### **The Report from City Council's Human Rights Commission**

The Dossier elaborated by the Porto Alegre City Council's Human Rights Commission, created in July, 2013, was the result of a public hearing of more than 3 hours, when 17 people who were victims of police violence were heard and denounced multiple rights violations (Dossiê... 2013). According to the report, the people heard were unanimous in denouncing the fact that all police officers working in the protests had their name tags previously removed from their uniforms. The use of the name tags is responsible for trying to avoid any misconduct from the agents, since it is an easy way to identify who is behind any wrongdoing. The removal of it, an action clearly tolerated by the officers in charge of the operations, obviously made impossible for anyone who had their rights violated to identify the public agents responsible. The public hearing also found that the police officers who made the arrests were present at all times during the forensic medical examination of the detained. This exam is supposed to be a moment when the arrested can report

any abuses by the police to the doctors conducting the examination and should not involve of any type of coercion. The presence of the officer itself is already a form of intimidation of the patient, as well as the doctor, which is there in order to ascertain if there were any injuries caused by the police action (Dossiê... 2013).

In addition, the Commission verified that all protesters were arrested with the same charges: disobedience<sup>1</sup>, contempt<sup>2</sup> and resistance<sup>3</sup>. Some were also charged with racketeering<sup>4</sup>, even though, according to the same report, there was no evidence that they even knew each other (Dossiê... 2013). Besides, there were numerous complaints involving false arrests and charges, excessive force, close range shots of rubber bullets, the abuse of tear gas and Taser weapons, legal counsel denial and even torture. It seems quite clear that false arrests and excessive force, as well as other abuses, are part of what Young defined as a disproportionate reaction to the problem. Not so obvious, however, is the rather ironic point that police activity and the social policies itself created these disproportionate consequences.

As previously stated, every witness heard by the Commission was arrested for disobedience, contempt and resistance. These all have something in common: they are not the result of an *action* of the protesters, but, rather, a *reaction*. To put it in another way, the exact nature of these crimes requires the action or presence of a public servant. These are not in any way related to what motivated the original protests, or a method of the protesters, but rather a response to the police activity. There would be no contempt charges if there had been no police authorities on the protests, no disobedience crime if there had been no order emitted, no resistance if no arrests had been made. It seems adequate to interpret the event as "an instance of secondary deviance, not primary deviance: the problem was socially constructed creating secondary harm much greater than the primary harm <...> It was the moral panic that created something to panic about, not the thing itself" (Young 2011: 251).

The charges also help illustrate exactly what Becker defined as the interests of the rule enforcers; the acquisition of respect and the justification of their own

<sup>1</sup> Article 330 – To disobey the legal order of a public servant. Punishment – detention, from fifteen days to six months, and fine.

<sup>2</sup> Article 331 – To contempt or to defy a public servant in the exercise of their function or because of it. Punishment – detention, from six months to two years, or a fine.

<sup>3</sup> The word resistance here is a reference to the crime, not the criminological concept. A perhaps more illustrative translation would be "resisting arrest", but the crime in Brazilian law is broader. Article 329 – To oppose yourself to the execution of a legal act, with violence or threat to the servant competent for its execution or whoever is working with him. Punishment – detention, from two months to two years.

<sup>4</sup> The crimes of "Criminal Association" and "Private Militia" are translated here as racketeering. According to the Brazilian Penal Code: Criminal Association, article 288 – To associate three or more people, with the specific purpose of committing crimes. Punishment – reclusion, from one to three years. To constitute a Private Militia, article 288-A – To constitute, organize, integrate, maintain or support financially a paramilitary organization, private militia, group or squadron with the purpose of practicing any of the crimes listed on this Penal Code. Punishment – reclusion, from four to eight years.

existence and its consequences. If the existence of the crime of disobedience and contempt is an instrument to protect the public administration as well as the public official (Bitencourt 2012), the enforcement of these crimes by the police is a clear statement: it is a demand for recognition of their authority. At the same time, the officers not only intimidate others, but also increase statistics of the crime rate, contributing to moral panic and, simultaneously, justify their existence and importance. It should be noted that these actions are not to be interpreted as a collective response, but as a public policy in itself. As Loïc Wacquant points out, the penal public policy acts as an active mechanism of management of social resistance and attempts to produce resignation. In this way, moral reactions and concerns towards perceived deviance are employed as an instrument that helps propagate and promote penal public policy (Wacquant 2009).

