

# COLLECTIVE LITIGATION IN CRIMINAL JUSTICE AMIDST COVID-19 PANDEMIC: EXPERIENCES OF THE BRAZILIAN PUBLIC DEFENDER'S OFFICES

## LITIGÂNCIA COLETIVA NA JUSTIÇA CRIMINAL EM MEIO À PANDEMIA DA COVID – 19: A EXPERIÊNCIA DAS DEFENSORIAS PÚBLICAS BRASILEIRAS

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defensores públicos estão instaurando ações judiciais coletivas para proteger grupos de pessoas vulneráveis, incluindo aquelas que não tiveram a oportunidade de serem formalmente representadas pelo referido órgão. Estas ações judiciais coletivas revelaram-se particularmente necessárias no pior (e longo) período da pandemia da Covid-19, dada a enorme dificuldade de contato direto com as pessoas privadas de liberdade e suas famílias. Este artigo descreve brevemente alguns casos marcantes e as ferramentas legais utilizadas para fornecer defesa coletiva no sistema de justiça criminal brasileiro.

**Palavras-chave:** Litigância coletiva criminal. Defensoria Pública. Defesa Criminal.

**Abstract:** The Brazilian Public Defender's Office has been developing new tools in the fields of strategic human rights litigation. Learning with the experience of collective litigation in civil justice, public defenders are filing collective legal actions to protect groups of vulnerable people, including those who have not had the opportunity to be formally represented by the Public Defender's Office. These collective legal actions were particularly necessary amidst the worst (and long) period of the Covid-19 pandemic, given the enormous difficulty of direct contact with people deprived of liberty and their families. This paper shortly describes some landmark cases and the legal tools used to provide collective defense in the Brazilian criminal justice system.

**Keywords:** Collective criminal litigation. Public Defender's Office. Criminal Defense.

**Resumo:** A Defensoria Pública brasileira vem desenvolvendo novas ferramentas nas áreas de litígio estratégico em direitos humanos. Aprendendo com a experiência de litigância coletiva na justiça civil, os

## 1. Introduction

Brazil has a population of 210 million people and ranks sixth among the most populous in the world. However, the country has the third largest prison population in the world (over 700,000 incarcerated people). The Federal Constitution enshrines that the State shall provide full and free-of-charge legal assistance to all in need and establishes a public institution to offer this service, the Public Defender's Offices.

In this context, the collective legal actions - in their multiple dimensions - have emerged as another set of tools, to help promoting a more effective criminal defense for the benefit of a large number of people.

The expression “collective criminal defense” refers to a variety of lawsuits that deal with criminal law, public security enforcement, and public policies in these fields, and that must be managed in association with several other measures, such as surveys for data collection, multi-disciplinary approach, partnerships with other social actors, such as civil society organizations etc. This practice is guided by the concept of strategic impact litigation, understood as a “legal action in a court that is consciously aimed at achieving rights-related changes in law, policy, practice, and/or public awareness above and beyond relief for the named plaintiff(s)”<sup>1</sup>.

The main types of collective defense lawsuits employed by the Public Defender's Office in Brazil are:

- 1) Collective Habeas Corpus;
- 2) Class Actions;
- 3) *Amicus curiae* (third parties) in lawsuits of unconstitutionality before the Supreme Court;
- 4) Representation in individual appeals before the Supreme Courts (*erga omnes* effect);
- 5) Petitions to the International Human Rights System.

These legal tools may be used cumulatively in the same case, but in different moments, as part of a broader impact litigation strategy. An example will be mentioned below on how a successful individual case can result in a binding court precedent. But to ensure

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<sup>1</sup> OPEN SOCIETY FOUNDATION. **Strategic Litigation Impacts Insights from Global Experience**. New York: Open Society Foundation. 2018. p. 25. Available at: <https://www.justiceinitiative.org/uploads/fd7809e2-bd2b-4f5b-964f-522c7c70e747/strategic-litigation-impacts-insights-20181023.pdf>.

that this precedent will be applied to everyone entitled to, it may be useful or necessary to file collective actions on a complementary basis.

