

# HOMOTRANSFOBIA

## ANALYSIS OF OFFICIAL COMPLAINTS IN THE CIVIL POLICE

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**Abstract:** This article aims to map and analyze the cases of violence against sexual and gender diversity registered, through Police Reports, in Police Stations of the Secretariat of Public Security of the State of Sergipe (SSP/SE) in Brazil, between 2015 and 2018, verifying how the phenomena of underreporting, revictimization and intersectionality are present in these complaints. The mapping was carried out in the *intranet* system of the Secretariat of Public Security of the State of Sergipe – Brazil (SSP/SE). Using 32 (thirty-two) keywords, 5.100 (five thousand and one hundred) complaints were found in 71 (seventy-one) Police Stations, in which 305 (three hundred and five) Police Reports were selected. The methodology was

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based on a qualitative-quantitative, descriptive, and documentary analysis. Most of the complaints analyzed present the phenomena of underreporting, revictimization and intersectionality of oppression, which require joint and transversal responses.

**Keywords:** Sexual and Gender Diversity. Homotransphobia. Public Safety Policy. Violence.

## HOMOTRANSFOBIA ANÁLISE DE DENÚNCIAS OFICIAIS NA POLÍCIA CIVIL

**Resumo:** Este artigo objetiva mapear e analisar os casos de violências contra a diversidade sexual e de gênero registrados por meio de Boletins de Ocorrências (B.Os) em delegacias da Secretaria de Segurança Pública do Estado de Sergipe (SSP/SE) no Brasil, entre 2015 e 2018, verificando como os fenômenos da subnotificação, revitimização e interseccionalidade se fazem presentes nestas denúncias. O mapeamento foi realizado no sistema *intranet* da Secretaria de Segurança Pública do Estado de Sergipe – Brasil (SSP/SE). Utilizando 32 palavras-chave, foram encontradas 5.100 denúncias em 71 delegacias, nas quais selecionamos 305 B.Os. A metodologia pautou-se em uma análise quali-quantitativa, descritiva e documental. A maioria das denúncias analisadas apresentam os fenômenos da subnotificação, revitimização e interseccionalidades de opressões que necessitam de respostas conjuntas e transversais.

**Palavras-chaves:** Diversidade Sexual e de Gênero. Homotransfobia. Política de Segurança Pública. Violência.

### Introduction

The socio-historical violence perpetrated against sexual and gender diversity, conceptualized in this article as homophobic, transphobic and/or homotransphobic violence, has been presented as a

significant social problem, which increasingly needs investigations and in-depth analysis on the subject, which is one of the main challenges in the Brazilian reality for its coping process, in particular, in the Northeast region of the country, where there is a significant lack of studies on the subject<sup>3</sup>.

The problem in question is reaffirmed when it is realized that this was the first Brazilian study to map official cases of homophobic, transphobic and homotransphobic violence through official documents of complaints in Police Reports in the Criminal Investigation Police. This fact alerts us to the need for further investigations and interventions in this area while raising questions such as: how is homotransphobic violence present in Sergipe society? What are the characteristics and relationships between its victims (newsworthy and non-reporters) and reported subjects? Is there intersectionality, underreporting<sup>4</sup> and revictimization<sup>5</sup> in these cases? How has this

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<sup>3</sup> The State of Sergipe was chosen as the empirical field for this investigation due to several variables that contributed to the accomplishment of this study; a) the need for studies on the problem in question in this reality; b) access to the official data of the SSP/SE, arising from the long research course carried out by the author in this territory; c) the existence of responses aimed at confronting violence against the LGBTI population, such as the Police Station for Homophobic Crimes, Racism and Intolerance – DEACHRADI and the Center for Prevention and Combat of Homophobia linked to SSP/SE, providing official data on cases of homotransphobia; d) its geographic size (smallest state in Brazil), which enabled the mapping of all fronts of complaints of the SSP/SE during the period of this investigation (2017-2021).

<sup>4</sup> Act/action of not notifying/reporting the situations of prejudice, discrimination and violence suffered to the authorities and/or institutions of support and social protection, making it impossible for the statistical appearance of these data for society (MENEZES, 2018).

<sup>5</sup> Revictimization is the act of becoming a repeat victim of a situation of violence, that is, it is when a person, after suffering a situation of prejudice, discrimination

type of violence been presented in the official records of the Civil Police of the State of Sergipe<sup>6</sup>?

The objective of this article is to map, analyze and problematize the phenomenon of homophobic, transphobic and homotransphobic violence, through 305 (three hundred and five) Polices Reports, registered in the organs of the Secretariat of Public Security of the State of Sergipe (SSP / SE), between the years 2015 and 2018, verifying how the phenomena of underreporting, revictimization and intersectionality are present in these complaints.

This study adopts the term homotransphobia for any action of prejudice, discrimination and/or violence directed to the sexual orientation and gender identity of all social subjects, having as minimum criteria for the execution the threat or rupture of cis heteronormativity as a model of sexuality and gender identity to be followed, homophobia focused on sexual orientation and transphobia to gender identity, sexual characteristics and gender expressions.

Homotransphobia is recognized here as the result of the process of externalization of cis heteronormativity. The concept of cis heteronormativity mentions the concepts of cisgender – referring to the gender identity that biologically corresponds to every social con-

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and/or violence, becomes again a victim of the same situation internally or externally. Internal when it “naturalizes” the situation not seeking help to solve the problem and external when the violation of their rights comes from society, denying them the necessary welcome and support (MENEZES, 2018).