It seems, however, that although the police action sought respect and legitimization, it not only failed in its purpose, but actually did quite the opposite. As was already shown, the increase of repression acted as a catalyst for the widespread and augmentation of the protests in Brazil. In addition, the demands in Porto Alegre from *Bloco de Luta* illustrate that not more respect for the police authorities was established, but a clear antagonism between the protesters and the Brigada Militar<sup>1</sup>. The reaction was to denounce the police abuses, false arrests and to seek the withdrawal of the charges, rather than to acknowledge the authority of the brigade.

### The Criminal Investigation of the June Protests

Following the June protests in Porto Alegre, investigations were conducted by the police in order to determine who was responsible for damage to public and private property and looting. These investigations later were concentrated in a single police inquest: 17/2013/100204-A<sup>2</sup>. Even though the inquiry initial date is June 28, 2013, the document contains investigation records and intelligence information prior to that, as early as February, 2013 (Inquérito Policial 2013). The investigations started with the arrest of Guilherme<sup>3</sup> for throwing rocks against police officers in front of the Palácio da Polícia<sup>4</sup>. The officers responsible for the arrest, after giving their statement, were shown hundred of pictures of people who had

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<sup>1</sup> Brigada Militar, "Military Brigade" is the name given to the police in charge of public patrolling in the State of Rio Grande do Sul.

<sup>2</sup> Special thanks to Rafael Lemes and Luciana Genro who helped providing exclusive access to a full copy of the investigation records, for the purpose of this paper, which had been denied by law enforcement.

<sup>3</sup> This, as well as all other names cited have been changed in order to preserve their identity.

<sup>4</sup> Palácio da Polícia, literally "police palace", is the name of Porto Alegre's Police Plaza, the largest Police Precinct that concentrates many different activities, such as police investigation, medical examination, forensic expertise, and others.



already been arrested for similar offences in other protests. They identified Vicente, a known Anarchist and part of *Bloco de Luta*, as one of the participants in the event and as one of those who were shouting anti-establishment slogans and "talking to the masked people dressed in black" (Inquérito Policial 2013).

Numerous intelligence reports followed, all of them concluding that there was a specific group in the protests, *Bloco de Luta*, with a clear purpose: to damage public and private property. The reports identified a division inside the group: a political faction, in charge of shouting slogans and conducting the march meanwhile the other, the violent faction, was responsible for confronting the police, looting and other crimes. One was an accomplice to the other. After identifying possible leaders of *Bloco de Luta*, search warrants were requested and executed in the home of six of these that had been identified as the most influential and important participants in these groups. During the execution of these warrants, computers and notebooks were confiscated, as well as Anarchist, Communist and other literature; fliers, black flags and any other objects "which could prove the relationship between the investigated and a 'dangerous ideology' that was common to all participants of Bloco de Luta" (Inquérito Policial 2013). Books of such authors as Proudhon, Trotsky, Bakunin and Marx were taken as evidence. Apart from this, pictures were also taken from the walls with an "A", later categorized by the police as a sign of "the presence of an ideology that does not respect any type of State Institution" (Inquérito Policial 2013). Flags were also apprehended, with their flagpoles deemed a "dangerous weapon utilized in police confrontations" (Inquérito Policial 2013).

The inquest concluded with the indictment of Guilherme and the other six members of *Bloco de Luta* for racketeering<sup>1</sup> and other crimes, including damage, use of explosives and looting. It also identifies that the crimes were committed by anarchist protesters, "the ones with black flags and dressed in the same color" and that they were a great violation, since "they endangered the people's right to free speech and protest, as well as democracy itself" (Inquérito Policial 2013). The final police report illustrates a clear image of the vandals present in the protesters; it constructs a negative stereotype of those considered as folk devils. Anarchists, masked, dressed in black clothes, with black flags and dangerous weapons in forms of flagpoles, all ready to commit various crimes, motivated by a dangerous ideology that does not respect the institutions. The construction of this "model deviant" not only serves as an instrument of the police investigation, but is a constituent element of moral panic.

It should be noted that close details from the investigations and police observations, especially those involving the profile mentioned earlier and the severity of the crimes allegedly committed, were leaked and used extensively by the media (Rollsing 2014; Zero Hora 2014; Correio do Povo 2014). The term "dangerous

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<sup>1</sup> As previously stated, the word racketeering may be used to describe two different crimes in the Brazilian Penal Code. The crime for which the protesters were indicted of was the one from Article 288-A.

ideology" was largely spread. This not only contributes to the creation of a moral panic, but shows the strength of the established negative stereotype. Ironically, however, the indicted did not actually fit the profile created by the police. Even after extensive surveillance, only two of them were photographed wearing black clothes, holding black flags or wearing masks. Three of them were not anarchists but members of leftist socialist parties (PSTU and PSOL), and only two had previous arrests (Inquérito Policial 2013). Of the thirteen books taken by the police as evidence, only five were from authors considered anarchists. From the perspective created by the police investigators themselves, it just seems like a complete irrational response the indictment of the suspects when they clearly do not fit the profile. In addition to that, the apprehension of books on its own would be difficult to justify rationally, let alone one motivated by the presence of "dangerous ideologies" in the texts.