Many collective lawsuits may also be followed by individual legal actions, especially when it is necessary to demonstrate any particular circumstance of each case or person entitled to. Therefore, we believe that collective and individual legal actions are complementary, for several reasons.

The real cases presented below, in addition to exemplifying the experience of the Brazilian Public Defender's Office with the use of these legal instruments, also reveal the importance of managing various types of lawsuits, combined with multidisciplinary initiatives and the ability to produce or gather reliable data on the case.

## **2. The use of collective Habeas Corpus as a tool of strategic litigation in criminal justice**

Habeas corpus is the main instrument, in the Brazilian legal system, for the protection of the fundamental right of personal liberty. It ensures that no one can be imprisoned or prosecuted unlawfully. It also allows the Court to stop any form of illegal constraint arising from any public authority "whenever someone suffers or feels threatened with violence or coercion in their freedom of movement, due to illegality or abuse of power" (Federal Constitution, art. 5, LXVIII).

Brazilian Law, however, does not expressly provide for collective habeas corpus and, so far, it is grounded on a recent jurisprudence. The collective habeas corpus decision may benefit an undetermined number of people who fulfill or experience certain conditions. Brazilian Public Defenders' Offices have relied, quite often, especially during the COVID-19 pandemic, on this important collective tool for the protection of fundamental rights.

### **Pre-trial detainees – bail waiver**

In 2020, in a collective habeas corpus filed by the Public Defender of the State of Espírito Santo, the Superior Court of Justice<sup>2</sup> issued an injunction determining the release of all pre-trial detainees, whose freedom depended only on the payment of bail.<sup>3</sup> At first, the

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<sup>2</sup> In Portuguese Language the name is "Superior Tribunal de Justiça". This is the Federal High Court immediately below the Federal Supreme Court, which is the Brazilian Constitutional Court.

<sup>3</sup> Superior Tribunal de Justiça, Brazil. Habeas Corpus 568693 - ES. Available at: [https://processo.stj.jus.br/processo/revista/documento/mediado/?componente=MON&sequencial=108097115&tipo\\_documento=documento&numero\\_registro=202000745230&data=20200331&tipo=0&formato=PDF](https://processo.stj.jus.br/processo/revista/documento/mediado/?componente=MON&sequencial=108097115&tipo_documento=documento&numero_registro=202000745230&data=20200331&tipo=0&formato=PDF)

decision was binding only on the state of Espírito Santo. But due to an appeal presented by the Public Defender's Office, the injunction was extended to all detainees in the entire country. One of the main grounds for the decision was the Covid-19 pandemic and prison overcrowding.

The decision also registered the necessary action of the Judiciary in light of social change, considering the great economic impact that the pandemic has had on increasing the unemployment rates, and decreasing or even extinguishing the income of many Brazilian citizens, which makes bails for people in need even more unreasonable.

Despite the order, in many cases, the release of detainees was not automatic. In most cases it was necessary to file an individual habeas corpus to ensure compliance with the decision of the Superior Court of Justice. However, the fact that there was already a decision issued by a Court with national jurisdiction almost always made the release of the beneficiaries successful in these individual cases.

This Precedent immediately became a landmark, mainly for procedural aspects, regarding the extension of an individual habeas corpus to all the Brazilian detainees in those same conditions but were not part in judicial process.

On this regard, the decision that extended the order to all detainees in the whole country pointed out that ruling in an individual process an issue that could be diluted in hundreds of habeas corpus would save time, effort, and resources. It also facilitates access to justice for vulnerable groups which, on the other hand, face a situation of inequality between those who are legally represented and those who are not.

