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Year VI, v.1 2026 | Submission: 06/03/2026 | Accepted: 08/03/2026 | Publication: 10/03/2026 Remission of Sentence *in the Brazilian Prison System: Legal Foundations, Purposes, and Challenges*

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Abstract:

Sentence reduction is an important instrument in the Brazilian prison system, aimed at realizing the principle of human dignity and promoting the resocialization of the convicted person.
As provided for in the Penal Execution Law, remission allows for the reduction of the time served in a prison sentence through work, study and, additionally, reading.
This article aims to analyze the institution of sentence reduction, addressing its legal foundations, its normative evolution, its modalities, and the main challenges faced for its effective application in the context of the Brazilian prison system. The methodology used is based on bibliographic and documentary research, with analysis of current legislation, specialized doctrine, and jurisprudential understandings. It concludes that, despite its legal and social relevance, sentence reduction still faces structural and administrative obstacles that compromise its full effectiveness.

Keywords: Sentence reduction. Criminal enforcement. Prison system. Rehabilitation. Fundamental rights.

Abstract

Sentence reduction is an important instrument in the Brazilian prison system, aimed at realizing the principle of human dignity and promoting the resocialization of the convicted person. Provided for in the Penal Execution Law, sentence reduction allows for the reduction of time served in a custodial sentence through work, study, and, complementarily, reading. This article aims to analyze the institution of sentence reduction, addressing its legal foundations, its normative evolution, its modalities, and the main challenges faced for its effective application in the context of the Brazilian prison system. The methodology used is based on bibliographic and documentary research, with analysis of current legislation, specialized doctrine, and jurisprudential understandings. It concludes that, despite its legal and social relevance, sentence reduction still faces structural and administrative obstacles that compromise its full effectiveness.

Keywords: Sentence reduction. Penal execution. Prison system. Resocialization. Fundamental rights.

1. INTRODUCTION

The Brazilian prison system has presented a series of deficiencies throughout its history. structural and institutional issues, such as prison overcrowding and poor conditions... custody and the absence of effective public policies aimed at the social reintegration of the convict. Given In this context, sentence reduction emerges as a relevant legal mechanism for humanizing the process. criminal enforcement.

Sentence reduction is directly linked to the rehabilitative function of criminal sanctions. provided for in the Federal Constitution of 1988 and regulated by the Penal Execution Law (Law No. 7.210/1984). By allowing the convicted person to reduce their sentence through work and... This study argues that the legal system seeks to encourage positive behavior during the serving of a sentence.

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In this context, the present article aims to analyze the institution of sentence reduction in the Brazilian prison system, highlighting its legal foundations, its modalities and the challenges challenges faced in order to make it effective.

2. Concept and fundamentals of sentence reduction

Sentence reduction consists of the right granted to the convicted person to reduce the time of their sentence. serving a prison sentence by carrying out activities prescribed by law, such as work and study. This is a legal benefit that falls within the scope of enforcement. criminal and depends on compliance with established legal requirements.

The main basis for sentence reduction is the principle of the dignity of the person, enshrined in law. in Article 1, item III, of the Federal Constitution. Furthermore, redemption finds support in... The principle of individualization of punishment, provided for in article 5, item XLVI, of the Constitution, which imposes The suitability of the criminal sanction to the personal circumstances of the convicted person.

As Nucci (2022) teaches, redemption represents an incentive for discipline and effort. staff of the convict, functioning as an instrument to encourage resocialization and reduction of criminal recidivism.

3. Legal provision for sentence reduction

Sentence reduction is expressly provided for in Article 126 of the Penal Execution Law. Initially, the legislation only contemplated redemption through work. With the advent of Law No. Law 12.433/2011 also allowed for sentence reduction through study.

Under current legislation, a convicted person may redeem their sentence by:

- 1 (one) day of punishment for every 3 (three) days of work;
- 1 (one) day of punishment for every 12 (twelve) hours of school attendance, distributed over at least 3 (three) days.

In addition to these modalities, the National Council of Justice has begun to recognize, through Recommendations include the possibility of sentence reduction through reading, expanding the ways to access the benefit.

4. Methods of sentence reduction

4.1 Redemption through work

Redemption through work is the most traditional and established method in the prison system. Brazilian. The work performed by the inmate can take place both inside and outside the prison. prison establishment, provided there is judicial authorization and adequate supervision.

According to Capez (2021), prison labor has an educational and productive character.

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contributing to the professional training of the convicted person and facilitating their social reintegration after the serving the sentence.