### **The new protest laws**

Just a few months after the June protests, City Councilwoman Monica Leal, from PP<sup>1</sup>, submitted a bill proposal that prohibited the utilization of masks or any other means of hiding one's face in public protests in the city of Porto Alegre. The bill also determined that the Constitutional right to public reunion and free speech shall be exercised pacifically, without the use of any weapon, masks or any type of material used to hide the face, and by previous arrangements with the police authority (Projeto de Lei 312/13 2013). According to the representative, the country has been given precious lessons on citizenship, when the people went to the streets to demand better healthcare, education, transportation and public safety. Although the Constitution assures that there is freedom of assembly, being prohibited the anonymity, "the latter has been present in the last protests, behind masks, tissues and other forms utilized by activists to omit their own identity" (Projeto de Lei 312/13 2013). Leal states that it is possible to call up attention and reach the objectives of a protest with slogans, organized marches, posters, painted phrases and so on, but displays of violence or any type of aggression throw off any attempts that seek improvements. Moreover, she defends the idea that the security agencies should toughen up their activities during public displays, "restricting the covered faces amidst the crowd and demanding identification of those who attempt to be anonymous" (Projeto de Lei 312/13 2013):

It is necessary to fight for specific causes, concrete causes. However, organization is necessary in order for these demands to have validity and achieve results. This is because simple acts of vandalism and aggression do not make a protest. The population is not happy with vandalism because, unfortunately, there are those who, masked and armed, infiltrate into public reunions in order to commit crimes and practice other illicit activities, abusing of the power of the local police (Projeto de Lei 312/13 2013).

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<sup>1</sup> Although PP is called the Progressive Party, it should be noted that, contrary to what the name leads one to believe, it is recognized as a party, which defends conservative values in Brazil, typically associated with the agricultural business.

The reasoning of the Bill is illustrative of the prototypes of the rule creators, the moral crusaders who attempt to force their morals on others (Becker 1966). The proposal clearly looks to maintain "late modern boredom": it consumes rebellion, criminalizes resistance and sells back commodified excitement; it is an attempt to deem illegal the explosive situation of social protests and reestablish everyday life through a stripped down version of manifestations (Ferrell 2004: 3). By accepting and defending a conservative display of social struggles as well as creating a moral panic involving the more radical forms of resistance, the Councilwoman seeks to maintain the status quo.

The irrationality of the social reaction presented by the Bill may be detected by comparing it to the police report analyzed previously. As already stated, there were only two of the indicted who actually wore masks or covered their faces, and that did not materialize in an investigative problem as referred in the Bill (Inquérito Policial 2013). Quite the opposite, the police actually utilized the images containing both suspect with masks in order to tie them to the other who were damaging public property. In addition, the Proposal, instead of treating the consequences of the protests, created diversionary manifestations. This reactive law is an act of resistance on the part of the establishment. Instead of dealing with any of the demands from the June social movements it only looks to diminish the social instability brought by the presence of the masses in the streets through an attempt to generate more concern and anger towards perceived threats to the social order (Krinsky 2013).

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Moral entrepreneurs played a significant role in the generation and perception of deviance in the protests in Porto Alegre, during June, 2013. The analysis of the City Council's Human Rights Commission Report clearly showed that the actions of the Brigada Militar acted as an instance of secondary deviance, producing harm much greater than the primary existing one. The attempt to gain respect and to justify their existence turned into quite the opposite. The increase in police repression acted as a catalyst for the widespread and augmentation of the protests not only in Porto Alegre, but in Brazil as a whole. Not only that, but it also modified the demands of the social movements, as police abuse claims quickly became slogans used on the streets.

Criminal investigations contributed to the creation of a negative stereotype of the deviant, which consisted primarily in the figure of an anarchist, dressed in black, wearing a mask covering his face. The construction of this "model deviant" not only served as an instrument of the police investigation, but constituted an element of the greater moral panic formulated around the protesters of June. The ban on mask use during protests in Porto Alegre configured the last missing element of those proposed by Young, the irrationality of the social response. This reactive law was an act of resistance on the part of the establishment; instead of dealing with the demands (public transportation, healthcare, education, etc.) it tried to diminish the social instability brought by the presence of large numbers of people in the streets by attempting to generate more concern and anger towards perceived threats to the social order.

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