<sup>6</sup> The state of Sergipe is the smallest among the 27 units of the Brazilian federation, with 75 municipalities, being in the Northeast region of the country. According to the last census of the Brazilian Institute of Geography and Statistics – IBGE conducted in 2021, the state has a population estimate of 2,338,474 inhabitants, with 21,938.188 km<sup>2</sup> (IBGE, 2021). For more information: <https://ibge.gov.br/cidades-e-estados/se.html>.

struction of male and female – and that of heteronormativity – which consists of heterosexuality as a norm or standard of correct sexuality that must be followed. Cis heteronormativity precisely meets the specificities of the two fields of sexual and gender diversity gender identity with the term “cis” and sexual orientation with the term “heteronormativity.” Thus, this concept concerns the imposition of cisheteronormativity and heterosexuality as “correct” and “adequate” social norms to be followed and lived. Thus, everything that threatens or escapes these denominations is seen as identities and behaviors that must be “corrected” or “fixed”, often using violence for these purposes (HEREK, 1992; MENEZES, 2018).

It is important to emphasize that the terminologies aim to facilitate the reader’s understanding of the subject and bring to light the social character that homophobia and transphobia have, reaching all social agents, that is, these types of prejudices, discriminations and violence are not summarized to the Lesbian, Gay, Bisexual, Transvestite, Transsexual, Intersex (LGBTI) population, but to all subjects who threaten cis heteronormativity, regardless of their sexual orientation, gender identity, sexual characteristics and/or gender expressions, being violence against sexual and gender diversity (MENEZES, 2019).

The term sexual and gender diversity, according to Pedra (2019), is configured as an amplified term that refers to the different identities, sexual characteristics, gender expressions and diversity for sexual orientations. It is a way of affirming that there is not only one way to live sexuality, to identify and express oneself socially, emphasizing the need for a debate that contemplates the plurality and specificities of social agents escaping from the socio-historical-

ly constructed patterns. The choice demarcates, above all, the perspective adopted here (and confirmed by the data resulting from the research) that violence is not directed exclusively to specific groups, but mainly to any performance, behavior or signs that challenge patterns established by cis heteronormativity.

Recognizing the diversity of oppressions identified in the complaints reported to the SSP/SE, in addition to homotransphobia, analyzed in this study, it is necessary to highlight the concept of intersectionality:

It is a conceptualization of the problem that seeks to capture the structural and dynamic consequences of the interaction between two or more axes of subordination. It deals specifically with the way in which racism, patriarchy, class oppression, and other discriminatory systems create basic inequalities that structure the relative positions of women, races, ethnicities, classes, and others. In addition, intersectionality deals with how specific actions and policies generate oppressions that flow along such axes, constituting dynamic or active aspects of disempowerment (CRENSHAW, 2002, p. 177).

In this sense, it is necessary to be aware of the intersections between different social markers of difference (gender, sexuality, race, class, religion, generation, place of residence, nationality, among others) in the analysis of different forms of violence. The intersections do not deal with an overlap or a sum of oppressions, because racism manifests itself differently between men and women, as well as between heterosexuals and homosexuals. Similarly, transphobia acts differently in people from different social classes. Understanding this specificity of the concept of intersectionality is one of the reasons why this constitutes a challenge, considering that, for Crenshaw (2002, p. 9-10): “[...] frankly, it addresses differences

within difference.” Understanding this, it is understood that “[...] in fact, we do not always deal with distinct groups of people, but with overlapping groups” (CRENSHAW, 2002, p. 9-10), that is, for the author, an intersectional perspective must pay attention to the fact that the social markers of difference are singular, despite constantly crossing each other.

These pathways, sometimes and inadvertently, are defined as distinct and mutually exclusive axes of power. Homophobia, for example, is distinct from racial prejudice, which in turn differs from sexism and class oppression, but such oppressions can intersect in the same individual, making him more vulnerable in different situations and contexts.

Regarding the official data (from Brazilian government documents) on records of complaints with homophobic, transphobic and/or homotransphobic motivations in Brazil, there is only the disclosure of those registered by the Human Rights Dial (Dial 100)<sup>7</sup>, of the Secretariat of Human Rights of the Presidency of the Republic (SDH/PR). Between January 2011 and June 2019, 14,675 (fourteen thousand six hundred and seventy-five) cases of violence against sexual and gender diversity were reported throughout the country. Among these cases, 7,264 (seven thousand two hundred and sixty-four) were reported between the time frame of this study (2015

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<sup>7</sup> The Human Rights Dial (Dial 100) is a communication channel between civil society and the Government, which allows to know and evaluate the dimension of violence against Human Rights and the protection system, as well as to guide the elaboration of public policies. The service receives complaints involving violations of the rights of the entire population, especially from vulnerable social groups, such as children and adolescents, homeless people, the elderly, people with disabilities and the LGBTI population.

and 2018), of which 39 (thirty-nine) were in the state of Sergipe (<sup>8</sup>BRASIL, 2019).

With the scarcity of data mappings regarding cases of homophobia, transphobia and homotransphobia in Brazil, the Non-Governmental Organizations (NGOs), initially, the Gay Group of Bahia (GGB), began the dissemination of annual reports with news taken from the media and social networks, about the murders and suicides of LGBTI people in the country. After this initiative, other institutions, such as the National Association of Transvestites and Transsexuals (ANTRA) and the National Network of Trans People (REDE TRANS BRASIL), have released dossiers using the same methodology, but with a focus on the murders and suicides of the Brazilian trans population.