### **Provisional liberty – semi-open regime**

At the beginning of the pandemic, the Court of Appeal of the State of Rio de Janeiro ruled that prisoners in a semi-open regime should remain free, in order to avoid bringing the virus to the (overcrowded) prison facilities. However, in October 2020, the Court ordered the return of all these people to prison. The Public Defender's Office in Rio de Janeiro filed a collective habeas corpus and obtained an injunction to extend the provisional liberty for 90 days, until the State Prison Authority put in practice an adequate plan for the safe return of these 3,000 people. It is unlikely that such a case would be successful if a solution had to be sought following the traditional logic of filing individual legal measures on a case-by-case basis. Moreover, this is the kind of case whose decision must be valid for the whole group, demanding a collective approach.

Also in 2020, a survey conducted by the research department of the Public Defender's Office of the State of São Paulo indicated that more than 1,000 people sentenced

for “simple” drug trafficking (without a record, violence nor participation in a criminal organization) were improperly imprisoned, as the law guaranteed their right to start serving their sentences in a semi-open regime. Using a collective habeas corpus, they obtained a decision of the Superior Court of Justice ordering that all these sentences should be corrected<sup>4</sup>. It would be possible to achieve this same result through individual appeals in each of the legal proceedings. But the option of collective habeas corpus proved to be much more effective, faster, and less expensive.

### 3. The innovative use of Class Action as a tool of strategic litigation in criminal justice

#### Police Lethality - Harm reduction policies

The state of Rio de Janeiro has a history of high rates of police lethality. According to official data produced by the Institute of Public Security of the State of Rio de Janeiro - ISP, since 2013, deaths caused by security agents in the state have shown a growing trend. However, the pace of the growth accelerated mainly from 2016.

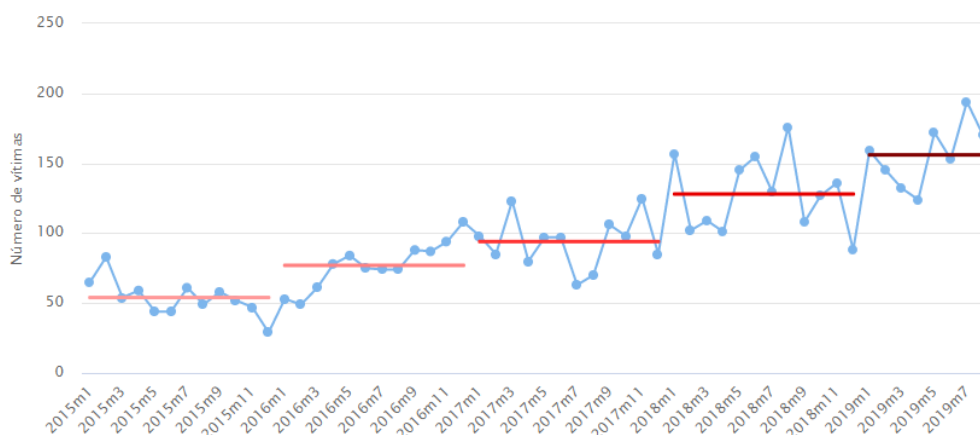


Figure 1. Historical series - Police lethality in the state of Rio de Janeiro (ISP / MPRJ).

One of the reasons for this increase in police lethality - which mainly victimizes black and poor people – is the police raids in favelas (slums) to combat drug trafficking organizations. Throughout these years, there have been several cases of dead residents, including children, in addition to several reports of extra-legal arbitrary and summary executions, accusations that most of the time remain uninvestigated.

In 2018, the Public Defender's Office of the State of Rio de Janeiro filed a class action lawsuit against the state of Rio de Janeiro to impose the obligation of presenting a harm

<sup>4</sup> Superior Tribunal de Justiça, Brazil Habeas Corpus N° 596.603 – SP. Available at: <https://www.stj.jus.br/sites/portalp/SiteAssets/documentos/noticias/08092020%20HABEAS%20CORPUS%20N%C2%BA%20596603.pdf>

reduction plan in tackling human rights violations by the police in the Maré Favela Complex, which should necessarily contemplate: (a) the protection of children and adolescents, including maintaining the necessary conditions for school activities; (b) the protection of women against the gender-based violence perpetrated by state agents; (c) awareness-raising measures, so that the Civil and Military Police can confront institutional racism and comply with the protection of all residents' human rights; (d) ensuring the mandatory presence of ambulances in all operations; (e) installing video and audio cameras and deploying satellite location systems (GPS) in police vehicles. This lawsuit was grounded on official data and many testimonies given by residents.