4.2 Redemption through study

Redemption through study represents a significant advancement in penal execution, as it recognizes Education as a fundamental instrument of social transformation. Activities are permitted. in-person or distance education, encompassing elementary, secondary, higher education and courses. vocational training.

This approach reinforces the role of the State in promoting the right to education, even in context of deprivation of liberty.

4.3 Redemption through reading

Redemption through reading, although not expressly provided for in the Penal Execution Law, was regulated by recommendations from the National Council of Justice and by state regulations. In this modality, the offender reads pre-selected works and prepares reports. or reviews evaluated by a specific committee.

This practice aims to stimulate intellectual development, critical thinking, and reflection. convicted.

5. Importance of sentence reduction for social reintegration

Sentence reduction plays a fundamental role in the resocialization of the inmate, because It promotes the appreciation of individual effort and encourages behaviors consistent with... social interaction.

In addition to reducing prison time, sentence reduction contributes to a decrease in... It helps to reduce criminal recidivism and lower the costs of the prison system. In this way, it benefits not only the condemned, but also society as a whole.

6. Challenges in implementing sentence reduction

Despite its relevance, the application of sentence reduction faces numerous obstacles. such as the scarcity of job and study opportunities, the lack of adequate infrastructure, and the deficiency of effective public policies.

Another significant challenge is the inequality in access to activities that enable sentence reduction. This undermines the principle of equality among convicts. Added to this is the slowness of the process. administrative aspects in the analysis and recognition of the benefit.

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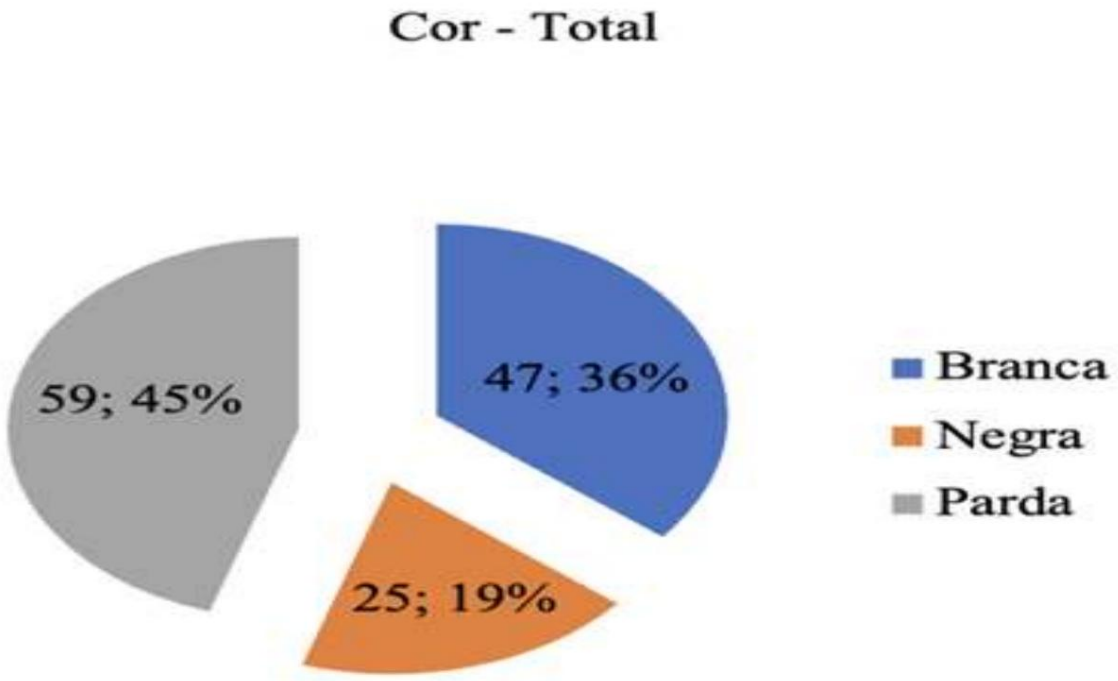
We can also identify that one of the difficulties encountered is convincing the penalized for adhering to this system, and often this occurs due to a lack of reading habits, due to a lack due to ongoing practices and even the lack of training in primary education and in most cases Sometimes, even in high school, because we have a large portion of the Brazilian prison system... prison population, and let's say that this segment represents the vast majority with basic education. incomplete, and this leads to a great difficulty in encouraging reading, often for the simple reason... The fact of not knowing how to read, because yes, we still have a significant percentage of illiteracy in the system. prison, and as we emphasized, not knowing how to read is a major barrier that hinders access to this. A transformative program, which is redemption through reading.