Also, on the data of homotransphobic violence in Brazil, the reports of Transgender Europe (TGEU), in cooperation with the institutions of defense of the rights of the LGBTI population and NGO, through the Trans Murder Monitoring (TMM) research proj-

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<sup>8</sup> Regarding these data released by the Brazilian government, the importance of Dial 100 as an instrument for data notification is recognized, mainly due to the anonymity it provides to victims of violence, which is a fundamental factor when it comes to homophobic and transphobic violence, in which the possible “exposure of sexuality and/or gender identity” of these victims causes a high rate of underreporting, as well as for the publicization of these data nationally, since it is the only source of official data that exists in Brazil. However, it is necessary to highlight its great limitation, since the quantity of data disclosed does not reflect the reality of homophobic and transphobic violence experienced by sexual and gender diversity in Brazil, as attested by the number of cases mapped in the state of Sergipe through this study – 305 (three hundred and five) – compared to the number of cases disclosed by the federal government – 39 (thirty-nine), during the same period and in the same region investigated.



ect with the Observatory of Murdered Trans People,<sup>9</sup> have systematically monitored, collected, and analyzed reports of murders of trans and gender-diverse people around the world, in a total of 71 (seventy-one) countries. The survey has been conducted since 2008, using the same sources as other studies published in the area (media news and information from institutions that defend the rights of the LGBTI population). Since the first report, which deals with cases of murders that occurred between January 2008 and September 2017, Brazil has always appeared in first place in the world ranking, with frightening numerical differentials compared to other countries, and it is important to consider, according to the TGEU, that the murders of trans and gender-diverse people are not systematically recorded, that is, the actual number is certainly much higher than those currently mapped (TGEU, 2019).

With regard to research that aims to map and analyze the cases of homophobic, transphobic and homotransphobic violence in the state of Sergipe, there is only the doctoral thesis of Oliveira (2013) that, after analyzing the phenomenon of LGBT murders in Sergipe, between 1980 and 2010, with data collected through the media (newspapers), processes in the Judicial Courts and with family and friends of the victims, identified the State of Sergipe as the most dangerous for the survival of LGBT people, when comparing the number of LGBT murders with the population index of the state of Sergipe and the state of São Paulo (the former for being the smallest state in the Brazilian federation, and the latter for having the highest population index in the country).

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<sup>9</sup> See more about the TMM project in <http://transrespect.org/en/research/trans-murder-monitoring/>.

Still, about the absence of statistical data on cases of homophobia, transphobia and homotransphobia in Brazil, the Argentine researcher Daniel Borrillo (2014) states that the Brazilian government remains silent. For the author, the fact that there are no official statistical data already exposes the trivialization of the theme, that is the way in which the State omits itself, not acting on the issue of homophobic/transphobic violence, already evidencing a type of discrimination. In this way, the author defends the importance of training police officers and a qualified police system to deal with the occurrences of violence against the LGBTI community, and it is also necessary to build a relevant statistical policy (BORRILLO, 2014).

According to Leal and Carvalho (2008), the absence of statistical data should be seen from a set of public policies regarding this population, which does not have its basic rights and guarantees assured. Given this reality, the authors state that it is urgent to quantify consolidated sociodemographic data on the Brazilian LGBTI population, which is the first step to having visibility of the population contingent. The lack and/or absence of these statistical data related to violence against sexual and gender diversity in Sergipe was one of the main factors, which influenced the emergence of this study, emphasizing its originality in the Brazilian context.

It should be noted that the number of cases analyzed here does not represent the exact number of cases of homophobic, transphobic or homotransphobic violence reported in Sergipe between 2015 and 2018, much less the exact number of this violence perpetrated, daily, against sexual and gender diversity in that state. This context is justified by the various variables that make it impossible and limit the precise mapping of these cases, in addition to the fac-

tors that escape the general objective of this study, such as: existence of other sources of notifications not analyzed, such as the records of Dial 100; absence of specific fields in the Police Reports referring to the motivations – homophobia and transphobia – that directly limit the Sergipe Civil Police system from filtering and mapping these data; limitations of SSP/SE employees in relation to the basic concepts related to sexual and gender diversity, “making invisible” this information in official police documents; lack of clarity and accuracy of the motivation of cases such as homophobia, transphobia or homotransphobia in several police reports analyzed, typified as other categories (see details of these classifications in the methodological procedures of this article); constant process of underreporting, revictimization and impunity that tend to reduce the search for mechanisms such as the SSP/SE to report such crimes; limitations regarding the process of searching and filtering data in the *Intranet system* (online reporting system) of the Civil Police of the state of Sergipe.