The State Court granted an injunction determining to the State to draw up a harm reduction plan for police operations carried out in a favela, as well as to take immediate measures to prevent violations of residents' rights and regarding the accountability of the police. Despite of the partial adoption of some measures, the police have not effectively complied with this order, so far.

The strong mobilization of the residents' associations, together with many other civil society organizations, opened a public debate about the mechanisms to control police raids, in order to reduce police lethality and guarantee the fundamental rights of the residents. This topic has gained even more relevance during the Covid-19 pandemic, when all residents should be confined to small houses in densely populated areas.

The State institutions are facing a deadlock in finding a solution, so the matter reached the Federal Supreme Court, in another type of collective lawsuit, as will be seen in the next section.

#### **4. Acting as *Amicus curiae* (third parties) in unconstitutionality lawsuits before the Brazilian Supreme Court**

Despite the quarantine order due to the Covid-19 outbreak, the police department continued carrying out major operations for arresting drug dealers in the favelas of Rio de Janeiro, with massive use of force, armored cars, and even armored helicopters used as shooting platforms. During the clashes, there were many casualties among the residents, who were at home fulfilling the quarantine.

As the Government of the State of Rio de Janeiro was not being able to implement effective measures to protect the population in the favelas and considering that the police was not complying with the aforementioned injunction ruled by the State Court, a political

party filed a lawsuit called “Argument of Non-compliance with the Fundamental Precept” (ADPF n.º. 635<sup>5</sup>) before the Supreme Court<sup>6</sup> against normative acts<sup>7</sup> and non-normative ones issued by the Governor of the State of Rio de Janeiro, related to the increase in police lethality, especially in poor and African-descent majoritarian communities<sup>8</sup>.

The main goal of the plaintiff is to impose on the Government of the State of Rio de Janeiro measures similar to those sought in the class action above mentioned. The Public Defender’s Office of the State of Rio de Janeiro and some NGOs requested and was admitted as *amicus curiae* in this lawsuit before the Brazilian Supreme Court.

In June 2020, the Supreme Court Justice who was appointed as the case rapporteur granted part of the interlocutory relief requests of the plaintiff and issued an injunction determining the Government of the State of Rio de Janeiro (that is, the State Police) to restrict police raids in favelas during the Covid-19 pandemic, except for cases defined as “exceptional”, as well as to adopt all necessary precautions to protect the population from even more risks<sup>9</sup>. While recognizing the great importance of the decision, the plaintiff appealed, claiming for the integral grant of all the interlocutory relief requested.

Since the Court ruling (through this provisional injunction), the number of deaths in shootouts in favelas has fallen. In the first month alone, deaths plummeted 72.50% and there was a 50% decrease in the number of injured, when compared to the average recorded since 2007, according to research data carried out by the “Grupo de Estudos dos Novos Ilegalismos” from Universidade Federal Fluminense. It means that more than 100 lives were spared<sup>10</sup>. The drop was not followed by a rise in crime. In fact, property crimes were down by 40% and homicides by 48%. Researchers argue this shows that police operations are not reducing crime rates, but rather representing a high risk for the population<sup>11,12</sup>.

<sup>5</sup> See: <https://portal.stf.jus.br/processos/detalhe.asp?incidente=5816502>

<sup>6</sup> A small number of authorities and entities are entitled to file “unconstitutionality lawsuits” before the Brazilian Supreme Court.

<sup>7</sup> State Decrees 27,795/2001 and 46,775/2019.