Below, we will show some data extracted from prison units, which prove the

The importance of redemption through reading:



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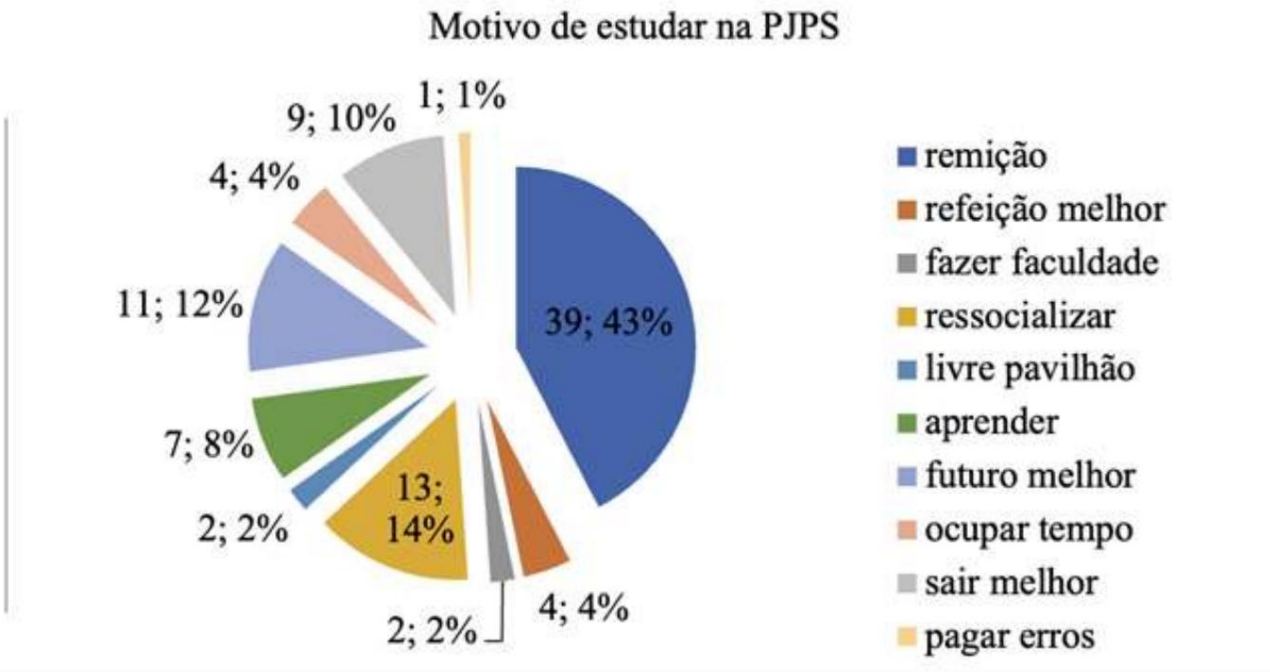

7. Final Considerations

Sentence reduction is an important instrument for humanizing the system. The Brazilian prison system, aligned with the constitutional principles of human dignity and... resocialization.

However, for the institute to fully fulfill its social function, it is essential that... Strengthening public policies aimed at expanding work and education opportunities in prisons. as well as improving prison management.

We can also emphasize that redemption through reading dignifies and allows for... Cognitive development transforms perspectives on life and the world, where it is possible to verify... advances in the behavior, treatment, and way of life of people who are segregated

From a social perspective, it is clear that redemption through reading brings benefits beyond just sentence reduction and reduction of the sentence to be served, since it is possible to identify a change in habits, a change A behavioral pattern that was previously absent, and this is proven through behavioral analysis. prisoner's confinement, which often revealed that before beginning reading activities, He had undisciplined behavior and conduct that was totally inappropriate for the due to the serving of the sentence in prison, within this scope, we can then define remission. Reading offers a range of benefits for inmates, transforming their lives and reducing stress. time of segregation from society, and allows one to acquire knowledge, culture, new habits and even even the possibility of starting continuing education courses, such as the possible completion of education in prisons, as already happens today, through educational programs aimed at people who are serving a sentence.

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It is concluded that the reduction of sentence should be understood not only as a benefit.
legal, but as a right of the convicted person and an essential mechanism for building a
A fairer and more efficient penal system.

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