In relation to the legislative character and protection of the rights of sexual and gender diversity, especially of the LGBTI population, this study analyzes cases of violence that cannot be titled as crimes of homophobia and transphobia in the cut This analysis is due to two reasons, namely: (a) between the time frame of the aforementioned study (2015 and 2018), homophobic, transphobic and homotransphobic violence had not yet been criminalized in Brazil (the criminalization of homophobia occurred in June 2019, by decision of the Federal Supreme Court – STF)<sup>10</sup>. Thus, there was no national

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<sup>10</sup> On June 13, 2019, the Federal Supreme Court (STF) ruled on the Direct Action of Unconstitutionality by Omission (ADO) 26, of the Popular Socialist Party and the Injunction Mandate (MI) 4733, of the Brazilian Association of Gays, Lesbians

legislative support that framed this type of violence as a crime, being usually typified with different criminal motivations: injury, threat, among others, according to the Brazilian Penal Code and other federal legislation; (b) the documents analyzed in this study are police reports, that is, the first official document indispensable for the opening of an investigative process on the notified case.

Thus, the Police Report is not an instrument that provides data and results from investigative processes such as Police Inquiries (IP), containing only the complaints of the facts to be ascertained and not the results of the investigative process or any “conclusive” technical opinions on the situation reported.

It is also important to highlight that the term violence against sexual and gender diversity is used to contemplate all subjects who experience such violence, regardless of their sexual orientation, gender identity, sexual characteristics and/or gender expressions, considering homotransphobic violence as a social factor that affects everyone who breaks or threatens cis heteronormativity.

Nor is this theoretical position intended to “invisibilize” or disregard the LGBTI population as subjects most vulnerable to such violence precisely because they are “out of the closet” and break with the norms of cis heteronormativity. The perspective that is intended to be sustained consists of addressing homophobic, transpho-

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and Transgenders. The actions aim to recognize the negligence of the National Congress in legislating on the process of criminalization of homophobia and transphobia. The decision of the Supreme Court equates the crime of homophobia and transphobia to Law No. 7,716, of January 5, 1989, (which defines crimes resulting from racial or color prejudice), also recognizing that the LGBTI population is the only “social minority” in Brazil, which did not have its own legislation in defense of their rights related to the numerous situations of violence experienced daily.

bic and homotransphobic violence against sexual and gender diversity, in an expanded way, including considering its characteristics, motivations, legislative framework, among others.

Thus, the focus of this study is to make visible this violence knowing their specificities and particularities, investigating the main subjects involved, the existing intersections, the rates of recidivism and occurrences, the relationships between reporting subjects, victims and reported, analyzing how the Public Security Policy of Sergipe deals with these cases.

Homophobia and transphobia are seen as social phenomena that can be understood and analyzed from the concept of *habitus*, by Pierre Bourdieu (1996), because they are presented as a set of dispositions acquired by experience, socially structured and structuring, which construct practices and representations, “a kind of practical sense of what should be done in a given situation” (BOURDIEU, 1996, p. 42), or even “a socialized body, which incorporated the immanent structures of a world or a field and which structures both the perception of that world and the action in that world” (BOURDIEU, 1996, p. 144).

Thus, the *habitus* is the internalization of cultural traits, a process of inculcation of values and behaviors that the subject incorporates throughout life without being aware, making itself present in all the agents that integrate a certain field, such as the one analyzed: violence against sexual and gender diversity in the state of Sergipe/Brazil, as expressed in official SSP/SE data between the years 2015 and 2018.

Thus, it is not intended, through this analytical choice, to deny the importance of holding accountable the subjects who are the

authors<sup>11</sup> of situations of homotransphobic violence, nor to exempt the Civil Police of the State of Sergipe from its role of preventing and combating such violence in society, much less to deny the need to carry out an intersectoral and multidisciplinary work to confront these cases. It is intended, with this theoretical-methodological choice, to study these phenomena, seeking to analyze the structured and structuring roots of this violence in society with the objective of “denaturalizing” it, a situation necessary to break with the cycle of violence against sexual and gender diversity, regardless of the position of the various agents of this process.

## **Methodological procedures**

Considering the absence of specific fields of the official documents of the Civil Police of the state of Sergipe that identify the motivation and/or nature of the facts as homophobia and/or transphobia and of data that specify characteristics of the victims that contribute to the identification of these cases, such as sexual orientation, gender identity or social name, the initial procedure it sought to map all the complaints that contained, in the report of the facts of the Police Reports, keywords.

Aware of the low qualification of the Civil Police agents, we opted for keywords that referred to pejorative terms such as *romp*, *queer*<sup>12</sup>, and/or specificities about sexual and gender diversity, such

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<sup>11</sup> The term “subjects who are the authors of situations of violence” is adopted, replacing the terms “aggressors and/or tormentors”, because we understand that the latter tend to legitimize a specific and non-transferable place for these subjects in society. It is understood that prejudice is something apprehended, aiming not to specify a place for those who performed acts of violence, believing that they can change their postures and/or behaviors, in addition to realizing that they can often be their own victims.

<sup>12</sup> Pejorative terms to discriminate against people read as homosexuals, transves-

as sexual orientation, sexual “option”, homosexual, among others. It is important to emphasize that the introduction of some keywords filtered documents that identified or referred to other related words, later used as an instrument for new searches.

After this data mapping process, 5,100 (five thousand and one hundred) Police Reports were selected, referring to the years 2015 and 2018. The analysis of these documents allowed the identification of 305 (three hundred and five) cases of violence against sexual and gender diversity with homophobic, transphobic and homotransphobic motivations.

It is important to emphasize that the histories of the Police Reports, in which the reports of the facts are contained, are summarized, and present several cases with confusing sentences, in addition to numerous grammatical errors, a factor that made it very difficult to understand some occurrences and their categorization. After classifying all data, tabulations were made by year and categories of analyses were constructed.