<sup>8</sup> SUPREMO TRIBUNAL FEDERA, Brazil. **Case Law Compilation Covid-19/ Brazilian Federal Supreme Court**. Brasília: STF, Secretaria de Altos Estudos Pesquisas e Gestão da Informação. 2020. p. 64/65. In [http://www.stf.jus.br/arquivo/cms/publicacaoPublicacaoTematica/anexo/case\\_law\\_compilation\\_covid19.pdf](http://www.stf.jus.br/arquivo/cms/publicacaoPublicacaoTematica/anexo/case_law_compilation_covid19.pdf)

<sup>9</sup> In August 2020, the plenary of the Supreme Court upheld the injunction of the Justice rapporteur.

<sup>10</sup> According to the Public Defender Daniel Lozoya, in the Public Hearing held by the Supreme Court on May 2020.

<sup>11</sup> See: <https://www.bbc.com/news/world-latin-america-57013206>

<sup>12</sup> See: <https://agenciabrasil.ebc.com.br/geral/noticia/2020-08/suspensao-de-operacoes-policiais-no-rio-reduz-mortes-em-mais-de-70>



Indeed, according to Professor Daniel Hirata, from Universidade Federal Fluminense, “police violence is one of the most serious and persistent public problems in Rio de Janeiro. And actions in the area of public security based on police operations are part of this problem”<sup>13</sup>.

The ceasefire did not last long. Since November 2020, the situation changed. The number of police operations increased and, therefore, the number of people killed by police officers soared again.

So far, the worst episode happened on May 6<sup>th</sup>, 2021, when the Civil Police carried out the most lethal operation in the history of Rio, with 28 deaths, including one police officer. The official goal of the operation was to execute 21 arrest warrants. It was the deadliest police operation ever conducted by the state police and is considered a landmark, not only because of the extreme brutality, but also because of the strong suspicion that it defied a decision of the Supreme Court<sup>14</sup>.

Accountability of the police forces<sup>15</sup>, structural racism, due process of law and compliance with judicial decisions, are some of the main issues currently being debated in Brazil. After the episode of May 6<sup>th</sup>, the Supreme Court scheduled a virtual trial to take place between May 21-28, 2021 in which the judges would decide on the plaintiff’s appeal.

On the first day of the trial, the Supreme Court Justice who is the case’s rapporteur released his opinion, granting all the requests of the plaintiffs, and ordering the state of Rio de Janeiro to prepare, within ninety days, a plan aimed at reducing police lethality and controlling human rights violations by the security forces, which contains objective measures, specific timelines and the forecast of the resources needed for its implementation. The rapporteur also ordered a federal investigation on the police raid of May 6<sup>th</sup>.<sup>16</sup>

<sup>13</sup> Cited in Justice Edson Fachin’s opinion in ADPF 635-MC: from the speech of Prof. Hirata in the Public Hearing held by the Supreme Court on May 2020. Available at: <https://redir.stf.jus.br/paginadorpub/paginador.jsp?docTP=TP&docID=754312998>

<sup>14</sup> “Rio de Janeiro’s deadliest police raid: On May 6<sup>th</sup>, the police stormed the favela, targeting one of the city’s largest drug gangs, known as the Red Command. Twenty-seven men were shot dead by the police and one police officer was killed. The police, politicians and some parts of the media called the operation a “surgical” success. Human rights activists, community leaders and residents of the favela have described it as a massacre and are now calling for justice. See: <https://www.theguardian.com/world/audio/2021/may/20/inside-jacarezinho-favela-after-rio-de-janeiros-deadliest-police-raid>.

<sup>15</sup> LISITSYNA, Masha; SCOTT, Ian et al. How Independent Agencies Can Begin to Hold Police Accountable. **Opena Society Justice Initiative Website**. May 10., 2021. Available at: <https://www.justiceinitiative.org/voices/how-independent-agencies-can-begin-to-hold-police-accountable>.

<sup>16</sup> The definitive merits of the case in this action are still pending judgment in the Federal Supreme Court until the date of submission of this article.