The Statistical Package for the Social Sciences (SPSS) software was used for tabulation to perform the quantitative analyses and the content analysis method, in the thematic category modality of Bardin (2011), to perform the qualitative analyses.

## **Analysis of the data produced**

Among the 75 (seventy-five) municipalities of Sergipe, it was possible to identify 305 (three hundred and five) complaints

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tites, and lesbians, used in Brazil.

distributed among the 04 (four) years of investigation, namely: 65 (sixty-five) in 2015, 70 (seventy) in 2016, 96 (ninety-six) in 2017 and 74 (seventy-four) in 2018. Official complaints with homophobic, transphobic and homotransphobic motivations were registered in 71 (seventy-one) organs/institutions of the SSP/SE. Among these records, 279 (two hundred and seventy-nine) (91.5%) were reported in the urban area and only 26 (twenty-six) (8.5%) in the rural area.

Regarding the nature of the reported cases, according to the qualitative analysis based on the narratives of the reporting subject (victim and non-victim), most of them, with a total of 269 (two hundred and sixty-nine) cases, equivalent to 88.2% are homophobic, 11 (eleven) (3.6%) are transphobic and 25 (twenty-five) (8.2%) are homotransphobic. Even though most cases present sexual orientation as the main target of attack for violence perpetrated against all victims of the cases analyzed here, this data cannot be read in a merely quantitative way, since the actions of violence against sexual orientation and gender identity are not always separated by specific categories, these being intersected, constantly, in this process.

In the 305 (three hundred and five) cases analyzed, only 177 (one hundred and seventy-seven) Police Reports (58%) had data on the sexual orientation and/or gender identity of the victims. Of these, 87 (eighty-seven) (49.2%) declared themselves gay, 86 (eighty-six) (56.6%) claimed to have suffered violence of a homophobic nature, and 1 (one) (5.6%), was homotransphobic. Soon after, lesbians with 46 (forty-six) (26%) cases, of which 30.3% claim to have suffered homophobic violence. Next, we highlight the heterosexual people with 15 (fifteen) (8.5%) victims, of which 14 (fourteen) (9.2%) of this experienced homophobic violence and 1 (one) (5.6%) homo-



transphobic. These data, in addition to indicating the intersectional aspect that violence against sexual and gender diversity has, signal the need to recognize this type of violence as a social issue and not particular to a particular group, movement or specific agents.

The nature of the cases, according to the Civil Police record, does not consider the variables homophobia, transphobia and homo-transphobia as motivations of the cases reported in the Police Report. This is registered according to the Brazilian Penal Code and the criminal laws in force, a situation that makes the occurrences discussed here statistically invisible to society, making it difficult to quantify. Among the 305 (three hundred and five) complaints were found 26 (twenty-six) natures, among which injury appears in most of the cases analyzed, with a total of 145 (one hundred and forty-five) (47.5%), followed by threat with 81 (eighty-one) (26.6%), bodily injury with 36 (thirty-six) (11.8%), defamation in 23 (twenty-three) (7.5%) records, domestic violence with 14 (fourteen) (4.6%) and in fact atypical with 11 (eleven) (3.6%).

The other natures, which presented between 1 (one) and 9 (nine) registered cases, are slander, disturbance of tranquility, damage, disturbance of the work or quiet of others, abuse of authority, ill-treatment, practice, induce, incite discrimination, prejudice, apology to crime or criminal, obscene act, illegal embarrassment, the firing of a firearm, qualified homicide, simple or attempted homicide, indecent harassment, resistance, robbery of a passerby, ruffianism, violation of domicile and “to be ascertained”. It is important to note that a complaint may contain one or more natures identified by the Civil Police in the Police Report so that these motivations can be transversal in several records.

Data on the natures/motivations of these complaints show that the absence of homophobia and transphobia, explicitly, as alternatives to the nature of the crime also hinder the recognition of these oppressions in the process of criminal investigation, and may be another aggravating factor that helps in determining the judicial sentence for criminal investigations that reach the Judiciary, which reinforces the phenomena of underreporting, revictimization, impunity and the intersectionality present in these cases.

Regarding the number of subjects involved in the cases, there was a total of 455 (four hundred and fifty-five) people, 334 (three hundred and thirty-four) victims, being 274 (two hundred and seventy-four) (82%) news victims and 60 (sixty) (18%) non-reporting victims, 87 (eighty-seven) reported (28.5%), 30 (thirty) (9.8%) non-victim reporters and 4 (four) (1.3%) witnesses. It is important to note that there are complaints with more than one reported and there are documents that do not present the data of these agents.

In most of them (243 cases = 80%), the victims themselves are the people responsible for the complaint. Soon after, the documents that bring their relatives, mothers and fathers, aunts, brothers, wives, sister-in-law, and grandmothers, as well as newsagents, appear, totaling 53 (fifty-three) (17%). There were also two complaints made official by friends of the victims and acquaintances, one by the victim's neighbor, one case does not specify the news-victim relationship, and finally, two documents present unusual newsmen: one referring to an NGO for the rights of the Lesbian, Bisexual, Gay, Transvestite, Transsexual and Intersex (LGBTI) population and one from Dial 100, who forwarded the

complaint to the Police Station, an atypical situation, considering that in Sergipe there is the LGBTI Human Rights Reference Center, belonging to the SSP/SE, to which the complaints of Dial 100 are forwarded.

Most of the victims are young, 136 (one hundred and thirty-six) (40.7%), aged between 18 and 29 years. Soon after coming the adults, between 30 and 39 years, making a total of 90 (ninety) (26.9%) victims, followed by middle-aged people, between 40 and 49 years, with 56 (fifty-six) (16.8%). Subjects under 18 years of age were 23 (twenty-three) (6.9%) of the cases. People aged between 50 and 59 years constitute 13 (thirteen) (5.9%) cases and, finally, there are four (1.2%) victims who are 60 years old. Twelve documents do not contain data on the age of the victims.

This issue only reinforces the universal and unlimited character of homotransphobic violence in society, pervading all social agents, being the result of the manifestation of the *habitus* perpetrated as a structuring structure, which can only be reified or modified after the group's awareness of its actions. In the words of Bourdieu and Wacquant (1992, p. 24): “[...] the *habitus* takes the form of a set of historical relations ‘deposited’ within individual bodies in the form of mental and bodily schemes of perception, appreciation and action.”

Among the 334 (three hundred and thirty-four) victims, the majority with 184 (one hundred and eighty-four) (55%) records are male and the remaining 149 (one hundred and forty-nine) (45%) are female. In only one case (0.3%) this information is not included. This data is one of the few referring to the characteristics of identification of victims that has more than 99% of the information in

the complaints, that is, knowing the sex of the victims is necessary information for the SSP/SE.

The presence of the socio-historically constructed habitus in relation to the recognition of gender – male and female – through the genitalia of birth makes the human specificities about sexual orientation, gender identity, gender expressions and sexual characteristics reductionist, summarizing sexual and gender diversity to the variable sex in the Police Reports and, consequently, limiting the service of the Civil Police to the subjects who they do not contemplate biological sex as a universal gender standard.

The introduction of variables such as sexual orientation, gender identity and, subsequently, the social name is presented as an important instrument not only for the notification process of these cases, but also as a questioning device about the cis heteronormative habitus that seeks to “minimize” human plurality in genital patterns.

The relational core between victims and news is an important fact when situations of homotransphobic violence are analyzed, since this relationship is presented as one of the main factors that contribute to the underreporting and revictimization of these cases, considering the level of affective and economic dependence of the victims towards their reports. Among the 305 (three hundred and five) cases analyzed, only 21 (twenty-one) (6.9%) occurred with unknown persons and, in the remaining 284 (two hundred and eighty-four) (94.1%), those reported knew and/or maintained relations with their victims. It is important to highlight that the number of unknown reporters is reduced when considering the cases in which the reporters denounce the situations of violence without

prior knowledge of who practiced a certain act. However, the practice itself demands the knowledge of these victims, as in cases of cyberbullying<sup>13</sup> for instance.

From Police Report analyzed, in 104 (one hundred and four) (34.1%) the victim-reported relationship was of colleague/acquaintances, 62 (sixty-two) (20%) were relatives (brothers, uncles, nephews, cousins, grandfathers), 46 (forty-six) (15.1%) neighbors, 21 (twenty-one) (6.9%) unknown persons, 20 (twenty) (6.6%) parents of the victims (mother and/or father), 15 (fifteen) (4.9%) partners of the victims, 12 (twelve) (3.9%) work relationship (boss and/or colleagues), 08 (eight) (2.6%) civil servants (in attendance in various social policies), 08 (eight) (2.6%) in business situations (purchase and/or sale of goods and services), 05 (five) (1.6%) in the school context (teachers and classmates), 01 (one) (0.3%) in a religious context (evangelical pastor) and the other three cases did not identify the relationship between these subjects.

According to the data recorded by the Civil Police, the reports of violence in the SSP/SE occurred in several places: 109 (one hundred and nine) (35.7%) complaints occurred on public roads (bars, restaurants, streets, squares, among others), followed by family environments, within the homes of the victims, presenting 54 (fifty-four) (17.7%) cases (in which the victims lived with the subjects who perpetrated the situations of violence) and 52 (fifty-two) (17.0%) cases in which the aggressions took place inside the homes of the victims, however, the author subjects did not reside in these spaces.

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<sup>13</sup> Cases of violence carried out through the internet using social networks such as Facebook, Instagram, Twitter, WhatsApp, etc.

In addition to these places, virtual environments, using social networks, were presented as spaces of perpetration of these situations present in 32 (thirty-two) (10.5%) of the cases analyzed. Soon after, there are the work environments of the victims, with a total of 19 (nineteen) (6.2%) occurrences, and the training spaces (schools and universities) with 13 (thirteen) (4.3%) records. Finally, the diversified social environments (condominiums, public transport, private vehicles, public agencies, hospitals, churches, and private agencies) presented a quantity between four (1.3%) and one (0.3%) case.

Most complaints in a total of one hundred and fifty-six (50.8%), contained two types of violence. Then, eighty (26.2%) presented three types of violence described in the narratives of the facts, while forty-eight (15.7%) cases emphasized only one type of violence and twenty-one cases (7.2%) contained four types of violence.

Desif so, the type of violence that must appear in the complaints is moral, found in two hundred and seventy of the three hundred and five police reports, equivalent to 88.5% of the total number of cases. Psychological violence is in second place, with two hundred and thirty-nine (239) cases (78.4%), followed by physical violence with ninety-five (95) (31.1%) records. Soon after, there is property violence with sixty-six (21.6%) cases, sexual violence with ten (3.3%) and, finally, negligence with four (1.3%).