## 5. Representation in individual appeals before the Supreme Courts (*erga omnes* effect)

Many efforts have been made along the last years to end the humiliating practice of strip-searching prison visitors, which involves nudity or manual contact with the intimate parts of the person being searched.

In the State of Rio de Janeiro, that practice was banned by a state law, enacted in 2017. Although, the Public Prosecutor's Office and a state Congressman filed lawsuits of unconstitutionality on the matter. The State Court admitted the Public Defender's Office as *amicus curiae* to support the complete abolishment of the practice.

At the core of the trial were the principles of protection of privacy and human dignity, conflicting with the principles of public security and public order. About this topic, an important survey carried out by the Public Defender's Office of São Paulo, in 2012, found out that of 3,407,926 intimate searches, only 493 of them resulted in seizures, that is 0.014%. That research was presented before the Court, proving that the visitors were not substantially responsible for the entrance of forbidden items in prison facilities. In 2018, the majority of the State Court ruled to ban the strip-searches, considering it a medieval institutional violence and a violation of the principle of human dignity. The decision was binding only within the state of Rio de Janeiro.

As an aftermath of these judicial precedents, there was a debate about the illegality of the evidence obtained from the intimate search of visitors before they enter a prison. An individual case reached the Supreme Court<sup>17</sup>, which applied the regime of general repercussion, meaning that the final decision shall be binding for the whole country.

In this case, the plaintiff is defended by the Public Defender's Office of the State of Rio Grande do Sul. The opinion of the Supreme Court Justice who is the case's rapporteur establishes that the vexing practice of intimate searches on visitors in establishments of compulsory segregation is prohibited, in any form – nakedness of visitors and the inspection of their body cavities are prohibited. Furthermore, it concludes that the evidence obtained from such searches is illicit and the absence of electronic and radiosopic equipment cannot be used as an excuse.

But another justice dissented, in order to admit the intimate search in exceptional cases, duly motivated, depending on the visitor's agreement, which should only be carried

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<sup>17</sup> Agravo em Recurso Extraordinário (Extraordinary Appeal to the Superior Court of Justice - ARE) 959620. Available at: <http://portal.stf.jus.br/processos/detalhe.asp?incidente=4956054>

out according to pre-established protocols by physicians of the same gender in case of invasive examination. The case is still pending on a final decision.

## 6. Petitioning before the International Human Rights System

An important case of collective defense of the prison population began in 2018, but it had a good part of its consequences during the pandemic. After the exhaustion of all individual domestic remedies in the domestic legal system, the Public Defender of the State of Rio de Janeiro forwarded a petition to the Inter-American Commission on Human Rights - IACHR, denouncing and asking for measures, given the serious situation of overcrowding and inhuman and degrading conditions at Plácido de Sá Carvalho Prison, located in the Penitentiary Complex of Gericinó, in the city of Rio de Janeiro<sup>18</sup>.

After conducting inspections at the prison unit, the Inter-American Commission on Human Rights - IACHR issued a Resolution prohibiting the admission of new prisoners<sup>19</sup>. In addition, it determined the double counting of each day of deprivation of liberty spent inside the facility, as a way of compensating for the degrading situation suffered.

Such a decision constituted an unprecedented scenario in Brazil and, until very recently, it had not yet been fully complied with by the Brazilian state.

Moreover, in a recent decision in an individual habeas corpus, the Superior Court of Justice granted the right to double counting of the entire imprisonment period of a man at Instituto Penal Plácido de Sá Carvalho.

In addition to being a leading case on the need for full application of the IACHR Resolution by the Brazilian state, the Superior Court of Justice also stressed – more emphatically than usual – the importance of the internal enforcement of international human rights law, stating that: “national judges must act as inter-American judges and establish a dialogue between domestic law and international human rights law, to actually lessen violations and shorten international demands.”

From that case, all sentences must be reviewed, to fully apply the double count of the jail time served at Instituto Penal Plácido de Sá Carvalho.