The diversity of violence that appears, transversally, in the complaints reported to the SSP/SE presents other types of oppression, in addition to homotransphobia. Among the three hundred and five cases analyzed, one hundred and forty-six (48%) clearly have reports of several other violence against sexual and gender diversity (in addition to homophobia and/or transphobia) identified in this

study from nine types of intersections, namely: sexism<sup>14</sup>; aporophobia<sup>15</sup>; racism; serophobia<sup>16</sup>; fatphobia<sup>17</sup>; prejudice, discrimination, violence against people with disabilities<sup>18</sup>, ageism<sup>19</sup>, xenophobia<sup>20</sup> and religious intolerance.

Sexism appeared in most reports, with seventy-six (58%) of the records. Soon after, comes aporophobia with thirty-four (26%) records, and then racism with thirteen (9.9%) notes. Religious intolerance appears in eight cases (6.1%), followed by sorophobia in seven (5.3%) and fatphobia in three (2.3%). The other oppressions, such as prejudice against people with disabilities and ageism, appear in two cases each, equivalent to 1.5% of their total. In the end, xenophobia was identified in only one case (0.8%).

It is important to inform among these thirty-four cases, fourteen presented more than one intersection, with situations in which

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<sup>14</sup> Oppression of the masculine in relation to the feminine (SIDANIUS; PRATTO, 1999).

<sup>15</sup> It corresponds to the fear or aversion to poor people and, consequently, their refusal.

<sup>16</sup> Prejudice and discrimination manifested through fear, rejection and discrimination against people living with HIV.

<sup>17</sup> It consists of the aesthetic aversion and moral censorship of the physical and behavioral aspects associated with fat people.

<sup>18</sup> People with disabilities are those who have long-term impairment of a physical, mental, intellectual, or sensory nature, which, in interaction with one or more barriers, can obstruct their full and effective participation in society on equal terms with other people (BRASIL, 2015).

<sup>19</sup> It consists of the discrimination undertaken according to age, which is the decisive factor for its effectiveness, especially with the elderly.

<sup>20</sup> It can be understood as the behavior of aversion to foreign persons, culminating in the denial or unreasonable restriction of the exercise of human (and fundamental) rights, followed by discrimination to the detriment of their nationality and/or naturalness.

up to three types of oppression were identified, in addition to homophobic, transphobic and homotransphobic violence.

Add, to emphasize, specifically, that the data on intersectionality cannot be analyzed in a reductionist and limited way, since social oppressions can appear throughout the investigative process of these cases, many of which are recorded in the Police Report by several possible variables.

The issue is aggravated when it is possible to identify, in addition to the various forms of violence present in the cases analyzed, that there is a high rate of recidivism combined with a low rate of occurrences (notifications) made by the reporting subjects (victims and non-victims). Regarding the first variable, between three hundred and five cases, two hundred and eighty-six (80.7%) present situations of recurrence; in only fifty-nine (19.3%) official complaints, to the Secretariat of Public Security of Sergipe, the situation of violence happened for the first time.

Regarding the second variable, two hundred and ninety (95.1%) cases were being made official, for the first time, fourteen (4.6%) already had more than one record and only one (0.3%) accounted for four occurrences. These data are strictly linked to the triad, which implies recidivism, underreporting and revictimization, highlighted in this study. Thus, it is possible to affirm that most cases of homotransphobic violence are recidivist and the level of officialization of their occurrences is small compared to the number of times in which there were situations of violence, when confronted with the number of occurrences registered in the organs/institutions of defense of human rights, in the public security policy. These data demonstrate that the actual amount of homopho-



bic, transphobic and homotransphobic violence tends to be much higher than the official data and the complaints reported in the various registry instruments.

Another relevant fact that reaffirms the presence of the phenomena of underreporting, revictimization and intersectionality of these cases is the fact of the subsequent withdrawal of some victims and reporters in relation to the complaint registered with the Secretariat of Public Security of Sergipe. Of the three hundred and five cases analyzed, twenty (6.6%) mentioned the cancellation of the Police Report by the reporting agents, victims and non-victims. It is important to emphasize that the dropout rate of these cases can be changed throughout the criminal investigative process, of which the occurrence record (contained in the Police Reports) constitutes only the initial action. This means that the data on cancellation of complaints may be higher than those collected here, since they were carried out in a short period, shortly after their notification and considering the variables recidivism and number of occurrences, previously analyzed.

Among the twenty cases in which the victims or reporting agents gave up their complaints, some present the reasons for this fact, grouped into seven categories, after analysis: 1) absence of interest in continuing with the process, without further clarification (from the victims or newsmen); 2) withdrawal of a witness (someone who would reaffirm the situation of violence before the authorities); 3) abandonment of the case (without the appearance of the parties); 4) realization of an agreement between the parties; 5) acceptance of a request for forgiveness, made by a third party (the employer of the reporter in an employment relationship); 6) cessation of aggres-

sion after notification (according to the reported report); 7) hope for change in the behavior of the victim reported.

Considering the variables that contribute to the underreporting of cases of homotransphobic violence in a cis heteronormative society, such as the various issues that point to the search for the officialization of a complaint motivated by homophobia and transphobia in a police agency in the context of investigation in this study, presenting itself as one of the last strategies for the resolution of a given conflict by the reporting subjects. The reasons that led to the cancellation of the complaints reiterate the presence of the revictimization of these subjects in the face of the situation of violence experienced.

In addition to the high rate of recidivism, the low number of occurrences and the cancellation of some reports of homotransphobic violence, the types of requests from victims and/or non-victim reporters made available in the Police Reports objectively reaffirm the phenomenon of revictimization of these subjects, even in the process of officializing the violence suffered. Among the three hundred and five cases analyzed, in most of the documents, that is, in two hundred and fifty-seven (84%) of these, there is no request, either from victims or non-victim reporters. Of the forty-eight (16%) cases in which there were requests, in twenty-seven (8.9%) the victims and/or reporters did not wish to represent their reported agents civilly and criminally. Only in thirteen (4.3%) cases was there a request for criminal representation and investigation of complaints. In the other four (1.3%) cases, protective measures were requested, and this same number requested a conflict mediation hearing.

The cases whose analyses are reported in the article highlight the need for further investigations on violence against sexual and

gender diversity, by identifying the lack of certain data related to the facts, agents reported, victims and newsmen (in view of the characteristics of the documentary source used in this investigation), and the challenges and demands of the Brazilian public security policy in dealing with complaints of homotransphobic violence.

## **Final considerations**

It is necessary to understand that violence against sexual and gender diversity is configured in the presence of the *Habitus* socio-historically constructed cis heteronormative, which determines socially imposed norms and standards of gender and sexuality. This reality shows that any possibility of deconstructing these norms must be considered, considering the social character of homotransphobia, which demands from all agents (regardless of their sexual orientation, gender identity, sexual characteristics and/or gender expressions) the active engagement in this process of prevention and confrontation of this type of violence.

Identifying the main markers present in the reports of homophobic, transphobic and homotransphobic violence declared in the Police Report, underreporting, revictimization and intersectionality, there is a scenario of situations, demands and challenges that go beyond the possibilities of intervention and response of the public security policy itself, which requires several other social policies (such as care, health, education, among others), which enable intersectionality capable of respecting the specificities and particularities of sexual and gender diversity, articulating actions of prevention, welcoming, monitoring and repair, not only of con-

flict situations but also, and perhaps, mainly, of everything that precedes them.

Considering the high rate of recidivism of the reported cases compared to the number of official occurrences carried out on them, there are two important situations to be identified. The first is the urgent need for interventions in the field of violence against sexual and gender diversity, considering the vulnerabilities and specificities of victims and this type of violence. And the second points out the ineffectiveness of other public policies that have failed in the process of preventing and combating homotransphobic violence, both when previously triggered by the news and by the lack or absence of transversal actions to prevent and confront prejudice and homotransphobic discrimination.

The various intersectional oppressions present in the reports of Police Report, in addition to homotransphobia, reaffirm the need for a struggle for social equity, which will only be inclusive if it is able to contemplate actions aimed at issues of gender, ethnicity, race, religion, nationality, social class, age, physical condition, among other specificities and social markers of all the agents involved in these cases.

The diversity of locations in which the various situations of violence presented in the Police Reports (public roads, family environments, domestic, condominiums, hospitals, churches, means of transport, internet, and socio-occupational spaces) highlights the unlimited scope of homotransphobia in society, as well as the need to think of new coping strategies capable of reaching this whole scenario, covering situations, institutions and people involved.

It is necessary to carry out a work of deconstruction of cis heteronormative social stereotypes and stigmas articulated to a new educa-

tional policy capable of dealing with themes such as gender and sexuality, in an inclusive and participatory way, in all spaces of sociability. It is necessary to question the norms and standards established socially, already inculcated in the social constructions of the gender binary between male and female, entwined in the biological conditions of birth and in the socialization processes of social agents. It is fundamental to deconstruct all the norms that aim to hierarchize, identify and impose the ways of being and loving, recognizing, and relating individually or socially.

This process enters the deconstruction of the *habitus* apprehended and naturalized constantly, which claims that “boys wear blue and girls wear pink”, which separates toys, responsibilities, positions and actions built for “men and women”. It is affirmed as essential a family, school and social re-education capable of touching the roots of machismo, sexism, homotransphobia and all other forms of oppression.

In relation to the notified cases, these are paramount: a thorough investigation by the organs of Public Security capable of combating the impunity of the perpetrators and the creation of a system of denunciations and notifications of situations of violence that can guarantee the secrecy and safety of news and victims, assisting in the implementation of an agenda of structural reforms, that are not only of a legal nature and that allow the recognition of the specificities and particularities of the agents who use this policy, in their multiplicities.

Regarding homotransphobic violence constantly experienced by the LGBTI population and the performance of the Brazilian State, in the process of prevention and confrontation of these types of violence, the data produced in this investigation allow us to identify a strong lack of responsibility of the Legislative and Executive Powers regarding the process of prevention, monitoring,

monitoring and combat, as well as in relation to all sexual and gender diversity.

As this is the first study conducted in Brazil to map and analyze cases of homotransphobic violence with official data from public security policy, it is intended to emphasize the immense path of investigations and the need for monitoring and follow-up of this phenomenon, constantly, throughout the country and globally. It is hoped that this work can contribute to this process of visibility, prevention, and combat of violence against sexual and gender diversity, emphasizing the urgent need for new mappings and new policies to prevent and combat homotransphobic violence in society.

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