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<sup>18</sup> See: <https://summa.cejil.org/en/entity/2wk41gnou8qnvikhwntiq9f6r>.

<sup>19</sup> See: <https://summa.cejil.org/en/entity/33cjl0jozi5?page=1&raw=true>.

## 7. Conclusion

The cases reported above are just a sample of a much larger universe of collective lawsuits in which the Public Defender's Offices in Brazil are plaintiff, third party and despite acting also in individual cases as a representative of the plaintiff or of the defendant, under the regime of general repercussion (*erga omnes* effect). Nevertheless, this is a recent experience and there is a lot to be learned and explored.

Cases like these are not always resolved with the outcome of the trial. Often, there are difficulties in enforcing judicial decisions or even setbacks in the implementation of the legally guaranteed rights. In general, it is a work in progress that demands more than one legal action, as well as the use of other initiatives, such as the sensibilization of the public opinion, advocacy before the legislative and executive power, among other actions.

Finally, some of the main lessons learned shall be highlighted:

(1) Collective lawsuits must be used carefully and strategically, being previously planned and discussed. In certain cases, it is only through collective actions that it is possible to effectively secure rights. In others, it is preferable to seek judicial precedents in individual lawsuits, until the jurisprudence is more favorable to decide on collective actions;

(2) the importance of engagement with other social actors, especially with the entities representing the people whose interests are being defended, is crucial. These partnerships are of utmost importance as they permit a better understanding of the matter and allow seeking appropriate solutions not only from a legal point of view, but also from a practical one, to bring concrete relief and to cease or repair the violations of rights;

(3) it is recommended and necessary joining forces with other bodies and entities to add a multidisciplinary perspective, such as experts and scholars from different areas of knowledge, is also paramount;

(4) beyond solid and strong legal grounds, data and evidence-based arguments are of substantial importance, especially when it is a hard case in which the Court has to weigh principles enshrined in the Constitution.

## References

LISITSYNA, Masha; SCOTT, Ian et al. How Independent Agencies Can Begin to Hold Police Accountable. **Open Society Justice Initiative Website**. May 10, 2021. Available at: <https://www.justiceinitiative.org/voices/how-independent-agencies-can-begin-to-hold-police-accountable>.

OPEN SOCIETY FOUNDATION. **Strategic Litigation Impacts Insights from Global Experience**. New York: Open Society Foundation. 2018. Available at: <https://www.justiceinitiative.org/uploads/fd7809e2-bd2b-4f5b-964f-522c7c70e747/strategic-litigation-impacts-insights-20181023.pdf>

SUPERIOR TRIBUNAL DE JUSTIÇA, Brazil. Habeas Corpus 568693 - ES. Available at: [https://processo.stj.jus.br/processo/revista/documento/mediado/?componente=MON&sequencial=108097115&tipo\\_documento=documento&num\\_registro=202000745230&data=20200331&tipo=0&formato=PDF](https://processo.stj.jus.br/processo/revista/documento/mediado/?componente=MON&sequencial=108097115&tipo_documento=documento&num_registro=202000745230&data=20200331&tipo=0&formato=PDF)

SUPERIOR TRIBUNAL DE JUSTIÇA, Brazil Habeas Corpus 596.603 – SP. Available at: <https://www.stj.jus.br/sites/portalp/SiteAssets/documentos/noticias/08092020%20HABEAS%20CORPUS%20N%C2%BA%20596603.pdf>

SUPREMO TRIBUNAL FEDERAL, Brazil. **Case Law Compilation Covid-19/ Brazilian Federal Supreme Court**. Brasília: STF, Secretaria de Altos Estudos Pesquisas e Gestão da Informação. 2020. Available at: [http://www.stf.jus.br/arquivo/cms/publicacaoPublicacaoTematica/anexo/case\\_law\\_compilation\\_covid19.pdf](http://www.stf.jus.br/arquivo/cms/publicacaoPublicacaoTematica/anexo/case_law_compilation_covid19.pdf)